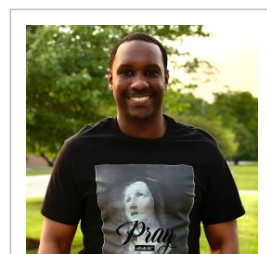


[BROWSE CASES](#)[ISSUES](#)[REPORTS](#)[RESOURCES](#)[ABOUT US](#)[MAKE A GIFT](#)
**3,325 EXONERATIONS SINCE 1989**  
**MORE THAN 29,500 YEARS LOST**

## ALPHONSO CLARK

### Other Exonerations in Wayne County, Michigan



Alphonso Clark

At approximately 11:30 p.m. on June 17, 2005, 43-year-old Gregory Marshall was shot to death outside his house in Inkster, Michigan, a suburb of Detroit.

Marshall lived in the house with his mother, Berdia Marshall, and his brother, Terence Jones, who at the time of the shooting was on the porch with a friend named Kimberly Jones. Terence Jones saw the shooting and told his mother, who was inside, to call 911 and tell the dispatcher that Alphonso Clark had shot Marshall, who was laying in the

street.

Based on Terence Jones's identification, police arrested 23-year-old Clark the next day and charged him with first-degree murder and weapons violations.

Neither Kevin Long, who was in front of an apartment building cater-corner to the Marshall house, nor Kimberly Jones could identify the shooter, but both told police that it wasn't Clark, whom they knew, because the shooter was much taller.

At a preliminary hearing on July 17, 2005, in Wayne County Circuit Court, Terence Jones testified about what he saw on the night of the shooting. Kimberly Jones testified that the shooter was taller than Clark. Separately, a man named Jerel Dillard testified that Marshall had violent tendencies, describing an incident that happened earlier that year, when Marshall shot at him.

Long had also been prepared to testify, but he told Clark's attorney, Raymond Burkett, that Detective Anthony DelGreco of the Inkster Police Department had threatened to arrest him if he testified. The attorney told the trial judge. DelGreco denied intimidating Long.

Clark's four-day trial began on November 3, 2005. Prior to the start, Burkett moved to suppress the introduction of the 911 call made by Berdia Marshall, arguing that her statements to the dispatcher were hearsay. Judge Daniel Ryan allowed the jury to hear the call.

At trial, Terence Jones testified that he knew Clark well and that Clark had been at the Marshall residence several times the day of the shooting. He testified that he saw Clark run toward Marshall and shoot him in the back as Marshall tried to run away. Jones testified that Clark was wearing a hood, but his face was uncovered. He said Clark was no more than 20 feet away, and he was sure of his identification. He also testified that he tampered with the crime scene, removing drugs from his brother's pockets before the police arrived.

Kimberly Jones would testify that Terence Jones's account of the shooting

<b>State:</b>	Michigan
<b>County:</b>	Wayne
<b>Most Serious Crime:</b>	Murder
<b>Additional Convictions:</b>	Weapon Possession or Sale
<b>Reported Crime Date:</b>	2005
<b>Convicted:</b>	2005
<b>Exonerated:</b>	2023
<b>Sentence:</b>	Life without parole
<b>Race/Ethnicity:</b>	Black
<b>Sex:</b>	Male
<b>Age at the date of reported crime:</b>	23
<b>Contributing Factors:</b>	False or Misleading Forensic Evidence, Perjury or False Accusation, Official Misconduct, Inadequate Legal Defense
<b>Did DNA evidence contribute to the exoneration?:</b>	No

was “ridiculous.” She testified that she could not see the shooter’s face, but the man was taller than Clark, who was 5 feet 8 inches tall.

Berdia Marshall testified that Clark had threatened Gregory Marshall in the past, and the two men had a dispute over drugs. She said that Clark called her the day after the shooting because he heard his name was being mentioned, and he offered her some money, saying it was for financial support.

Dr. Scott Somerset, a medical examiner, testified about Marshall’s gunshot wounds.

He was asked to tell the jury about the wounds listed on his report. Somerset said: “These wounds, I numbered them just for descriptive purposes. Gunshot wound number one does not mean it was the first one. I don’t know what order these occurred. So gunshot wound number one, I arbitrarily labeled gunshot wound number one was on the left back.”

“So, the individual that you examined, that being Mr. Marshall, was shot in the back?”

“Yes, once.”

Somerset testified there was no evidence that Marshall was shot at close range.

Neither Long nor Dillard testified, but a witness named Lucresha Baker testified for the defense. She lived four houses down the street and said she saw the shooting as she arrived home from work. She said she knew both Clark and Marshall, and that Clark was not the shooter. Baker testified that she tried to tell the Inkster police what she saw, but they were uninterested in taking her statement.

Clark testified that he knew Marshall and his family well and often visited them at their home. He said that he was there between 10 p.m. and 10:30 p.m. on the night of the shooting, talking to Gregory Marshall about Marshall’s feud with Dillard and telling Marshall that it “needed to stop.”

He said Alicia Hunter, his girlfriend, picked him up after 11 p.m., and that he went and ate pizza at her house. Clark said he later left to visit his father, then returned to Hunter’s house and spent the night.

Hunter testified and gave a similar timeline. She said she picked Clark up at about 11:15. Video footage from a Little Caesars pizza restaurant showed Hunter getting pizza at 10:31 p.m. When Clark was arrested the day after the shooting, he was wearing the clothes from the day before.

