

# The Judge Tucker Court of Appeal's Decision Opens the Door to Mumia Abu-Jamal's Freedom

By [International Concerned Family and Friends of Mumia Abu-Jamal](#)

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International Concerned Family and Friends of Mumia Abu-Jamal

Region: [USA](#)

Theme: [Law and Justice](#), [Police State & Civil Rights](#)

*Dear Comrades and Friends Across the Globe:*

*On December 27, 2018, in a historic action, Court of Common Pleas Judge Leon Tucker granted Mumia's petition for new appeal rights, over the opposition of "progressive DA" Larry Krasner.*

This is the first Pennsylvania state court decision in Mumia's favor since he was arrested on December 9, 1981. The new appeals ordered by Judge Tucker open the door to Mumia Abu-Jamal's freedom. The legal claims and supporting evidence, previously denied in the PA Supreme Court with Justice Ronald Castille's participation, warrant a dismissal of the frame-up charges that have kept Mumia imprisoned for 37 years, or, at the very least, a new trial.

It is critical that Mumia can go forward immediately with these appeals. However, DA Larry Krasner has the authority to appeal Judge Tucker's decision. Krasner's position, to the surprise of many who had described him as the "new kind" of district attorney, more bent toward justice than mere conviction, with a history of defending dissident activists, been adamant in his opposition to Mumia's petition. His legal filings, court arguments, and his statements on public radio have all argued that there is no evidence of Justice Castille's bias or the appearance of impropriety when he refused to recuse himself in Mumia's PA Supreme Court appeals from 1998-2012 (!).

If the prosecution appeals, there will follow years of legal proceedings on the validity of Judge Tucker's order before Mumia can begin the new appeal process challenging his conviction. Mumia is now 64 years old. He has cirrhosis of the liver from the years of untreated hepatitis C. He still suffers from continuing itching from the skin ailment which is a secondary symptom of the hep-C. Mumia now has glaucoma and is receiving treatment. He has been imprisoned for almost four decades. An extended appeals process coming at the age of 64 to a person whose health had already been seriously compromised is the equivalent of a death sentence by continued incarceration.

We are asking you to join us in demanding that Larry Krasner stop acting in league with the Fraternal Order of Police.

Mumia should be freed from prison, now! We are asking you to call, email or tweet DA Larry Krasner TODAY and tell him:

DO NOT Appeal Judge Tucker's Decision Granting New Rights of Appeal to Mumia Abu-Jamal.

In his decision, Judge Tucker ruled that former PA Supreme Court Justice Ronald Castille, who was the District Attorney during Mumia's first appeal of his frame-up conviction and death sentence, had "created the appearance of bias and impropriety" in the appeal process when he didn't recuse himself from participating in Mumia's appeals. Judge Tucker relied heavily on Ronald Castille's public statements bragging that he would be a "law and order" judge, that he was responsible for putting 45 men on death row, that he had the political and financial support of the Fraternal Order of Police, and in recently discovered new evidence that Castille had particularly campaigned for immediate death warrants of convicted "police killers". Judge Tucker states unequivocally that the appearance of bias and lack of "judicial neutrality" exhibited by Castille warranted his recusal.

Judge Tucker's order throws out the PA Supreme Court decisions from 1998-2012 that rubber-stamped Mumia's racially-biased, politically-motivated murder conviction on frame-up charges of the shooting death of police officer Daniel Faulkner.

Judge Tucker's decision means that Mumia Abu-Jamal's post-conviction appeals of his 1982 conviction must be reheard in the PA appeals court. In those appeals Mumia's lawyers proved that Mumia was framed by police and prosecution who manufactured evidence of guilt and suppressed the proof of his innocence. And, he was tried by a racist, pro-prosecution trial judge, Albert Sabo, who declared to another judge, "I'm gonna help them fry the n---r" and denied Mumia his due process trial rights.

We can win Mumia's freedom!

We have a legal opening.

It is our opportunity to push forward to see Mumia walk out of prison! The international campaign for Mumia Abu-Jamal's freedom has launched a new offensive.

At the top of its actions is this call for letters and phone calls to DA Larry Krasner demanding he *not* appeal Judge Tucker's order granting new appeal rights to Mumia Abu-Jamal. Please take this action today. Please send us back your name so we can compile a list of international signers. Also, no matter how many letters for Mumia you have signed in the past year or two, please sign this one as well. The moment is different, and the demand of Krasner is different. We want all possible supporters included.

In solidarity and toward Mumia's freedom,

(Initiated by all the US based Mumia support organizations)

International Concerned Family and Friends of Mumia Abu-Jamal; The MOVE Organization; Educators for Mumia; International Action Center; Mobilization for Mumia; Free Mumia Abu-Jamal Coalition (NYC); Campaign to Bring Mumia Home; Committee to Save Mumia; Prison Radio, Labor Action Committee to Free Mumia Abu-Jamal, Oakland; Oakland Teachers for Mumia; Workers World/Mundo Obrero

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