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April 6, 2015
Donna Hockman
FCCW/#1406120
144 Prison Lane
Troy, VA 22974

Re: April 2015 Status Report

Dear Donna,

Greetings, we hope you are doing well. This letter serves as an update on our progress of your case. Please let us know if you have any questions or concerns.

After reviewing literally thousands of pages of transcripts, pleadings, police reports, public records and other documents associated with your case, we have come to a rather straight forward conclusion regarding your potential post-conviction remedies.

We will not repeat the facts of your case or the literally hundreds of legal claims you set forth in the state and federal pleadings, as you are quite aware of them all. However, with that said, what we noticed glaringly absent, was a record of any real defense that you were suffering from Battered Womens Syndrome ("BWS") or Post-Traumatic Stress Disorder ("PTSD"). This, in our opinion, denied you the right to present a defense which, had it been successful, could have resulted in a lesser conviction of manslaughter or Not Guilty of Insanity ("NGI").

Battered woman defense is a defense used in many courts throughout the country which hold that the person accused of an assault/murder was suffering from battered person syndrome at the *material time*. Because the defense is most commonly used by women, it is usually characterized in court as battered woman syndrome or battered wife syndrome. There is currently no medical classification to support the existence of this "syndrome" in the sense used by lawyers, though it has historically been invoked in court systems. Although the condition is not gender-specific, the admission of evidence regarding battered woman syndrome as relevant to the defense of self-defense is commonly understood as a response by some jurisdictions to gender-bias in the criminal law. Thus, this is a reference to any person who, because of *constant and severe domestic violence* usually involving physical abuse by a partner, may become depressed or unable to take any independent action that would allow him or her to escape the abuse. Often the victim's fears are based in reality, as she may lack the social support, financial means, or may be too physically disabled to survive on her own. Victims may have low self-esteem suffer from Stockholm Syndrome, and are often led to believe that the abuse is their fault, and, due to misplaced feelings of loyalty, may be unwilling to press charges against their abuser. There is no consensus in the medical profession that such abuse results in a mental condition severe enough to excuse alleged offenders. Nevertheless, the law makes reference to a psychological condition, even though neither the DSM nor the ICD medical classification guides as currently drafted includes the syndrome in the sense used by lawyers.

While the State of Virginia has yet to officially recognize BWS as a defense to homicide, there was a plethora of evidence in your case that would certainly required more of counsel in pursuing such defense than he did. Experts should have been brought in and an argument made to the court to allow such testimony as to your mental state and perceived threat of violence as evidenced by the *numerous calls made by you to the police for assistance in the past*. After an extensive review of your records, we have come to the inescapable conclusion that you had been suffering from the long-term effects of BWS and that trial counsel made little, if any, effective efforts to pursue such a defense on your behalf.

With that said, we feel that while you may be guilty of having taken this man's life, you are guilty of only manslaughter, not murder. Because of the procedural bars that are now in effect in your case, bringing new claims will be daunting at best. We are willing to bring a motion to the Fourth Circuit Court of Appeals requesting permission to bring a second and successive petition asserting your "actual innocence" to the charges of murder, and instead, arguing that the evidence clearly showed you guilty of the lesser offense of manslaughter. While this may be a long shot, it may be worth pursuing.


We have also included several cases and other resources that should help you gain a better understanding of the "actual innocence" claim in Virginia.

The charge for all proceedings in the federal district courts, the Fourth Circuit Court of Appeals and the state courts will be \$3000, and we will offer you a payment plan if you need one. We will leave this offer open until May 31, 2015 and in the event we do not hear from you, we will return your files to either you or your mother. Please be advised that we are NOT attorneys and we do not offer legal advice. However we do have multiple attorneys on staff. We act as "Next Friend" on your behalf as allowed by the United States Supreme Court.

We were recently contacted by someone claiming to be a "fundraiser" for you by the name of Craig Bennett. He claims that you and Jean Litten are attempting to raise money for your defense, and asked that we turn over all of your files that we have in your possession. We have attempted to contact Jean several times in order to better understand the situation, and have not heard back from her. Please advise us of the situation, and how you would like to proceed. If you would like us to cease our assistance to you and return all of your documents, please let us know as soon as possible so that we can send you the proper release forms.

Please let us know if you have any further questions or concerns. Take care.

Respectfully yours,



Randy Soderstrom-Director