
**CHARLES 'K.K.' LEWIS' MOTIONS EXPECTED TO BE ARGUED
IN COURT FRI. AUG. 3, 2018**

Motion to dismiss case due to actual innocence

“What is disturbing is the fact that the jury had to reject the testimony of Dennis Van Fleteren, an eye witness who was also a Detroit Police Officer, and the partner of the deceased, to convict the Defendant. . .in favor of three juveniles.” - - **Judge Deborah Thomas, Aug. 16, 2006**

Most witnesses at Lewis’ first trial in March, 1977 said the shotgun blast that killed Off. Sypitkowski came from a white Lincoln Mark IV, owned by Leslie Nathaniel, who was arrested but released after talking to Sgt. Gil Hill. Hill was known for his ties to drugs, the mob, and homicide cover-ups. There is no record of a jury verdict, or motion to dismiss the case, from the first trial, meaning Lewis should have been acquitted.

Denial of effective assistance of trial counsel where defense counsel argued that defendant was guilty

There's been a killing; there's been an attempted robbery; there's been a attempted robbery prior to this matter at issue today. Now we have here only one Defendant. But originally there were four young blacks. If they are part of a gang, I don't know. But let's assume they're part of a gang.”Part of defense atty. Arthur Arduin’s opening statement to the jury. He never addressed the testimony of the officer’s partner and others who said they saw the shotgun blast come from a white Lincoln Mark IV

Motion to dismiss the prosecution's request to sentence the defendant to LWOP pursuant to MCL 769.25a because the statute does not apply to this case

On October 17, 2012 when Judge Edward Ewell Jr. granted the defendant's motion for a sentence that complied with Miller v Alabama, MCLA 769.25 did not exist. MCLA 769.25 became effective on March 4, 2014 well over a year after the defendant’s motion for resentencing was granted. . . .When Jason Williams filed the motion to conduct a mitigation hearing pursuant to MCLA 769.25 . . . there was no criminal file in this case. . . .Jason Williams did not have anything to base his request for LWOP on.”

Motion to dismiss case because of loss of criminal court file pursuant to People v. Fullwood, MSC, 1974, defendant’s motion of June 23, 2016

Lewis’ newly-appointed attorney Sanford Schulman, a federal criminal defender, pledged in court Aug. 19 that he would argue that Lewis’ criminal court file, which has been lost as a whole, **CANNOT BE RECONSTRUCTED AND CASE MUST BE DISMISSED under multiple Michigan and U.S. Supreme Court rulings.**

Defendant’s motion for bond

“Pursuant to MCLA 771.1 a trial court does not have the authority to delay sentencing in this case beyond one year because this was not an offense exempted by the statute. Pursuant to People v West, an unauthorised delay in sentencing a defendant deprives the trial court of jurisdiction to sentence; a trial court cannot simply postpone sentencing and retain jurisdiction to sentence.
