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## Area man included in justice book

Staff and wire reports

Advocates of major change in Michigan's court-appointed defense system are taking their case to state lawmakers with a 67-page book profiling people whose convictions were overturned.

The book includes the story of Fred Mardlin, 36, of Capac. Mardlin spent three years in prison after being convicted in 2007 of arson and burning an insured property.

The Michigan Campaign for Justice -- the coalition behind the book -- said Mardlin was wrongfully convicted because his lawyer's request for money to hire an expert witness was denied. The witness, Mardlin and his supporters said, would have testified the 2006 fire at Mardlin's Lester Street home was an accident.

Mardlin was paroled in June and is appealing to have the conviction removed from his record, said Matt Resch, a Campaign for Justice spokesman. The case was handled by St. Clair County Circuit Judge Daniel Kelly.

The Michigan Court of Appeals previously had dismissed the conviction, saying jurors should not have heard testimony about Mardlin's past, specifically that four of his homes or vehicles had burned within 12 years. None of those were proven to be arsons.

Prosecutors took the appeals court ruling to the state Supreme Court. Judges there reversed the lower court's decision and sent the case back for appellate judges to consider additional arguments Mardlin made in his appeal.

Supports of the Campaign for Justice say the stories in the book -- released Wednesday -- are evidence people are being sent to prison because of a failing public defense system. The coalition is trying to build support for legislation that would create a commission to recommend changes.

The system of appointing lawyers for people who can't afford them is different in each county. There are caps on how much lawyers are paid. Sometimes there's no money to hire experts.

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