

Winston Pro Bono Team Successfully Advocates in Fourth Circuit for Client on South Carolina Death Row

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A Winston New York-based litigation team secured a successful outcome for Christopher Williams, a pro bono client, who was convicted of murdering his girlfriend and sentenced to death in a South Carolina State Court. Mr. Williams conviction was affirmed on appeal, and Williams sought post-conviction relief on the grounds that his trial counsel was continually ineffective for failing to present evidence that Mr. Williams suffered from fetal alcohol syndrome. After the court rejected his ineffective assistance of counsel claims, the Winston team led by Partner Seth Farber worked with Williams' appointed counsel to file a petition for habeas corpus in the Federal District Court in South Carolina.

After the District Court granted Williams' petition, the State appealed to the Fourth Circuit. In a unanimous opinion, the Court of Appeals agreed with Winston that a failure to investigate such evidence "necessarily" could not constitute a "strategic decision" by counsel. Given the nature of the ignored evidence and the State's allegation of only one aggravating factor, the panel determined that there was a reasonable probability a jury would have returned a different sentence absent counsel's deficiency.

Partner Seth Farber argued the case in the Fourth Circuit.

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