



Brief timeline of events surrounding the case of Mumia Abu-Jamal

For 27 years, Mumia Abu-Jamal, born Wesley Cook, lived a life without incident or interaction with the Philadelphia criminal justice system. He was a father, rising journalist, and radio personality who supplemented his income driving taxi cabs. After one fateful December night, Mumia's real story begins.

Note: Judges on both the Philadelphia Court of Common Pleas and the Pennsylvania Supreme Court are *elected* and must campaign and run for office; judges on the federal courts hold lifetime appointments.

Date	Location	Action
Dec. 19, 1981	Philadelphia - Center City	Shooting death of Philadelphia Police Officer Daniel Faulkner. Mumia Abu-Jamal is found at the crime scene with the gun he carried for protection as a taxi driver. Mumia was severely beaten by police.
1982	Philadelphia Court of Common Pleas	Trial under Judge Albert F. Sabo, ending in a death sentence. Sabo at this time had presided over more cases ending in a death sentence than any judge in Pennsylvania, and led the nation in such convictions.
1989	Pennsylvania Supreme Court	Mumia appeals his conviction and death sentence via court-appointed attorney Marilyn Gelb. His case was considered and denied.
1991	U.S. Supreme Court	Denies Mumia's petition for writ of certiorari – an automatically allowed petition to the high court, requesting review of lower court's judgment)
1991	U.S. Supreme Court	Denies Mumia's petition for a rehearing of his 1989 appeal, twice.
1995	Pennsylvania Governor's Office	Governor Tom Ridge signs a death warrant against Mumia. The execution date is set for August 17. Execution is stayed for additional hearings.
1995	Philadelphia Court of Common Pleas	Judge Sabo presides over a post-conviction relief hearing. He considers arguments about his own racial bias, lack of due process at the 1982 trial, and evidence from new witnesses. Sabo denies all.
1996	Philadelphia Court of Common Pleas	Judge Sabo presides over a second post-conviction relief hearing. Among the new witnesses is Veronica Jones, who originally testified she saw Mumia shoot the officer and run from the scene. She now testifies that Philadelphia police officers pressured her to lie at the original trial. Sabo finds her testimony not credible, and allows her to be arrested off the stand by the New Jersey State Police on charges of a writing a bad check sometime in the past in New Jersey.
1999	Pennsylvania Supreme Court	Denies Mumia's appeal to reverse Judge Sabo's rulings in the post-conviction relief hearing. Uses and ratifies Sabo's language and logic.
1999	U.S. Supreme Court	Denies writ of certiorari on Pennsylvania Supreme Court's decision.
1999	Pennsylvania Governor's Office	Governor Ridge signs a second death warrant. It is soon stayed as Mumia began his pursuit of <i>habeas corpus</i> review in the federal courts.
2000	U.S. Circuit Court – Eastern District of Pennsylvania	Mumia appeals for relief from Philadelphia and Pennsylvania court rulings on his conviction and death sentence. Judge William H. Yohn presides.

