

ALEXANDER COUNTY CIRCUIT COURT -- WILLFUL CORRUPTION

FORMER CIRCUIT CLERK - SUSAN HILEMAN

One of the key roles a circuit clerk plays in a jury trial (jury duty/selection) is: he/she is responsible for sending summons to members of the community.

Howsoever, in J.R.'s case, the clerk not only sent summons to preferred members of the community--but according to J.R.'s former Public Defender, Patrick Cox--who swore in an affidavit that he "personally observed extremely questionable conduct rising to the level of possible misconduct take place between the Circuit Clerk's Office and the State's Attorney's Office"--declared that the clerk--while in possession of the potential jury list--"gave her sister unfettered access in order to pack the jury and the State's Attorney's Office influenced the jury selection process." Jury Packing is "the act or an instance of contriving to have a jury composed of persons who are predisposed toward one side or the other. -- 'Also termed packing a jury.'"

In J.R.'s case, the clerk's sister worked for the State's Attorney, but their familial relationship had been fraudulently concealed from J.R., until April 3, 2019, when Patrick Cox furnished J.R. with an affidavit. Mr. Cox's affidavit stated amongst other things that: "there was a clear conflict of interest between those two offices because the clerk's sister, Sheryl Davis, worked for the State's Attorney--Jeff Farris, and [Patrick Cox] personally observed the clerk give her sister unfettered access to the potential list of jurors prior to the jury pool being assembled. 'This same access was never afforded to the defense, but understandably so'" Had J.R. knew of the relationship, he would have objected to the clerk selecting the jury. This relationship alone, denied J.R. his right to a fair trial. See 21 Corpus Juris Secundum subsection 340 - Disqualification to act, which states, "It has been held that the clerk's relationship to a party litigant by consanguinity and blood disqualifies the clerk from acting as clerk during the trial."

In J.R.'s case, the clerk's sister, Sheryl Davis, was assigned as the victim's advocate for the surviving victim. By being the victim's advocate in this case, it clearly made Davis a party litigant in J.R.'s case. Especially where a January 13, 1998, trial transcript shows that after Former State's Attorney, Jeff Farris, introduced himself to the jury in J.R.'s trial, he also introduced Sheryl Davis. In fact, while addressing the jury, Farris stated: "Seated at the table next to me you'll be seeing assisting me is my Victim's Advocate.

During a Zoom hearing held on December 15, 2022, the Court finally acknowledged that the clerk and the former state's attorney's assistant/victim's advocate are sisters..

FORMER STATE'S ATTORNEY/PROSECUTOR - JEFF FARRIS

According to Mr. Cox's sworn affidavit, former prosecutor-Jeff Farris and his assistant Corruptly and unethically listened to defendant interviews from the judge's office. Cox stated: "The Judge's Office had a conference room that was directly adjacent to the Public Defender's Client Interview Room. 'The State's Attorney and his assistant often frequented this room in the Judge's Office while the Defendant interviews were taking place.' 'This denied [J.R.] and his witnesses' privacy.'"

According to Kimberly Noble's affidavit, Former State's Attorney, Jeff Farris, coerced her mother Norma Johnson (victim) into falsely implicating J.R. in the crime. Ms. Noble stated plainly in her affidavit that: Jeff Farris "made it clear that he wanted to get both of them (Cleodious & Glen)." Ms. Noble further states: "Even though my mother had told me that Cleodious Schoffner saved her life, **I personally** was advised by the States Attorney not to talk to anyone about what my mother said." That aside, Ms.Noble declares in her affidavit that "Cleodious Schoffner Jr is 'INNOCENT!'"

ILLINOIS STATE POLICE OFFICER NEIL CRAIG SHORT

In J.R.'s 2019 Petition, he argued that former State's Attorney, Jeff Farris, together with agents of the State (Police Officers) fraudulently concealed exculpatory evidence that could have exonerated him. While J.R.'s argument/evidence fell on deaf ear--and was never addressed by the court--a more recent investigation revealed that Neil Craig Short, who was the Lead Investigating Officer in J. R's case, and who interviewed all three key witnesses named in J.R.'s petition, was found guilty of witness tampering in another case.

In 2001, Illinois State Police Officer, Neil "Craig" Short, was reportedly accused of falsifying a reckless driving complaints against a female that he had a recent affair with.

It is important to mention here that all three witnesses have retracted any and all statements that implicated J.R. in the crime.

CASE 97 - CF 43

J. R's criminal case took place in Alexander County, Illinois Circuit Court, located in Cairo, Illinois. He was found guilty by a jury, of which many members fell asleep during the trial, on January 19, 1998. On March 3, 1998. J.R., who was 20 years old, was sentenced to natural life in prison without the chance of parole.

