

Wrongly Convicted Database Record

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Years Imprisoned:	4
Charge:	Second Degree Murder
Sentence:	20 years
Year Convicted:	1967
Year Cleared:	1971
Location of Trial:	Florida
Result:	Judicially Exonerated Released
Summary of Case:	Wrongly convicted of murder.
Conviction Caused By:	
Innocence Proved By:	
Defendant Aided By:	
Compensation Awarded:	
Was Perpetrator Found?	
Age When Imprisoned:	
Age When Released:	
Information Source 1:	“In Spite of Innocence: Erroneous Convictions in Capital Cases,” Michael L Radelet, HugoAdam Bedau, and Constance E. Putnam, Northeastern University Press, Boston, 1996 pb ed. with new forward, 355 (© 1992).
Information Location 1:	
Information Source 2:	

Information Location 2:	
Information Source 3:	
Information Location 3:	
Information Source 4:	
Information Location 4:	
Information Source 5:	
Information Location 5:	
Ethnicity/Skin:	
Book About Case:	
Book Information:	
Book About Case (2):	
Book Information (2):	
Movie About Case:	
Comments About Case:	

Innocents Database Created and Maintained by Hans Sherrer innocents@forejustice.org

<http://news.google.com/newspapers?nid=1873&dat=19710702&id=-U4fAAAAIBAJ&sjid=ptEEAAAIBA&pg=711,504960>

FREE AT LAST - David Ronald Wilson, 28, is hugged by his sister, Erma, left, and his mother, Albertha, after his 1966 (sic) conviction for killing a 17 year old girl is set aside. He was released in Miami Wednesday after serving four years in prison before convincing anyone of his innocence.



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DAVID RONALD WILSON v. STATE FLORIDA (03/26/68)

DISTRICT COURT OF APPEAL OF FLORIDA, THIRD DISTRICT.

March 26, 1968

DAVID RONALD WILSON, APPELLANT,
v.
THE STATE OF FLORIDA, APPELLEE.

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Before CHARLES CARROLL, C.J., and PEARSON and HENDRY, JJ.

Per Curiam.

The appellant was adjudged guilty of murder in the second degree after a jury trial and verdict. He was sentenced to twenty years in the State prison. This appeal presents a single point in which the appellant urges that the testimony of the two eyewitnesses to the homicide was so conflicting and contradictory as to how the homicide occurred that the conviction should be reversed and a new trial ordered.

The deceased, a female minor named Earnestine Kinchen, in the company of three male friends, went to the Cotton Club, a night club in Dade County, Florida. A man at the entrance said Earnestine was not old enough to be admitted to the night club. The appellant was sitting on a car nearby. He interjected himself into the discussion and followed the deceased into the street where he grabbed Earnestine by the hair and pulled her around; she slapped him and he knocked her to the ground.

The witnesses agree that while the appellant was standing over the deceased he drew a gun from his pocket and a shot rang out. There is conflict in their testimony as to whether the victim walked or was carried to a car. It is clear that she was in the car while one of her escorts standing nearby engaged in a "shoot out" with the appellant. She was unconscious when the car arrived at her home a short distance away.

The testimony of Wilford Norris and Bernie Patterson, two of the victim's male companions, was contradictory upon cross examination and with each other as to a great many of the details of the sequence of events described. Basically, however, they testified to the same essential facts.

The credibility of the witnesses and the weight of their testimony is primarily for the trier of fact. An appellate court will not substitute its judgment for that of the jury and the trial court where there is sufficient competent evidence to support the judgment. *McDowell v. State*, 160 Fla. 588, 36 So.2d 180 (1948); *Crum v. State*, Fla.App.1965, 172 So.2d 24; *Wright v. State*, Fla.App.1966, 182 So.2d 264.

