

Legal Update

Date: January 17, 2010
From: Robert R. Bryan, lead counsel
Subject: Mumia Abu-Jamal, death row, Pennsylvania

Dear Friends:

There are major developments regarding my client, Mumia Abu-Jamal, who has been on Pennsylvania's death row for nearly three decades.

United State Supreme Court For 15 months I have been in litigation in the Supreme Court on behalf of Mumia. At issue is the death penalty. It appears that the court will finally issue a decision during the coming week, after reviewing the case in conference on January 15.

The Supreme Court has withheld rendering a decision due to the pendency of a case from Ohio, *Smith v. Spisak*, which has a similar issue regarding instructional errors at the penalty phase even though the facts are different. On January 12, the court reversed in that case the lower court's ruling that had voided the death penalty. It essentially held in a complex opinion, that the instructions and jury forms in *Spisak* did not violate the U.S. Constitution. That set the stage for the upcoming decision in Mumia's case.

We are concerned about the forthcoming ruling. Either we get a green light to proceed with a new jury trial we previously won in the U.S. Court of Appeals for the Third Circuit on the question of death or life, or we are closer to an execution.

It is impossible for me to predict what the Supreme Court will decide, even though people keep asking. It is complicated and there are various possible scenarios as what might happen.

In recent days there have been erroneous statements placed on the Internet by people who do not understand the case. The most irresponsible is that he "could be dead within 48 hours" of the Supreme Court ruling. Others speak of the possibility of the death penalty being "reinstated" even though there is nothing to reinstate; Mumia remains on death row and under a death judgment. Such misleading information only serves to harm my client and our effort to save him. People should always check the facts on our website (<http://www.MumiaLegalDefense.org>).

Petition for President Barack Obama On January 14, 2010, I posted online a petition for President Barack Obama regarding Mumia (*Mumia Abu-Jamal and the Global Abolition of the Death Penalty*). It is in 10 languages, i.e., English, German, French, Italian, Spanish, Russian, Chinese (Simple), Chinese (Traditional), Urdu, and Arabic. As many people as possible need to sign. The link to the petition is: <http://www.PetitionOnline.com/Mumialaw/petition.html>.

There have been over 5,000 signers in the first few days, mostly from Europe. These include the first signer, Madame Danielle Mitterrand (former First Lady of France), Günter Grass (Nobel Prize winner in literature), Fatima Bhutto (writer, Pakistan), Noam Chomsky (philosopher & author), Ed Asner (actor), Mike Farrell (actor), & Michael Radford (director of the Oscar winning film *Il Postino*).

MumiaLegalDefense website and Facebook In response to an ongoing demand or information regarding this complex case, we have launched a new website: <http://www.MumiaLegalDefense.org>.

There is also a *Facebook* page: <http://www.facebook.com/group.php?gid=407654295516&ref=mf>.

Conclusion Mumia is in greater danger than at anytime since his arrest 28 yeas ago. Regardless of how the Supreme Court rules next week, the prosecution has vowed to continue pursuing the death penalty. My career has been marked by successfully representing people facing death, and I will not let them kill Mumia.

Yours very truly,

Robert R. Bryan
Law Offices of Robert R. Bryan
2088 Union Street, Suite 4
San Francisco, California 94123-4117

Lead counsel for Mumia Abu-Jamal