Also in January of 1998, pursuant to time limitations, J.R. filed his Notice of Appeal of this conviction.

The 5th District Appellate Court received J.R.'s appeal, and eventually appointed him an appellate defender that was assigned to his case. Ultimately, his appeal was denied in the Appellate Court on _____.

J.R. then appealed his conviction all the way to the Illinois Supreme Court on _____. To which it was also denied on _____.

After multiple failed attempts, J.R. continued to file numerous other appeals that all ended up being unsuccessful as well.

On October 26, 2005, J.R. filed a Relief from Judgement Petition pursuant to 735 ILCS 5/Section 2-1401 with the circuit court he was convicted in, Alexander County. However, nei

EVIDENCE IN FAVOR OF J.R.

AFFIDAVIT OF PATRICK J. COX

(J.R.'s public defender from trial)

“There was a clear conflict of interest between those two offices because the circuit clerk, Susan Hileman’s sister, Sheryl Davis, worked for the State’s Attorney Jeff Farris.”

KIMBERLY NOBLE -- VICTIMS DAUGHTER

Text Messages to JR s family

Video Affidavit &

Affidavit of Kimberly Noble

In May of 2019, Kimberly Noble, Daughter of the Surviving Victim -- Norma Johnson reveals in an Affidavit that she has personal knowledge that Cleodious Schoffner Jr. is Innocent of the Crimes Allegedly committed against her mother.

(Female Victim’s Daughter who was prevented from testifying at trial)

She was "personally advised by the State’s Attorney not to talk to anyone about what [her] mother told [her]." “Curt Graff came to my house to speak to me about what my mother told me, but I refused to speak at the instruction of the State’s Attorney.”

These facts were fraudulently concealed from the petitioner. Ultimately, Ms. Noble's affidavit demonstrates that the state’s attorney, both, advised and instructed her not to talk to J.R. 's defense team.

“It is well settled in this State that criminal defendants are entitled to a list of the prosecution’s witnesses, and he may contact the witnesses in preparation of his case.” People v Steele, 124 Ill. App. 3d 761, 464 N.E. 2d 788, 79 Ill. Dec. 884 (1984).

AFFIDAVIT OF KELVIN MACKINS

During J.R.’s investigation and trial, Neil Craig Short, the State Police Lead Investigator, interviewed Kelvin Mackins. As a result, Mackins testified that he gave both Glen and J.R. a change of clothes after the committal of the crime. This testimony was used to secure J.R.’s conviction.

In a 2018, affidavit, Kelvin Mackins stated: "I never personally gave [J.R.] any clothing nor did I witness [J.R.] change into any clothes." "I informed the State and police officers that I gave clothes to Glen on the night of the alleged crime and that i did not give anything to [J.R.]." "After being pressured repeatedly I agreed to testify that I gave Cleodious a change of clothes."

AFFIDAVIT OF GLEN SCHOFFNER

Glen Schoffner is the cousin of J.R. and is the one guilty of committing the crimes of which J.R. is convicted of.

In his affidavit, Glen stated that, "[He] was very upset with [J.R.] because he refused to help [him] rob the store, I threatened to kill him for this and he became fearful, grabbed the steering wheel, and the car crashed."

"In order to escape the death penalty, I would be required to make a televised statement of the offense, I was coerced at this point to involve my cousin, [J.R.] in this crime."

"Thus, I assert, that my cousin, Cleodious Schoffner Jr, had nothing to do with the crime he stands convicted of, he is totally innocent and is incarcerated for a crime he was not involved with, I am willing at any point, to help exonerate my cousin and I willing to testify to this in a court of law."

ILLINOIS THEORY OF ACCOUNTABILITY

Illinois accountability theory holds that someone can be responsible for another person's crime if they helped plan or commit it, even if they didn't commit the crime themselves. This theory applies to a variety of situations, including being a lookout, fleeing the scene, or associating with the person who committed the crime.

How does it work?

- The state must prove that the defendant shared the criminal intent or design with the person who committed the crime.
- The defendant can be convicted even if the person who committed the crime wasn't charged or was acquitted.
- The defendant can be convicted even if they weren't present at the crime.

WHY WAS JR WRONGLY CHARGED UNDER THIS THEORY?

- JR was unaware that his cousin was going to commit a crime when he persuaded JR to get in the car with him.
- JR was not an accomplice to the crime. In fact, J.R. intervened in a way of stopping the crime as it occurred.
- J.R. crashed the car in order to save the surviving victim--which is the only reason she survived that night.
- J.R.'s father notified the police of the crime as soon as possible.