DelGreco testified that he submitted Clark’s clothing for testing by the Michigan State Police crime lab for evidence of blood, gunpowder, or gunpowder residue. The crime lab found no blood evidence and never performed testing for gunpowder or its residue. The gun used in the shooting was never found.

During closing arguments, the prosecutor told the jury that Kimberly Jones’s testimony should be discounted. “This individual was shot in the back. Miss Jones didn’t see that shot because [the] only shots that she’s saying is when this person [is] on the ground. Well guess what? That is totally contradictory to the medical evidence, totally. This person was shot in the back first.

Burkett objected, telling the judge that the medical examiner specifically testified that he didn’t know the order of the shots. The judge sustained the objection.

The prosecutor continued: “I want you to remember the testimony of the medical examiner. I want you to remember how the first shot was in the back. I want you to remember how the medical examiner told you when people are shot like this, the body can fill up with blood. That’s how he died, that’s what the medical examiner testified.”

Burkett did not object this time.

The jury deliberated for four days. On the second day, it said the members were deadlocked and asked to review the testimony of Terence Jones and Kimberly Jones, as well as the pre-trial testimony of Dillard, which had been introduced into evidence. They remained deadlocked a third day, which was a Friday, telling Judge Ryan that the split had moved from 8-4 to 11-1 in favor of conviction.

The judge told them to keep deliberating and to not disclose the status of the voting. Burkett moved for a mistrial, which Judge Ryan denied.

The jury returned on Monday, November 14, 2005, and convicted Clark of first-degree murder and two charges of weapons possession. He received a sentence of life without parole.

Clark appealed, arguing that there had been insufficient evidence to support his conviction and that Judge Ryan had erred in letting the jury hear the 911 call. The Michigan Court of Appeals affirmed the conviction on May 31, 2007. It said that although two witnesses testified that Clark wasn't the shooter, these witnesses also testified that the gunman wore clothing consistent with what Clark was said to have worn the day of the shooting. The court also said that Judge Ryan was well within his discretion to allow the jury to hear the 911 call.

In 2008, Clark again moved for a new trial. He said that DelGreco had intimidated Long and Dillard. The motion included affidavits from both men describing the intimidation.

Clark also said that the prosecutor had committed misconduct in his closing arguments and improperly vouched for the credibility of the state's witnesses. In addition, Clark said Burkett had provided deficient representation, objecting only once to the prosecutor's false statements, failing to present expert testimony on mistaken witness identification, and failing to investigate what happened with Long at the pre-trial hearing.

The Michigan Court of Appeals again affirmed the conviction on May 14, 2013. It said Burkett's decision to not object a second time might have been strategic to avoid appearing discourteous to the judge. It also said that expert testimony on mistaken witnesses could have cut both ways, undermining the credibility of the witnesses who did not identify Clark.

The court rejected Clark's claims of witness intimidation. It noted that the jury heard Dillard's pre-trial testimony and that Burkett used Long's absence to suggest that he might be the gunman, because he was dressed similarly to the descriptions provided by the witnesses.

On April 16, 2014, Clark filed an amended petition for a writ of habeas corpus in U.S. District Court for Eastern Michigan. (He had filed an earlier version in 2009, but halted that effort while he pursued a new trial in state court.) The petition repeated the same claims made in his earlier appeals and said the errors and misconduct had violated his right to a fair trial. Judge Thomas Ludington of U.S. District Court denied his motion, largely on procedural grounds, on January 4, 2016.

In 2020, Clark submitted his case for review by the Conviction Integrity Unit (CIU) of the Wayne County Prosecutor's Office.

During its investigation, the CIU interviewed Terence Jones, who recanted his trial testimony. He said that he did not see the shooter's face and did not believe that Clark shot and killed Marshall.

On April 20, 2023, the CIU and Leanna Belcher, Clark's new attorney, submitted a joint motion asking the court to vacate Clark's conviction and dismiss his charges. The motion said, "In addition to Mr. Jones' admissions that his trial testimony was inaccurate, the CIU discovered other credible evidence that supported that Mr. Clark was not the shooter."

The filing did not describe that new evidence.

Judge Bridget Hathaway of Wayne County Circuit Court granted the motion

that day. Clark was released from prison, and his charges were dismissed.

At the hearing, Clark thanked his family, Belcher, the staff of the CIU, and others for their help and support. He offered his condolences to the Marshall family and said he hoped they could get justice in Gregory Marshall's death.

– *Ken Otterbourg*

---

[Report an error or add more information about this case.](#)

---

Posting Date: 5/30/2023

Last Updated: 5/30/2023

---

## ABOUT THE REGISTRY

The National Registry of Exonerations is a project of the Newkirk Center for Science & Society at University of California Irvine, the University of Michigan Law School and Michigan State University College of Law. It was founded in 2012 in conjunction with the Center on Wrongful Convictions at Northwestern University School of Law. The Registry provides detailed information about every known exoneration in the United States since 1989—cases in which a person was wrongly convicted of a crime and later cleared of all the charges based on new evidence of innocence. The Registry also maintains a more limited database of known exonerations prior to 1989.

[Support Our Work](#)

## CONTACT US

We welcome new information from any source about exonerations already on our list and about cases not in the Registry that might be exonerations.

[Tell us about an exoneration that we may have missed](#)

[Correct an error or add information about an exoneration on our list](#)

[Other information about the Registry](#)

[Sign up for our Newsletter](#)

Follow Us:    