

I hope this letter reaches you in good health and spirits. My name is Abe Emerson. I have a very close friend imprisoned under what can be seen as a travesty of justice. I write to you today to tell you the story of this man and outline how it is that the Texas Criminal Justice Systems have failed to live up to their mantras of fairness and equality in justice. I hope you will listen to our outcry and hopefully be able to render aid in this matter. Lature Robert Irvin is his name.

Lature and I have been friends a long time. I consider him my best friend and I've been by his side this entire time dealing with this case. The travesty in this case comes in the form of past pleas, lack of evidence, incorrect professional testimony, lack of investigation, ZERO defense put on, 2 epileptic seizures the complainant had that night, a mix of alcohol while she was on epileptic medication unbeknownst to any party involved, and an illegal sentence enhancement rendering a hand down of a life sentence.

Trina, the complainant, was our friend. Lature was married to Shann and I lived with them. Lature and I were promoters, he being more prominent than I. Trina was married (somewhat estranged) to Brian Angel of the group Day 26 which had been dropped by the label and Lature scheduled appearances for him in order to generate money. Brian was known for his infidelity and Trina knew it which was much of the reason for their estrangement. Trina befriended us three and would occasionally go out to nightclubs with us. Lature and Trina sparked up an affair of which I witnessed first hand.

On the night in question Lature and Shann invited her to go out on the town while I stayed home to watch the kids. Trina arrived and Lature mixed some margaritas for everyone (in full view of everyone) for a "pregame beverage". They went to Hush Nightclub where I had done much business. I asked the GM to get them a bottle of Grey Goose in VIP upstairs because that's what Lature and Shann drink. They met a couple next to their table. After enjoying themselves they called to let me know they were going to a stripclub for afterhours (common in Houston) with a couple who had a table next to

them. Ok, I'm good here at the house. Trina had apparently had too much to drink and decided to lie down in the backseat and sleep with the car in the front of the club. Lature, Shann, Lisette and her partner made their way into the club to their table. No one ever got up from the table to make their way away from it. They finished their time after about a half hour and all left at the same time. Lature and Shann get back into the car with Trina still asleep in the back and proceed to make their way back to the house. Trina's car was at the house and we were going to let her rest. They call me at around 3:30am or so indicating they were about to pull up to the house and they needed my help with Trina.

When they arrived Lature and I had to assist Trina into the house and place her on the couch to rest. She was certainly very intoxicated, to the point where she couldn't walk. No one could understand how she was so intoxicated since she didn't seem to have drunk that much. Nevertheless we all were focused on her sleeping and recovering. We knew she was prone to seizures so we made sure she was on her side and we brought a bucket in case she needed to vomit. I sat next to her to monitor her. Trina had on thigh-high riding boots and Shann was trying to get them off of her to help with circulation and that effort proved to be challenging yet after much tussling she managed to get them off. She also had on skin-tight jeans which we made no effort to remove. Several minutes later Trina began having a seizure and I made sure she stayed on her side and placed her on the hard surface of the floor. She came to and was apologetic to which all of us told her there was no need to be apologetic. A while later she had yet another seizure. She then drank water and vomited in the bucket. Trina went to sleep and had no more seizures.

I then took Lature to the airport as he was flying to Phoenix with a departure time of 10am. I return to the house and everyone is asleep so I do the same around noon. I wake up around 4pm and Trina and Shann are eating pizza Shann ordered and decided to partake in pizza myself. Trina decides she's ok to leave and goes home. Nothing was amiss.

Days later I'm with Shann and their little boy at the grocery store shopping for Thanksgiving dinner and Trina calls Shann asking to meet her about 30min away. Trina lived 5min from the house and we were wondering why we needed to go 30min away to just talk?!? Shann wouldn't agree to it over and over. Finally Trina agreed to meet at a much closer location. We go back home to drop off the groceries and proceed to the location, a Golden Corral at Tidwell Rd. Shann gets out to speak. I leave already have the window cracked and I hear what she says. She says Lature raped her. Shann is visibly upset. I call Lature who was in Phoenix and he's flabbergasted and has no idea what she's talking about.

Several minutes later Shann gets back in the car (I was driving) and we head home. Her daughter (middle school aged) calls and says the garage door is open. Mind you, we have only been gone from the house for about 30min. We tell her to wait on another street and we'll pick her up. We pull up at the house and sure enough the garage door is wide open and the door to the house is open. I instruct everyone to stay in the car while I go check out the home. I clear the house and tell them to come in. What I found inside was the back door kicked in and glass broken yet there was nothing of value taken...? My laptop had broken glass on the keyboard it was so close to the door. No DVD players, gaming systems, TVs, stereo equipment was taken. It was a bit of a mystery until... Shann screams out "They got it!" Lature had been a prominent marijuana dealer for a long time and had never caught a case. There was a stash of around \$50k worth of high-quality marijuana in the garage in a suitcase which was now missing. We immediately knew something was up with Trina and that request to talk. It all smelled like a setup. There was also a footprint on the backdoor and the brand was imprinted on the door as well. Upon measuring it, it was a 9.5 size "Yummy" shoe print. Trina's younger cousin who we knew always wore Yummy's and he was of a small stature. We were all convinced this was a setup. All of this happened in the 30min we left the house, met Trina, and returned not to mention the time the daughter noticed the open garage door and the time we picked her up. These invaders had to know our movements and what they were looking for to pull this off in such a short time window.

