

STATE OF MARYLAND

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE COUNTY

v.

CLARENCE JONES III

Petitioner

*
* Case No.: 03-K-98-3820

* * * * *

ORDER SETTING ASIDE GUILTY VERDICTS

Following a bench trial, Clarence Jones III was convicted of second-degree murder and child abuse on March 4, 1999. On May 10, 1999, Mr. Jones received a sentenced of thirty years for second-degree murder and fifteen years concurrent for child abuse.

On December 21, 2016, Mr. Jones filed a Petition for Writ of Actual Innocence, arguing that newly discovered scientific evidence undermined the SBS hypothesis upon which the State relied. On February 14, 2019, this Court denied Mr. Jones’s Petition for Writ of Actual Innocence.

On February 2, 2021, the Court of Special Appeals issued an unreported opinion reversing the denial of the Petition and a Mandate directing this Court to grant the Petition for Writ of Actual Innocence and conduct further proceedings consistent with its opinion.

On April 6, 2021, this Court granted the Petition for Writ of Actual Innocence as directed by the Court of Special Appeals. A hearing to determine the appropriate relief under Md. Code, Crim. Proc. § 8-301(f)(1) was held on June 25, 2021.

Md. Code, Crim. Proc. § 8-301(f)(1) provides: “If the conviction resulted from a trial, in ruling on a petition filed under this section, the court may set aside the verdict, resentence, grant a new trial, or correct the sentence, as the court considers appropriate.”

Mr. Jones was paroled after serving over eighteen years of his sentence without infraction. In the nearly four years since his release, he has remained law-abiding and re-entered society as a productive member of the community.

The Court of Special Appeals directed this Court to grant the Petition for Writ of Actual Innocence, and this Court has done so. In light of the direction from the Court of Special Appeals, arguments presented by each side at the June 25, 2021 hearing, and all circumstances present at this stage, the only option set forth in Crim. Proc. § 8-301(f)(1) that this Court considers appropriate is setting aside the verdicts. Granting a new trial in this case would not serve the interests of justice.

NOW THEREFORE, it is hereby this 25th day of June 2021, by the Circuit Court for Baltimore County:

ORDERED that Petitioner's guilty verdicts in this matter be and hereby are set aside.

June 25, 2021
Date

Colleen A. Cavanaugh
Judge COLLEEN A. CAVANAUGH
Circuit Court for Baltimore County

Entered: Clerk, Circuit Court for
Baltimore County, MD
July 6, 2021
cc: SAO; Defendant