2001	Pennsylvania State Correctional Institution – Waynesburg	Mumia fires lead attorney Leonard Weinglass and his legal team after team member Dan Williams publishes an exposé on the case, <i>Executing Justice: An Inside Account of the Case of Mumia Abu-Jamal</i> (St. Martin's Press)
2001	Philadelphia Court of Common Pleas	New legal team of Eliot Grossman and Marlene Kamish file affidavits and request for testimony to be heard (1) from a man, Arnold Beverly, who claimed that he, and not Mumia, shot Officer Faulkner, at the request of rogue elements in the police force (2) from court stenographer Terri Maurer-Carter, who says she heard Judge Sabo say in a court anteroom about his role in the case, "Yeah, and I'm going to help them fry the nigger" and (3) from several other affidavits by Mumia, various criminal justice officials and journalists.
2001	U.S. Circuit Court – Eastern District of Pennsylvania	Judge Yohn upholds Mumia's conviction, but voids the standing death sentence, citing improprieties in the process of instructing jurors on how to decide Mumia's punishment, based on reading of <i>Mills v. Maryland</i> . The claim on racist bias in juror selection is not granted, but is affirmed and certified as "appealable." Action allows the U.S. Court of Appeals to consider it.
2002	Philadelphia Court of Common Pleas	Judge Pamela P. Dembe denies Kamish and Grossman's petition to have the Beverly, Maurer-Carter, and other affidavits considered. Mumia's lawyers appeal Judge Dembe's decision to the Pennsylvania Supreme Court.
2002	Pennsylvania Supreme Court	Denies latest appeal.
2002	U.S. Court of Appeals – 3rd Circuit	Mumia appeals, contesting Judge Yohn's affirmation of his conviction. Prosecutors also appeal, contesting Yohn's voiding of the death sentence.
2003	Pennsylvania State Correctional Institution – Waynesburg	Attorney Robert Bryan assumes responsibility for Mumia's federal court proceedings.
2003	Philadelphia Court of Common Pleas	Kamish and Grossman retire as Mumia's lead attorneys; Bryan assumes lead role in Pennsylvania courts proceedings, too. He files a petition, again before Judge Dembe, making two claims: (1) that Cynthia White who testified against Mumia at the 1982 did so as a result of a range of police pressures, and (2) that Priscilla Durham, a hospital guard lied when she testified to having heard Mumia boast about shooting Faulkner.
2005	Philadelphia Court of Common Pleas	Judge Pamela P. Dembe denies Mumia's requests to consider claims about Cynthia White's experience of police pressure and Priscilla Durham's alleged lying. Mumia's lawyers appeal.
2005	U.S. Court of Appeals – 3rd Circuit	Announces that it will hear arguments on four issues: <ul style="list-style-type: none"> • <i>Sentencing</i>: whether the jury verdict form had been flawed and the judge's instructions to the jury had been confusing. • <i>Conviction and sentencing</i>: whether racial bias in jury selection existed to an extent tending to produce an inherently biased jury and therefore an unfair trial (commonly referred to as "the <i>Batson</i> claim," after the case that redresses this issue most directly). • <i>Conviction</i>: whether the prosecutor improperly attempted to reduce jurors' sense of responsibility by telling them that a guilty verdict would be subsequently vetted and subject to repeated appeals. • <i>Post-conviction review hearings, 1995-1996</i>: whether the presiding judge, who had also presided at the trial, demonstrated unacceptable bias in his conduct.

2007	U.S. Court of Appeals – 3rd Circuit	Hears arguments by Mumia’s lawyers and prosecutors in Philadelphia.
2008	Pennsylvania Supreme Court	Denies Mumia’s appeal of the decision of Judge Dembe against him in the Philadelphia Court of Common Pleas.
2008	U.S. Court of Appeals – 3rd Circuit	A three-judge panel issues a 2-1 opinion <u>upholding</u> Judge Yohn’s 2001 opinion <u>but rejecting</u> the racial bias and <i>Batson</i> claims that would produce a new trial. One dissenting judge, Thomas Ambro, issued a 41-page dissent, arguing for Mumia’s <i>Batson</i> claim, saying that "excluding even a single person from a jury because of race violated the Equal Protection Clause of our Constitution. . . I see no reason why we should not afford Mr. Abu-Jamal the courtesy of our precedents."
2008	U.S. Court of Appeals – 3rd Circuit	Rejects petition from Mumia to reconsider the above decision.
2008	U.S. Supreme Court	Mumia’s attorneys and prosecuting attorneys petition 3rd Circuit decision.
2009	U.S. Supreme Court	Refuses to hear Mumia’s petition of 3rd Circuit decision. Prosecutors’ petition of the 3rd Circuit’s upholding of Judge Yohn’s voiding of the death sentence is still left pending on the docket.
2009	Philadelphia Court of Common Pleas	Mumia’s attorneys file a post-conviction petition based upon a new National Academy of Sciences Report that contained research findings concerning the unreliability of some of the ballistics evidence offered at Mumia’s trial. Judge Dembe denies the petition without a hearing. An appeal to the Pennsylvania Supreme Court is pending.
2010	U.S. Supreme Court	U.S. Supreme Court rules, in <i>Smith v. Spisak</i> , on matters relating to how a jury is to be instructed to deliberate. Whether and how this ruling against Spisak’s use of the <i>Mills</i> protection against improper juror instruction in the penalty phase might be relevant to Mumia’s case remains unclear. But <i>Smith v. Spisak</i> ruling put Spisak back on death row. A ruling on Mumia’s case could also have a similar negative outcome.
2010	U.S. Supreme Court	Vacates Judge Yohn’s rescinding of Mumia’s death penalty, remands to the 3rd Circuit to review Mumia’s <i>Mills</i> claim in light of new <i>Smith v. Spisak</i> ruling. Whether the 3rd Circuit can now re-open other claims, by Mumia or by prosecutors remains unclear. Also, briefs have now been filed by both Mumia’s attorneys and the prosecutors, regarding the remand of the U.S. Supreme Court to the 3rd Circuit.

Sources: State and federal documents, Mark Lewis Taylor and Educators for Mumia