

OF INTEREST AND HOPE TO YOU!!!

Dear Caring Public:

The human being profiled on this website is actually innocent of the false charges for which he was sentenced to serve 25 years on 12-6-96. We have willingly disclosed Tony's personal legal documents, briefs, motions, habeas corpus petitions, medical records, and transcripts etc., online in the hopes of being able to show you, the public, the truth of his wrongful convictions at:

http://www.survivingthesystem.org/cioffi_tony.htm

<http://www.iippi.org/pdf/anthonycioffidocketreport.PDF>

<http://www.originalallrightsreserved.com>

THE SUPPORTING FACTS: Tony's retained ex-trial attorney, Tom Zena, sworn statement from Zena dated 10-12-98 and the transcript of 1-31-02 will reveal the following facts: Tony was pressured, coerced, tricked and lied to by Zena, giving Tony no choice at all but to plead guilty on 12-3-96 to his cases. Tony relied upon the insight and advice of Zena in the state trial court to determine whether to accept the state of Ohio's plea offer. Tony can barely read and Zena did not review or read the plea agreements with him. It is undisputed that Zena was wholly unprepared to resolve both cases as he had advised Tony on 12-3-96, and who had failed to secure or review records which would have significantly impacted upon Tony's cases and who had categorically failed to conduct an independent investigation of the allegations or even begin preparation of a defense on Tony's cases. Zena conducted no interviews with any of Tony's witnesses or accusers nor sought the assistance of any expert. Prior to the trial, Zena quashed the subpoenas of all Tony's witnesses and lost Tony's complete case files. Zena did not evaluate the strengths or weaknesses of the cases, as a result, Zena was in no position to render advice or a professional opinion. On the date of the first scheduled trial 12-3-96, Zena rendered his advice and professional opinion notwithstanding that there was other significant information and evidence unavailable to Tony at the time of the plea agreements due to the neglect of Zena. It is paradoxical that Zena counseled Tony to enter into the plea agreements. Zena testified on 10-12-98 and on 1-31-02 during oral examination that he believed the cases were "he said, she said" and were extremely defensible. At all times Tony relied upon the skill and expertise of his retained ex-attorney, Tom Zena. Zena acknowledged that he failed to share with Tony that his cases were highly defensible or that pleading under the circumstances was unwise. When Tony

entered into his pleas before the court, he did so based on very limited information and the facts about his cases, due to the fault of Zena. While Tony stood before the court with the assistance of Zena on the date of the pleas, he lacked a meaningful understanding of his cases, defenses, strategies and options due to no fault of his own. Zena's conduct is analogous to a doctor rendering a diagnosis and administering treatment without having first conducted a thorough examination of his patient. Zena was nothing more than a warm body standing next to Tony at the podium on 12-3-96.

THE SUPPORTING FACTS: The courts have completely ignored the credible and compelling claim of Tony's innocence! The Trumbull County prosecuting attorneys, Dennis Watkins and Thomas Wrenn have served as a tool for the accusers; Shella Schreckengost a/k/a McKelvey, Crissman; Megan McKelvey and Lisa Purdy a/k/a Cioffi, Witt, Phillips to convict this man! The prosecution in collusion with the trial court, racked up numerous, strategic claims drafting indictments against Tony, utilizing documents containing no more than hearsay evidence and speculation in support of said indictments. The Trumbull County Court did not sustain its burden of proving Tony guilty. Instead, it relied on hearsay evidence and false statements from the accusers. There was no evidence of the claims made against Tony sufficient to sustain an independent finding of guilt in either of Tony's cases of record. Tony was overwhelmed with charges the state was in no position to prove. The state leveled these charges against Tony, as part of a strategy to trick this man into a plea bargain where he, ostensibly, had no choice but to plead guilty to all of the charges. Tony had marshaled evidence to show that the trial court's indictment was unsustainable, being based on hearsay evidence and a false premise; to wit: Tony had to enter a guilty plea to avoid a life sentence. On 1-23-02 Tony's former attorney, Mark Marein, did subpoena him to be at a hearing on 1-31-02 to rebuttal all the blatant lies Zena submitted on 10-12-98, but his sentencing judge, Judge John Stuard, would not permit Tony at this hearing, thus, Tony "never" had any "opportunity" by the court to rebuttal any and/or all of Zena's lies and the courts have used this against Tony!!! All of the courts have taken all of Zena's lies on 10-12-98 and on 1-31-02, as well as the lies of the accusers as the truth. This is one of "many" reasons why Tony has lost all of his appeals in his cases. None of Tony's retained former attorneys; Mark Marein, Steve Bradley, and Jeffrey Goodman, has "properly" mapped out his claims and/or arguments in his briefs to any of the courts as "required!!!" There is no such thing as equal justice. Nor has such a thing ever really existed. Deep in our hearts we're sure of that. Nevertheless, there's been hardly any outcry and thus, pitifully few reforms. Sadly, it's just one step forward, two steps back!

For example, take the appellate process. Once a potent, fairly prompt remedy for the wrongfully convicted, appellate review has been systematically reduced to a mere rubber stamp formality - unless you're someone with enough resources to warrant more than cursory dismissal. Tony is in need of a free attorney. I know that the average person would not believe a convicted felon, however, I hope that Tony's story and the facts do not lack credibility with you. Tony's 6th Amendment rights and his 14th Amendment rights were deliberately violated by the courts and by attorney Tom Zena. In the case of Tony, there are "glaring violations" of the ineffectiveness rule that need to be addressed. There is "abundant merit" in this case of a "constitutional magnitude!!!" "These cases present a great injustice which must be corrected!!!" There is so much more information and facts within Tony's cases that need to be told!!! The Cioffi family needs the public's help to make the court address the evidence and the true facts in Tony's innocence!!! Please, also read the events of Tony's cases and the case evaluation preceding to these cases at:

<http://www.iippi.org/pdf/anthonycioffidocketreport.PDF>

Can American justice be made to include and protect Tony's rights which have been guaranteed to him by the laws of the land in the U.S.A.??? We demand relief for Tony and we will "NOT" rest until relief is granted!!! There are no further resources our family may draw funds from. So, your small donation of only \$10 would be greatly appreciated and can be made in person or sent by cashier's check, personal check, or money order, payable to:

**Anthony Cioffi Jr. Defense Fund
C/O Farmers National Bank
1 South Main Street
Niles, Ohio 44446**

All donations must be sent to the bank. I hope you, the public, can find it in your heart to support this man, and that this story does not fall on deaf ears. Hear my plea for justice, O Lord. Pay attention to my cry. Open your ears to my prayers, which come from lips free from deceit. Let the verdict of Tony's innocence come directly from you!!!

Please forward this page to a friend.

We sincerely thank you, from his family, friends and supporters.