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FOR IMMEDIATE RELEASE

“TERROR TEEN” FALSELY CONVICTED IN MADISON FLAG-BURNING CASE FINDS ACTUAL PERPETRATOR

Almost nine years after he was found guilty in a juvenile delinquency hearing, on May 29, 2003, in Superior Court, Morris County, Declan Devlin, now 25, filed a motion today for reversal of the wrongful conviction based upon newly discovered evidence – a confession from the actual perpetrator, Michael Sullivan. He is represented by Ronald L. Kuby and Lea Spiess, of the Law Office of Ronald L. Kuby.

The road to vindication has been a long one for Mr. Devlin, who, at age 16, was charged with attempted arson in connection with an incident that occurred in the town of Madison in which a young man used dry gas to burn a bundle of American flags in the back of a municipal truck. The dry gas canister was recovered from the scene, and was found to contain two fingerprints. They did not match those of Declan Devlin. Despite the lack of physical evidence, after a two-day bench trial, Declan was ultimately found guilty of disorderly conduct. The conviction was based upon the identifications of five State witnesses, who misidentified Declan as the perpetrator. In finding Declan guilty of an offense he did not commit, the Honorable Thomas J. Critchley, Jr., denounced the teen as unpatriotic: “[Declan] has denied that he was involved in this. . . I’m not going to expect him to knuckle under and admit it. But I will say that . . . to do this act it can only, I think, be done by somebody who just doesn’t understand American – or the history of people in this world.”

Declan Devlin was haunted by the conviction. He always maintained his innocence, and has devoted nearly a decade to the arduous task of proving it. With the assistance of lawyers, investigators and friends, and through his continuous and tireless efforts, Mr. Devlin has finally ascertained the identity of the actual perpetrator. Even more, that person, one Michael Sullivan, recently provided Mr. Devlin’s attorneys with a sworn statement, confessing that it was he, and not Declan Devlin, who committed the act for which Declan was convicted, and setting forth the details of that incident. With this newly discovered evidence – which affirmatively and conclusively exonerates Declan Devlin – Mr. Devlin seeks justice from the same court that wrongfully convicted him. The petition, filed this afternoon, seeks a judgment of acquittal or a new trial – during which Declan could finally present evidence of his innocence.

Almost nine years have passed since the attempted flag-burning incident occurred on Park Avenue in Madison. For the first time, through the Petition of Declan Devlin and the Affidavit of Michael Sullivan, the court, and the people, will learn what really happened on the afternoon of March 25, 2003. And Declan Devlin can finally clear his name.

For further information, call Lea Spiess at (212) 529-0223.