

West Virginia Innocence Project

WHAT WE DO

The West Virginia Innocence Project is a legal clinic that aims to serve and to free people who are in prison for crimes they did not commit. We work to fix the problems that lead to wrongful convictions in our justice system and focus on those issues important to the people of West Virginia.

RECENT VICTORIES



Charles Jason Lively
McDowell County, WV
Exonerated September 26, 2020
Time Served: 14 years

Mr. Lively's wrongful conviction was vacated by the McDowell County Circuit Court. Mr. Lively was wrongfully convicted in 2005 of First Degree Murder and First Degree Arson on the basis of false fire "science" testimony, despite the findings of multiple state experts, who asserted that the fire was not arson.



Nathaniel Barnett
Cabell County, WV
Exonerated: October 5, 2021
Time served: 8 years

WVIP client Nathaniel Barnett, along with his brother Philip Barnett, and friend Justin Black were exonerated after advances in DNA technology led to a new suspect in the 16-year-old murder case of Deanna Crawford.

WVIP 2021-22 AT A GLANCE

Currently screening applications received in 2022.

10

Accepted Clients

59

Cases Accepted For Screening

123

Requested Applications

200+

Pro Bono Hours Worked by Volunteer Attorneys



Members of the WVIP Law Clinic, 2022-23

The West Virginia Innocence Project was founded as a stand-alone clinic at the WVU College of Law in 2012. Since then, four clients have been granted DNA testing, two have been granted parole, two have received a conviction reversal, and two clients have been exonerated.

wvinnocenceproject.law.wvu.edu

CURRENT CASES

Tony Walton
Fayette County, WV
Time Served: 10 years

At only 27 years of age, Mr. Walton was wrongfully convicted of armed robbery in Mt. Hope, WV in 2012. Errors in the initial investigation led to an eyewitness misidentifying Mr. Walton as the perpetrator. That mistake combined with the use of flawed forensic techniques surrounding alternative light source technology and an inexperienced defense attorney led the jury to convict Mr. Walton despite the lack of concrete evidence. WVIP is continuing to amass evidence of Mr. Walton's innocence which will culminate in a court filing in the near future.

Samuel Anstey
Fayette County, WV
Time served: 27 years



Mr. Anstey has spent nearly half of his life in prison after being wrongfully convicted of First Degree Murder by Arson.

Numerous grave errors were made during the investigation and trial, such as the use of outdated and

erroneous science, and the improper preservation of the scene and evidence by investigators. Additionally, because the investigators demonstrated clear bias in their process and findings, their conclusions were unreliable and inaccurate. While the Supreme Court of Appeals of West Virginia and the U.S. Fourth Circuit Court of Appeals have denied Mr. Anstey's appeal, he continues to fight for his freedom.

For more information about these cases, or to see the other cases we're currently working on, visit our website.

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COMMON CAUSES OF WRONGFUL CONVICTION



Eyewitness Misidentification



Unreliable Informant Testimony



False Confessions



Unreliable or Improper Forensic Science



Bad Lawyering

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Select the *Innocence Clinic*.

Gifts are tax deductible.

PARTICIPATE

Attend panel discussions and other outreach events advertised on our social media.

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