

**Peter Meyers has practiced law for more than 40 years,
first as a consumer and environmental advocate and
in recent decades as a criminal defense attorney.**

Legal Victories

The U.S. Supreme Court held that citizens have standing to sue the federal government to prevent damage to the environment in this case involving rates approved by the government allowing railroads to charge more to ship recycled materials than to ship raw materials, *United States v. SCRAP*, 412 U.S. 669 (U.S. Supreme Court).

The Federal Trade Commission held for the first time that it has the authority to require the corrective advertising remedy I proposed for advertising campaigns found to be false or deceptive, *In re Campbell Soup Company*, FTC Docket No. 692-3061 (Federal Trade Commission).

Criminal defendants challenging whether a jury panel reflects a fair cross-section of the community have the right to inspect court records used to select the persons who comprise the jury panel, *Gause v. United States*, 6 A.3d 1247 (D.C. Court of Appeals) (*en banc*).

The Parole Board violates a prisoner's right to due process when it vindictively imposes a longer sentence following the prisoner's successful challenge to his initial parole revocation decision, *Hammond v. District of Columbia Board of Parole*, 756 A.2d 896 (D.C. Court of Appeals).

Federal Agencies must reconsider reclassifying marijuana to recognize medical uses and lower penalties, *NORML v. DEA*, 559 F.2d 735 (U. S. Court of Appeals for the D.C. Circuit).

Criminal Conviction Reversals on Appeal

Armed carjacking conviction reversed on the basis of illegal search and seizure, *James v. United States*, 319 A.3d 384 (D.C. Court of Appeals).

- Police body worn camera footage showed that, contrary to the police

account, they had illegally detained and questioned my client prior to locating a firearm my client allegedly left in a nearby apartment building. Evidence of the rifle ordered suppressed as the result of the illegal detention.

Murder conviction reversed because an improper urban gun battle instruction was given to the jury, *Fleming v. United States*, 224 A.3d 213 (D.C. Court of Appeals) (*en banc*).

- In this urban gun battle case, the victim was killed not by my client or a member of his crew, but by one of their opponents. The Court of Appeals reversed the trial court for applying an incorrect legal standard of causation—my client had not been shown to be a “but for” cause of the victim’s death.

Robbery conviction reversed because the government failed to prove that the defendant put the complainant in fear, *Williams v. United States*, 113 A.3d 554 (D.C. Court of Appeals).

- My client and his codefendants approached an individual at night who alleged that he was concerned that he would be robbed. Conviction overturned for failure to demonstrate that my client’s words or actions objectively put the complainant in fear or threatened violence.

Murder conviction reversed because the government failed to prove that its key eyewitness to the shooting was “unavailable” when she failed to show up for the defendant’s re-trial, *Brooks v. United States*, 39 A.3d 873 (D.C. Court of Appeals).

- When a key witness implicating my client failed to show up after the lunch break, the government attempted to read into the record her testimony from a prior trial. I successfully argued that this defeated my client’s constitutional right to confront the witness who testified against him.

Murder conviction reversed because the trial court erroneously allowed the co-defendant’s unredacted confession that implicated my client to be introduced at their joint trial, and erroneously denied my client’s motion to sever the two cases for separate trials, *Wonson v. United States*, 957 A.2d 931 (D.C. Court of Appeals).

Murder conviction reversed because of the erroneous admission of an out-of-court videotaped confession of a non-testifying co-defendant at his joint trial with my client, *Williams v. United States*, 858 A.2d 978 (D.C. Court of Appeals).

Murder conviction reversed because a purported dying declaration improperly introduced at trial, *Bell v. United States*, 801 A.2d 117 (D.C. Court of Appeals).

- The “dying declaration” exception to the hearsay rule was erroneously applied when the victim of a drive-by shooting, who subsequently died, was in serious condition in the hospital at the time he made his statement to the police, but was not in imminent fear of death at that time.

Conviction for conspiracy to distribute narcotics reversed because the trial court erred in not permitting follow-up questioning of jurors by defense counsel at the onset of the jury selection process, *Gibson v. United States*, 649 A.2d 593 (D.C. Court of Appeals).

- It was plain error for the trial court not to allow adequate questioning of the relationship between prospective jurors and law enforcement personnel.

Conviction for distribution of narcotics reversed because the trial court erroneously refused to give the jury an alibi instruction, *Gethers v. United States*, 556 A.2d 201 (D.C. Court of Appeals).

Prisoners Released Pursuant to the D.C. Second Look Act (the “IRAA”)

The Incarceration Reduction Amendment Act (“IRAA” also known as “The Second Look Act”) provides for release of defendants who committed a serious crime while under the age of 25 who have served at least 15 years in prison if the court finds that the defendant “is not a danger to the safety of any person or the community and that the interests of justice warrant a sentence modification.”

I have secured the release of inmates sentenced to decades in prison for serious offenses such as murder committed when they were young adults by demonstrating:

- A strong prison record indicating they were no longer dangerous, as evidenced by their lack of recent violent incidents or drug use in prison; participation in rehabilitation programs and prison jobs; and their sincere expressions of remorse.

- A strong plan for community re-entry, including family support, job prospects, and a residential living plan.

I secured the release of a defendant who served more than 27 years in prison for a murder offense who was released to return to his family, *United States v. Lamont Easley*, D.C. Superior Court Crim. No. 1994 FEL 3127.

I secured the release of a defendant who served more than 24 years in prison for a murder offense who was released to return to his family, *United States v. Tywan Washington*, D.C. Superior Court Crim. No. 1994 FEL 009189.

I secured the release of a defendant who served more than 17 years in prison for a murder offense who was released to return to his family, *United States v. Ramone S. Jennings*, D.C. Superior Court Crim No. 2006-CF1-011378.