

January 25, 2010

Honorable Belvin Perry, Chief Judge
Ninth Judicial Circuit
425 North Orange Avenue
Orlando, Florida 32801

Sent by Certified Mail

In Re: Reassignment of Judge Reginald Whitehead

Dear Judge Perry:

As Citizen Advocate for death row inmate, William Thomas Zeigler, (see attached authorization) I respectfully request that you reassign the Petition for DNA Testing in case numbers 1988-CF-005355, 1988-CF0005356, which is pending before Judge Whitehead, to another judge. I recently confirmed with Chief Assistant State Attorney, William Vose, that Judge Whitehead's spouse is an Assistant State Attorney in the Ninth Circuit and has been since 1989. I submit the following reasons for this request:

- The Code of Judicial Conduct forbids the appearance of impropriety.
- The relationship between the judge and the office of state attorney was not disclosed to Mr. Zeigler or his attorneys.
- Mr. Zeigler, who has been on death row for 33 years, proclaims his complete innocence of any crime, and petitioned the court previously to investigate serious allegations of collusion between the trial judge and the office of state attorney.
- State Attorney, Lawson Lamar, was chief assistant to State Attorney Robert Eagan when Mr. Zeigler was arrested while still in hospital intensive care for a gunshot wound to the abdomen after the murders in his furniture store on Christmas Eve, 1975.
- Mr. Lamar has always opposed DNA testing despite the fact that blood evidence played a significant role in Mr. Zeigler's conviction and Lamar has twice written to different Florida governors to demand that Mr. Zeigler be executed.
- Judge Whitehead was assigned to hear the DNA evidence in 2003 after Judge Greniweicz ordered the testing in 2001.
- Judge Whitehead denied Mr. Zeigler's motion to vacate his sentence based upon the DNA evidence that many people unconnected with the case believed confirmed his complete innocence.
- The current petition for more DNA testing, which pertains to stains the state claimed might prove Zeigler's guilt (that were never a part of the original trial) was originally assigned to a different judge.
- Inexplicably, Judge Whitehead has usurped the right to hear the current petition.

Judge Perry, I visited Mr. Zeigler only yesterday at Union Correctional Institute and obtained his verbal mandate to take all action at possible to have Judge Whitehead removed from hearing this petition. The integrity of the court has already been compromised by his failure to disclose a relationship that can be exploited to the advantage of the state.

Respectfully submitted,

Raymond T. McEachern

21130 Diamonte Drive
Land O Lakes, Florida 34637

cc: William Thomas Zeigler
Dennis Tracey, Attorney of Record