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door of the club on foot, ple chased and had been stabb	r, at the corner of Pacific and on Michael Scheerhoorn, rush to the rading for help. He said he was being ed, then Grant arrived and stabbed ont of the club - in the chest,		
abdomen, forearm, left side	and hand, authorities said.		
Scheerhoorn collapsed in the fled the scene, running on form	ne parking lot and police said Grant pot down Pacific.		
Grant had chased Scheerho at the club about 11:40pm	orn down Crocker before they arrived		
Police tracked Grant down t	hrough a Crime Stoppers tip.		
Source: Houston Chronicle			
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<ol> <li>FINGERNAIL CLIPPINGS RECOVERED DEVELOP PROPILE, ENTER INTO CODIS AND SUSPECT IN THIS CASE.</li> </ol>	DURING AUTOPSY. PLEASE ANALYZE FOR DNA, , AND COMPARE TO COMPLAINANT'S DNA PROFILE,		
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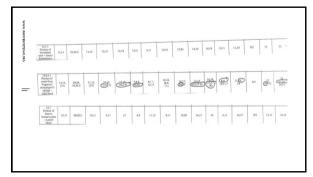
"He looked very determined, which is the reason I have no problem recognizing his face because I've never seen a look like that on anyone's face" -Witness B.W.	
"Well when I first see it my eyes go straight to number two, but I did not make my decision at that time. I looked at every photo and then I made a conclusion that number two was the guy" -Witness C.W.	
7	
<ul><li>"You don't forget stuff like that" - Witness D.W. (describing recognizing suspect's face)</li></ul>	
"I'm certain, I was hesitant yesterday because, I mean, it's been two years and it looks like	
he's gained a little weight and he's wearing glasses" -Witness A.V. (on his previous day's inability to ID Grant)	
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	•
<ul><li>"Oh, I made sure I seen who it was" -Witness A.G.</li></ul>	
"At first I was not (able to make an identification), but then I just really thought about it and I tried to	
picture it back in my mind and the guy that stuck out the most was the one I picked" -Witness L. M.	
-witness L. W.	
9	

"Just reaction, I don't know (why I would focus
on his face). I figured a face is pretty, you know,
not many people have the same looking face.
It's pretty particular to a person. So, if I would
have needed to, you know, point him out, the
best feature would be the face to look at."

"100% positive" (certainty of suspect identification)
-Witness R.R

Case lives	79	80511	PINK	C90100	105:000	1900	3136417	D140109	BESSOR	\$45min	1WA	THEN	910001	Adologo site	Econ 4	PEA	
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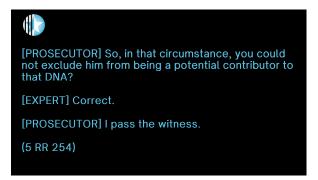
No conclusions will be made regarding Lydell Grant as a possible contributor to this DNA mixture

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[PROSECUTOR] It says: No conclusions will be made regarding Lydell Grant as a possible contributor to this DNA mixture. What does that mean?

[EXPERT] It means that with a mixture now we're dealing with a lot more information. And when I sit down and look at the mixture and compare it to Lydell, I was not able to make a clear determination if he was a contributing individual to that mixture. I could not make a conclusion.







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	COMPLAINT

- Applicant was convicted of murder and sentenced to life imprisonment. The First Court of Appeals affirmed his conviction. Grant v. State, No. 01-02-01173-CR (Tex. App.—Houston [1st Dist.] Apr. 1, 2014) (not designated for publication).
- Applicant filed this application for a writ of habeas corpus in the county of conviction, and the district clerk forwarded it to this Court. See TEX. CODE CRIM. PROC. art. 11.07.

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- Applicant contends, among other things, that he is actually innocent. See Ex parte Elizondo, 947 S.W.2d 202 (Tex. Crim. App. 1996).
- Applicant and the State jointly signed proposed findings of fact and conclusions of law. The trial court adopted these, concluded that Applicant established that he is actually innocent, and recommended that we grant him a new trial. We believe that the record should be further developed.

The trial court shall order the District Clerk to forward a copy of Jermarico Carter's videotaped interview with the Houston Police Department. The District Clerk shall forward a copy within thirty days from the date of this order. Any extensions of time must be requested by the trial court and obtained from this Court. Filed: April 1, 2020	
25	
On April 1, 2020, we directed the trial court to order the Harris County District Clerk to forward a copy of Jermarico Carter's videotaped interview with the Houston Police Department. We believe that the record should be further developed.	
The trial court is the appropriate forum for findings of fact. TEX. CODE CRIM. PROC. art. 11.07, § 3(d). The trial court shall order the District Clerk to forward photographs, if available, of Jermarico	
Carter taken shortly before or after 2010, the year of the offense.	
26	-
The trial court shall also order the witnesses, if	
available, who identified Applicant in a photospread and at trial to respond in affidavits	
to Applicant's actual innocence claim. In developing the record, the trial court may use any	
means set out in Article 11.07, § 3(d).	
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IN THE DISTRICT COURT
351" JUDICIAL DISTRICT
HARRIS COUNTY, TEXAS eventry.

On Aquet 10, 2002, I was advised by prosecutors from the Heris.
Courty District Attention, of Other (MCADD) that releting of Other Attentions and the Attention of Other Attentions from under Mr. Schedenburs from

wered them to set me my thoughts on the subject of My. Grant's actual invocance.

I previously had heard something about Mr. Grant's case on the nexes and between the find already been released from prison. One of the presentance explained to me that he was not on a certain type of bond because of the nexe explained to me that he was not on a certain type of bond because of the nexe explained.

To be horsest, the days the police officers carne to me with the finests and about the me to just, sunnovae, I told them if didn't see the pay, but they easily to took pays, because he was in them are and these other protect had already printed him. I placed Mr. Grant, even though I did ment ready from he was the gay. However, bladed only or content and may see at sure Mr. Grant was the perman, so I agreed. Because my co-workers believed them as Mr. Grant, I thought thus the one making a minister.

I was any laced from one the back of the processed. I did not full the first that procedures along why I choose Lystel Grant, because that was a long time later.

31

My name is Andrew Vu, and I am over eighteen years of age. I am a U.S. cliszen and reside within the United States. I declare under penalty of perjury that all information in the foregoing statement concerning my testimony at the murder trial of Lydell Grant and subsequent events is true and correct. Due to present conditions under the COVID-19 global pandemic, I do not have ready access to a notary public and instead offer this unsworn declaration.

Signed this the 12 day of August, 2020.

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## Contact Details Mailing Address Innocence Project of Texas 300 Burnet Street, Suite 160 Fort Worth, Texas 76102 FaceBook Imnocence Project of Texas mike@ipoftexastexas.org Phone Number (817) 338-4100 FaceBook Imnocence Project of Texas WITTER @innocencetexas instagram @innocencetexas