

The Weight of Ignorance
By Deyon Neal

An inmate once told me ignorance is why we come to prison and why we stay.

When my retained appellate attorney told me she would no longer represent me, I went into despair. We were only at the Michigan Supreme Court phase. I still had a federal habeas corpus petition to file and, if necessary, subsequent appeals for that. Not to mention a 6.500 Motion for Relief From Judgement in trial court if the habeas petition was denied.

I only had a GED certificate that I earned while in prison and I was totally illiterate in law. How was I supposed to do all of this myself? How was I suppose to effectively litigate a case for myself against skilled attorneys who had been studying and practicing law for decades?

I didn't see why it was so hard for them to figure out anyway. Couldn't they see I wasn't the one who committed the shootings? If the evidence had acquitted me of murder and the other guy had been shot by the same gun as the murder victim, how did they even find me guilty of the second shooting?

My attorney said evidence of my guilt or innocence was a question for the jury. The only thing that concerned the courts now, on appeal, was whether or not I got a fair trial. Whatever that meant, it made no sense to me. I thought criminal justice was about locking up the right people. How could evidence not have anything to do with that?

Because I suffered depression, anxiety, and adjustment disorder, my treatment for mental illness qualified me for prison legal writer services. This, I believed at the time, was a lifesaver, seeing that my deadline was in twelve months and I otherwise wouldn't have gotten anything filed at all.

I had given up. I could've appealed back to the Michigan Supreme Court which remanded my case back to the Court of Appeals for a resentencing reconsideration the first time, and possibly given back nine years of my thirty-two year sentence. But I got into a fight and ended up on lockdown, missed the filing deadline.

Fighting on the yard was probably more frustration than anything. I felt powerless. My court fight was literally the fight of my life and I was totally reliant on others to fight it for me.

When I got out of detention, I resumed my prison routine and avoided the law library altogether. Another deadline came and went. I was three and a half years into a thirty-two year sentence. What did nine years really matter? I wanted to go home then and give back the whole thirty-two years.

But I needed a lawyer for that. And she had just told me that I had to file my habeas petition on my own. I got into another fight and caught an additional assault ticket in a third incident which resulted in a disciplinary transfer and three months in the hole. By the time I got out again, my next deadline was only weeks away.

I turned to a legal writer. He was a prisoner who was being trained, authorized, and monitored by real lawyers, so he must've knew something about the law. Right?

With his assistance, I filed my habeas petition. I didn't even read the brief that he prepared on my behalf but skimmed through it.

It was shot down like my previous appeals. Right, if a lawyer couldn't get me any relief, what made me think some unlearned prisoner could?

I couldn't miss any more deadlines, so I crammed in as much study as I

could in six months. I prepared my own federal appeal brief. Even if I had no idea what I was doing, I had to fight as best as I could. I wasn't going to just lie down and let them take thirty-two years of my life.

Meanwhile, my sixth year of prison brought more challenges. Things were happening on the yard due to a different kind of ignorance and, by association, I got sucked into the investigation. I went to the hole for knife possession before I even got a chance to file the brief I prepared. Luckily, with the grace of a deadline extension, I filed the brief two months later, after getting released from the hole at another facility.

The federal Court of Appeals decision was swift, denial. I applied for certiorari in the U.S. Supreme Court next. Before I even got a decision back from them, I went back to the hole for assaulting my cellmate.

Ten months and another disciplinary transfer later, I was back out of the hole, this time with nothing left but my 6.500 motion. Since this was my last shot, I focused more on acquiring a lawyer first. Raising money for legal fees became my first priority.

For ten months I pursued my plan with vigor and commitment. Then I lost focus for just one second, went to the hole again for serious assault on staff.

As desperate as I was now, with a security hold and years of indefinite hole time looming over me, I studied my case law for much of the first year, but I was still discouraged. I took notes but without someone guiding and explaining to me what I was reading, the information only gave me headaches.

"There's no way I'd ever learn enough to fight these professional prosecutors and attorney generals on my own," I told myself. "I can't even understand this stuff! It's all convoluted language!"

My focus became my plan and religious scriptures, things I could understand, things that would prepare me spiritually for my release, whenever it came. What sense did it make to fight so hard to get free if I would only do something else to come right back? I couldn't even stay out of the hole in prison! My new premise was that if I freed myself mentally and spiritually, physical freedom would follow. I would eventually acquire money for an attorney who would get me released. Just stick to the plan.

I got out of the hole in the fall of 2015, after seven consecutive years. Nothing had happened for me thus far. The plan was still the plan and I was still broke without a lawyer. I had probably accumulated over twelve-thousand study hours of spiritual study, but less than a year of law work.

One day I heard myself criticizing a younger guy about not taking enough initiative, and my own frustration flared up within me. My despair called me a hypocrite in the face of my patience. How could I advise him on how to take charge of his responsibilities when I had done nothing but avoid my own for over fifteen years now?

I knew from the beginning that I had to learn the law of my case and litigate it myself. Older prisoners warned me. My helpers failed me. Yet I claimed that I had my ducks in a row, boasted of all my release plans as if they were actually secure. If I couldn't take the time to learn what I needed in order to handle business with my law work in prison, how could I ever learn to run a business out in the real world?

The reflection led me back to the law library. This time I incorporated all of the study methods that I adopted from religious study to my law work, and it was unbelievable how much I grasped this time. I always believed that God only reveals the meaning of things to us when we are

ready to understand them. Maybe I wasn't ready before.

Study of my old briefs unearthed errors that justified the court's denials. That past legal writer who prepared my habeas petition had deleted all the case cites from my brief. I submitted arguments void of legal authority, and the federal court had held that against me. This was the brief that I didn't read.

Such a blatant mistake could've only been sabotage. As tempted as I was to interpret it as racism (the legal writer was affiliated with the Aryan Brotherhood), I realized that his reasons, whatever they were, didn't even matter at this point. That was at least eleven years ago. I chalked it up as my price for depending on others to do my thinking for me: the weight of ignorance that I now had to shoulder.

When I went to the hole this January for another trumped up assault on staff charge (this time, it wasn't totally my fault), I became eligible for legal writer services again. By then, I had studied my case enough to know exactly what I needed. But I couldn't type up the motion in the hole, so I sought a legal writer to prepare the discovery motion for me.

"Just let me put it together first, then come with your questions," he said.

I acquiesced mainly out of patience, and he delivered his prepared motion full of holes, just like I expected. I studied every case that he cited within the brief before even considering whether or not to file it. His arguments misapplied the law to the facts in my case and he even typed my name as "Defendant Aaron M. Morrison".

Right, I waited until I got out, rewrote, and typed the whole motion up myself. I haven't filed it yet because I'm still checking behind my own work.

The weight of ignorance.