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Warren murder conviction reversed by the state Court of Appeals

Man was convicted of 2nd-degree murder for killing cousin three years ago



Reinaldo Jamison MICHIGAN DEPARTMENT OF CORRECTIONS PHOTO

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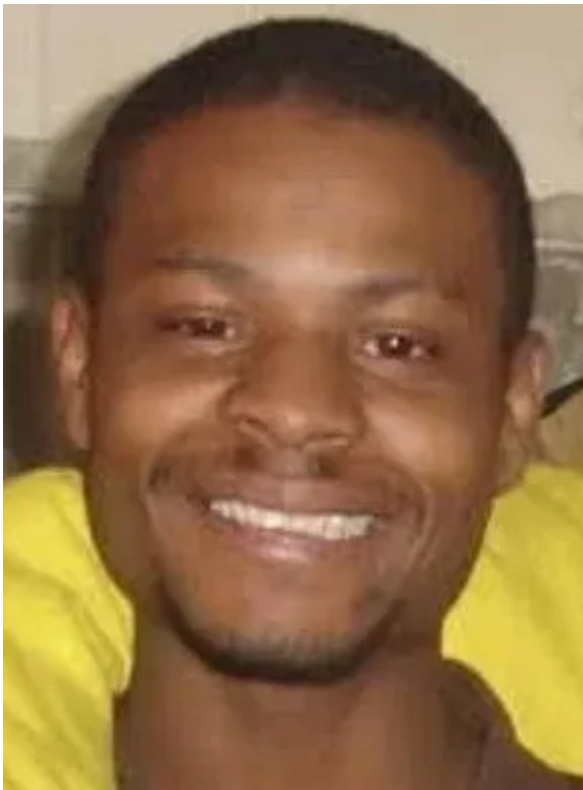


A 2019 murder Warren murder conviction has been overturned because the defendant's attorney failed to pursue a self-defense strategy.

A three-judge panel of the state Court of Appeals on Thursday reversed the second-degree murder conviction of Reinaldo Jamison, 28, for the August 2018 shooting death of Andre Fort in Jamison's Warren home. Macomb Circuit Judge Joseph Toia sentenced Jamison to 25-50 years in prison in November 2019 for murder and felony firearm.

The Court of Appeals ruled Jamison's trial lawyer, David Cripps, was constitutionally ineffective by failing to raise self-defense during Jamison's murder trial despite Jamison asking him to do so, according to Jamison's new attorney, Wade Fink.

"Because defense counsel did not even consider investigating the theory urged by defendant and supported, at least in part, by independent evidence, he failed to exercise reasonable professional judgment and his representation fell below an objective standard of reasonableness," wrote the panel, which was composed of judges Mark Cavanaugh, Christopher Yates and Kristina Garrett.



“The Court of Appeals did justice today and continues to show its dedication and thoughtfulness when it comes to reviewing the integrity of convictions in our state,” Fink said in a news release.

Prosecutors have 56 days from Thursday to decide whether to take the case to the Michigan Supreme Court or to retry Jamison in the Macomb Circuit Court.

“The opinion is well-reasoned, well-written and unanimous,” Fink said. “There is not much here for the Supreme Court to review, and we stand ready for a new trial.”

Fort, who was Jamison's cousin, was first shot minutes after 4 p.m. Aug. 28, 2018, as he sat on a living room couch and struck with gunfire additional times as he ran to the front door to flee, Macomb prosecutors said at the trial. He suffered six bullet wounds, including two to the head and the last one to the chest that prosecutors said was fired as he laid on the floor. County Medical Examiner Dr. Daniel Spitz testified at the trial the two prior head shots would have immediately incapacitated Fort.

Jamison fled in his car and turned himself in two days later.

Next-door neighbor Sue Willson testified at the trial she heard arguing from the residence shortly before the shooting. She also heard a loud bang but not gunshots.

Cripps contended during the trial that Fort broke into the home to confront the residents but was disarmed and shot by an unknown person in the home. Cripps added Jamison fled the home before the shooting quickly “to get away from danger.”



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