Lature was with Brian in Phoenix and he apparently had no idea what was happening. Lature and Brian were scheduled to come back to Houston several days later on different flights that were not far apart in time. Lature was supposed to be the earlier one but had a delay so Brian arrived first. Apparently Trina said something to him and he and someone else made their way to the house. They were beating on the door and windows yelling. I took Shann and the kids to an interior location and told them to be silent. His tirade went on for about 10min and apparently a neighbor threatened them with calling the police and they left. I'm glad I did that because Brian testified that he was carrying a firearm and was extremely upset.

Some days later, Trina makes a report with authorities and Lature is notified to turn himself in and so proceeds the system. Trina didn't submit any evidence other than her word until 54 days after making her claim which were some panties and jeans to be submitted for testing.

Lature is out on bond for several years and managed to appear for court 41 consecutive times then on number 42 he was stuck in traffic on his way to LAX (he and the family were living in Los Angeles at this point) and missed his flight. The court then

tried to revoke his bond to no avail. The prosecution then offered a 2 year plea bargain agreement but Lature knew he hadn't done this so elected to go to trial.

There were several retained attorneys and Leticia Quinonnes would be the one to try the case. So many things happened during the trial that should have brought forth reasonable doubt and much of it was in the testimony.

Brian and Trina said things that just were not true. Brian stated that I had picked him up at the airport in Phoenix on the day I took Lature to the airport in Houston. It is easily proven I was not in Phoenix at any time. Trina's account of the perceived indiscretion doesn't make any sense as Lature, Shann, Lissette and her companion never separated. Shann was with Lature the whole time. There are sworn and notarized affidavits from me and Lissette as well as a private investigator's interview with Shann pointing out the many inconsistencies in Trina's account.

Furthermore, the prosecution's serologist states on the stand that she cannot say that any sex occurred although she can not rule out Lature's DNA on one article of clothing. Priscilla Hill also can only find one Unknown Female Contributor in the sample. If they're Trina's articles wouldn't they by default take her sample and compare it to solidify their case?

Detective McMurtry was assigned to the case in which he basically did no investigation. The official address to the crime scene which he stated several times was not an adult night club, but a Burger King.

The ADA trying the prosecutorial side is a Mr. Tallichet. Trina states that she has infrequent seizures and was on seizure control medication on the night in question. Per the medical advice for the two medications they strongly advise not to consume alcohol as they can enhance the alcoholic effects and very much so contribute to memory loss. Seizures alone can result in memory loss and confusion. On that very night in question Trina was on two prescribed epileptic medications unbeknownst to any of us, she consumed an amount of alcohol to render her passed out and had to be carried into the house, and she had TWO seizures shortly thereafter.

Tallichet pops in her medical portion into the testimony then abruptly switches tact avoiding going down that road.

I was in Houston for the trial as I would be called to testify so I took off a week from work in South Padre Island, Tx (6hrs drive from Houston) and was prepped and ready. Shann was flown in the day before the trial to testify as well. The attorney had me

go pick up the doorman at the club to bring him in to testify as well. As I was on my way to the courthouse with the doorman with me Leticia called me to take him back. (?) I returned still ready to take the stand as we were all in a back room waiting. Leticia comes in stating that she rested and the jury has gone into deliberations. What?!? There was never a defense even put on. Shortly thereafter, the jury came back with a verdict of guilty.

During sentencing a motion to enhance the sentence the prosecution argued that this conviction was substantially similar to a conviction Lature pleaded to in Michigan which it was not. The testimony of Deputy Larry Hall was that there was great similarity in that it was an “aggravated sexual assault” and was a charge similar in Texas as it was in Michigan. There had been no charge of aggravation in any case. The Michigan plea was to “grabbing a breast” despite Lature’s side of the story and the DA’s lack of evidence to convict pursuant to the allegation. Also, the account of the Michigan case was brought into testimony in the narrative of the allegation and not the mutually agreed upon plea on record.

Since this travesty of justice Mr. Irvin has been in the custody of the State of Texas serving a life sentence.

We are asking for help as we’ve decried this issue now for 7 plus years. This man has maintained his innocence every step of the way yet his cries continue to fall upon deaf ears all the while he has been relegated in the eyes of the world to a life of being deceased.

Warmest Regards,

Abe Emerson