



Activity Report

Texas A&M University Law School | Texas Tech University School of Law

Office of Court Administration | Texas Indigent Defense Commission

January 1 – May 31, 2025

Summary

This report details the relevant activities of the Innocence Project of Texas (IPTX) from January 1, 2025 through May 31, 2025 to comply with Texas Indigent Defense Commission (TIDC) twice yearly reporting requirements. During the reporting period, IPTX received 479 new requests for assistance with 152 cases under active investigation. Fourteen clinic students provided 2,196 hours of assistance in case law research, case investigation and document creation.

Client Andre Allen Causey was exonerated during the reporting period and client Joe David Padron had a recommendation by the Court of Criminal Appeals to have his changes vacated. Client Wes Sherrill and his two co-defendants were released from prison pending the final disposition of their cases.

Use of Contract Funds

Contract funds were used for direct assistance to investigate potential post-conviction innocence cases and pursue relief for defendants with credible claims. Per the Interagency Cooperation Contract, funds supported the intake and evaluation process, case investigation and litigation costs. As part of the contract, IPTX conducts the "Actual Innocence" clinics at Texas A&M University Law School (TAMU) and Texas Tech School of Law (TTU).

IPTX reviews both DNA and non-DNA cases of post-conviction and appeal claims of innocence with a focus on those at greatest risk for error including, but not limited to, cases based on mistaken witness identification, inaccurate or "junk" forensic science and false confessions. Funded staff engage in intake; case review; evaluate evidence; obtain expert assistance; prepare appropriate cases for litigation, including legal research and drafting motions and legal memoranda. Staff prepare cases for post-conviction litigation including locating evidence through city, county and state agencies, subpoenaing witnesses, and conducting depositions or other interviews necessary prior to litigation.

Initial applications/questionnaires are reviewed by an IPTX staff member. Those that meet the required criteria (claim of actual innocence, post-conviction, felony, completed direct appeals) are referred to the law school clinics for further review. Clinic students assist in document review to determine if there is claim of actual innocence and if there are options for relief. Each student prepares a case memo that is reviewed by a staff attorney. Based on the totality of the document review, if actual innocence remains possible, the case proceeds to field investigation that can include locating biological evidence for testing, interviewing witnesses, etc. If sufficient new evidence has been discovered demonstrating a compelling case for actual innocence, IPTX will proceed with litigation. Funds are also used to support case related expenses including public records fees, postage, case related travel and document storage costs.

TAMU Clinic: During the spring semester of 2025, nine TAMU law students enrolled in the “Actual Innocence” clinic. The students completed 879 hours of work including, but not limited to, review of trial transcripts, police reports, witness statements and forensic reports; client and witness interviews; preparation of cases memos; and case conferences with IPTX legal staff.

TTU Clinic: During the fall semester of 2024, five TTU law students enrolled in the “Actual Innocence” clinic. The students completed 1,317 hours of work including, but not limited to, review of trial transcripts, police reports, witness statements and forensic reports; client and witness interviews; preparation of cases memos; and case conferences with IPTX legal staff.

Cases Awaiting Screening and Backlog

As of May 31, 2025, 366 requests for assistance were awaiting screening. This includes those applicants who have returned a completed questionnaire that is waiting for review by a staff member to determine if the applicant meets the required criteria (claim of actual innocence, post-conviction, felony, completed direct appeals) in order to move forward to the document review stage. 316 cases are in the document review or investigation stages. Ten cases are in active litigation.

Work Performed

Screening & Investigation

- 479 total requests for assistance received;
- 479 total requests for assistance based on new claim of actual innocence; 268 innocence claims screened;
- 172 innocence claims closed after screening
- 0 claims closed after investigation;
- 152 innocence claims under active investigation at end of period;
- X innocence claims awaiting investigation at end of period.

Litigation

- 0 new innocence claims with legal remedy pursued;
- 2 innocence claims with relief granted;
- 0 number of innocence claims with relief denied;

Student Activity

- 14 law students participating in the project;
- 2,196 hours performed by law students;
- 0 students from other fields of study participating in the project

Case Highlights

Below is a summary of selected case developments for the program year.

Andre Allen Causey

Mr. Causey was convicted of murder charges in 1992 related to the death of a young woman in Travis County and served 30 years in prison. After several hours of interrogation, Mr. Causey, who has an IQ of 66 and low literacy, signed a document that he believed stated that he had not been mistreated by the police. The document was a confession that he and another man had committed the crime. Despite no physical evidence tying him to the crime, Mr. Causey was convicted and sentenced to 50 years. The friend he implicated in the crime was never charged as there was no evidence other than Mr. Causey's confession. A series of evidentiary hearings were held in 2024 that demonstrated not only Mr. Causey's innocence but the likely perpetrator of the crime. The district judge made a recommendation that Mr. Causey's conviction be overturned based on false testimony. In April of 2025, the Texas Court of Criminal Appeals ruled that Mr. Causey's charges should be vacated. The Travis County DA's office requested dismissal on actual innocence from the district court which was granted. The Travis County DA's office has indicated they plan to file charges against the actual perpetrator.

Joe David Padron

In 2004, Mr. Padron was sentenced to life in prison for the shooting deaths of two gang members in Corpus Christi in 2002. Since the trial, a witness has come forward with credible evidence about the confession of the actual perpetrator. IPTX also uncovered evidence that a State's witness committed perjury at the original trial and a second witness has now recanted their testimony. IPTX also presented evidence of prosecutorial misconduct indicating that the prosecutor promoted false statements from the perjuring witness in order to bolster his credibility. A hearing took place in Nueces County with closing arguments on June 16, 2023. In September of 2023 the district judge recommended relief based and the recommendation was sent to the Texas Court of Criminal Appeals for a final ruling. On October 6, 2023 Mr. Padron was released on bond with the support of the Nueces County District Attorney's Office. In April of 2025, the Court of Criminal Appeals ruled that Mr. Padron's charges should be vacated. The case is now with the Hidalgo County DA's office as the new Nueces County DA was a part of Mr. Padron's original legal team and therefore has a conflict. The Hidalgo County DA's office is expected to make a decision within the next reporting period.

Wes Sherrill

Wes Sherrill and his two co-defendants were convicted in 2011 of sexual assault in Anderson County. There was no physical evidence linking them to the alleged crime and the conviction was based on the testimony of the victim. In 2023 the victim in the case contacted local law enforcement and the district attorney's office to recant her testimony. IPTX was contacted by the Anderson County DA's office and began to investigate the case. IPTX sought out counsel for the two co-defendants and worked jointly with private attorneys and the innocence clinic at Thurgood Marshall School of Law. Due to a conflict with the current DA, the Attorney General's office is representing the State in the cases. Court proceedings were held in district court in December of 2024. In February, the district court recommended that the charges be vacated and all three men were released pending a decision from the Court of Criminal Appeals. In April, the CCA requested that further findings of fact be submitted. IPTX and co-defendants' counsel are working with the Attorney General's office.