



OFFICE OF THE SAINT LOUIS COUNTY ATTORNEY

MARK S. RUBIN COUNTY ATTORNEY

NEWS RELEASE

May 12, 2014

CONTACT: Mark Stodghill, County Attorney's Office
St. Louis County Courthouse
Duluth, MN 218-726-2323

FOR IMMEDIATE RELEASE:

Three convictions affirmed by Court of Appeals

The convictions of three men -- including one defendant that a jury deemed a career criminal and another who assaulted his attorney in the courtroom -- have been upheld by the Minnesota Court of Appeals in decisions released today, St. Louis County Attorney Mark Rubin said.

William Edwin Lehman Jr., 64, who had addresses in Hibbing and Chisholm, but is now in the Minnesota Correctional Facility in Rush City, was convicted in 2006 of four counts of second-degree assault, two counts of third-degree assault and one count of terroristic threats after using a knife to inflict "substantial bodily harm" on two men.

Lehman argued in his most recent appeal that the district court erred by imposing two consecutive seven-year prison sentences. In denying Lehman's appeal, the Court of Appeals ruled that his appeal was untimely, procedurally barred and that the district court did not err.

It was Lehman's second unsuccessful appeal. During his trial, he assaulted his public defender in the St. Louis County Courthouse in Hibbing. He initially appealed the convictions by claiming that the trial court abused its discretion by determining that he forfeited his right to counsel when he attacked his attorney in front of the jury. He also claimed that the court abused its discretion by ruling that he would wear shackles and jail clothing for the remainder of the trial. The Court of Appeals rejected those arguments.

Assistant St. Louis County Attorney Brian Simonson prosecuted Lehman.

Andrew Wayne Clarke, who went by the street name “Bloodclot,” 47, formerly of Minneapolis and now in the Minnesota Correctional Facility in Stillwater, was sentenced last year to 21½ years in prison after a St. Louis County jury found him guilty of one count of second-degree sale of a controlled substance (heroin) and one count of third-degree possession of a controlled substance. In a second phase of the trial, jurors found that the crimes were part of a pattern of criminal conduct. That decision allowed the court to impose a longer-than-guideline sentence.

Clarke appealed by arguing that there was insufficient evidence to support that he was a career criminal and also said that he should have been allowed to confront certain witnesses. The Court of Appeals said that his arguments were without merit. The case was prosecuted by Assistant St. Louis County Attorney Kristen Swanson.

Jeffery Holman, 56, formerly of Duluth appealed his 42-month sentence after being convicted of a second-degree controlled substance crime for possessing cocaine. Holman argued that he was amenable to probation and should have received it. The appeals court ruled that the district court exercised its discretion by concluding that the circumstances didn’t merit a lesser sentence. Holman is serving in an Institution/Community Work Crew Program. The case was prosecuted by Assistant St. Louis County Attorney Gary Bjorklund.

###