Our review of the record convinces us that the evidence before the jury was sufficient. It was not so contradictory as to be rendered unbelievable as a matter of law. It is obvious that under the pressure of lengthy and arduous cross examination, the witnesses sometimes misunderstood the import of the question but viewed in the light most favorable to the jury verdict, the evidence is sufficient to prove the guilt of the appellant beyond a reasonable doubt. The theoretical possibility that the deceased was struck by a stray bullet in the subsequent exchange of shots is not a real possibility in view of the conclusive evidence that the appellant was standing directly over the deceased when he drew his gun and shot her. In addition there is corroborative evidence as to the caliber and the course of the bullet after it entered the body of the deceased.

Affirmed.

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FLORIDA

Following the names in parenthesis are the year of conviction, year of exoneration (or year of release if it occurred before the exoneration), the principal crime charged, and the sentence.

James Adams

William Henry Anderson

Brett Bachelor

[James Bain \(1974, 2009, Child Sex Abuse, Life\)](#)

Orlando Boquete (1983, 2006, Sexual Assault, 65 Years)

Larry Bostic (1989, 2007, Sexual Assault, 8 Years)

Anthony Silah Brown

Tim Brown (1993, 2003, Murder, Life)

J. B. Brown

[Joseph Green Brown](#)

[Willie A. Brown](#)

Anthony Caravella (1984, 2010, Murder, Life)

Jacob Cash (1998, 2008, Murder, 50 Years)

Carl A. Coppolino

Isiah Chambers

Christopher Clugston (1983, 2001, Murder, Life)

Robert Craig Cox

Alan Crotzer (1982, 2006, Child Sex Abuse, Life)

Peter Dallas (1991, 1992, Murder, Unknown)

Charlie Davis

Cody Davis (2006, 2007, Robbery, 3 Years)

Sie Dawson

Wilton Dedge (1982, 2004 Sexual Assault, 30 Years)

Luis Diaz (1980, 2005, Sexual Assault, Life)

[William Dillon \(1981, 2008, Murder, Life\)](#)

Johnny Frederick

E. J. Fudge

Andrew Golden (1991, 1994, Murder, Death)

[Clarence Earl Gideon](#)

[Joseph Nahume Green \(1993, 2000, Murder, Death\)](#)

Phyllis Elaine Hall

[Robert Hayes](#)

Chad Heins

Walter Lee Irvin

John William Jackson

[Sonia Jacobs](#)

Anibal Jaramillo

[William Riley Jent](#)

David R. Keaton

Keith King

Wilbert Lee

Joaquin Jose Martinez (1997, 2001, Murder, Death)

Leroy McGee (1991, 1995, Robbery, 4 Years and 6 months)

Juan Roberto Melendez (1984, 2002, Murder, Death)

[Earnest Lee Miller](#)

Todd Neely

Karen O'Dell (1998, 2000, Drug Possession or Sale, Probation)

Richard Paey (2004, 2007, Drug Possession or Sale, 25 Yearas)

Anthony Ray Peek

John Peel (2000, 2002, Manslaughter, 10 years)

Seth Penalver (1999, 2012, Murder, Death)

Vishnu Persad (2001, 2007, Assault, 43 Years)

Freddie Pitts

Michael Porter (1988, 2002, Sexual Assault, Life)

John Gordon Purvis (1985, 1993, Murder, Life)

Sergio Radillo, Jr. (1995, 2005, Attempted Murder, Life)

Juan Florencio Ramos

James Joseph Richardson (1968, 1989, Murder, Death)

Derrick Robinson (1989, 1991, Murder, 7 Years)

[Bradley P. Scott](#)

[Frank Lee Smith](#)

Howard Shaffer

Joseph Francis Shea

Samuel Shepherd

Frank Lee Smith (1986, 2000, Murder, Death)

Sarah Smith (1998, 2000, Drug Possession or Sale, 1 Month)

Harold Grant Snowden (1986, 1998, Child Sex Abuse, 50 years to Life)

Charles Stevens

[Delbert Tibbs](#)

Jerry Frank Townsend (1980, 2001, Murder, Life)

Clinton Treadway (2006, 2012, Theft, 10 Years)

William Troop

[Larry Troy](#)

Robert Watson

Derrick Raphel Williams (1993, 2011, Sexual Assault, Life)

Jack Williamson

David Ronald Wilson

Walter Woodward



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