

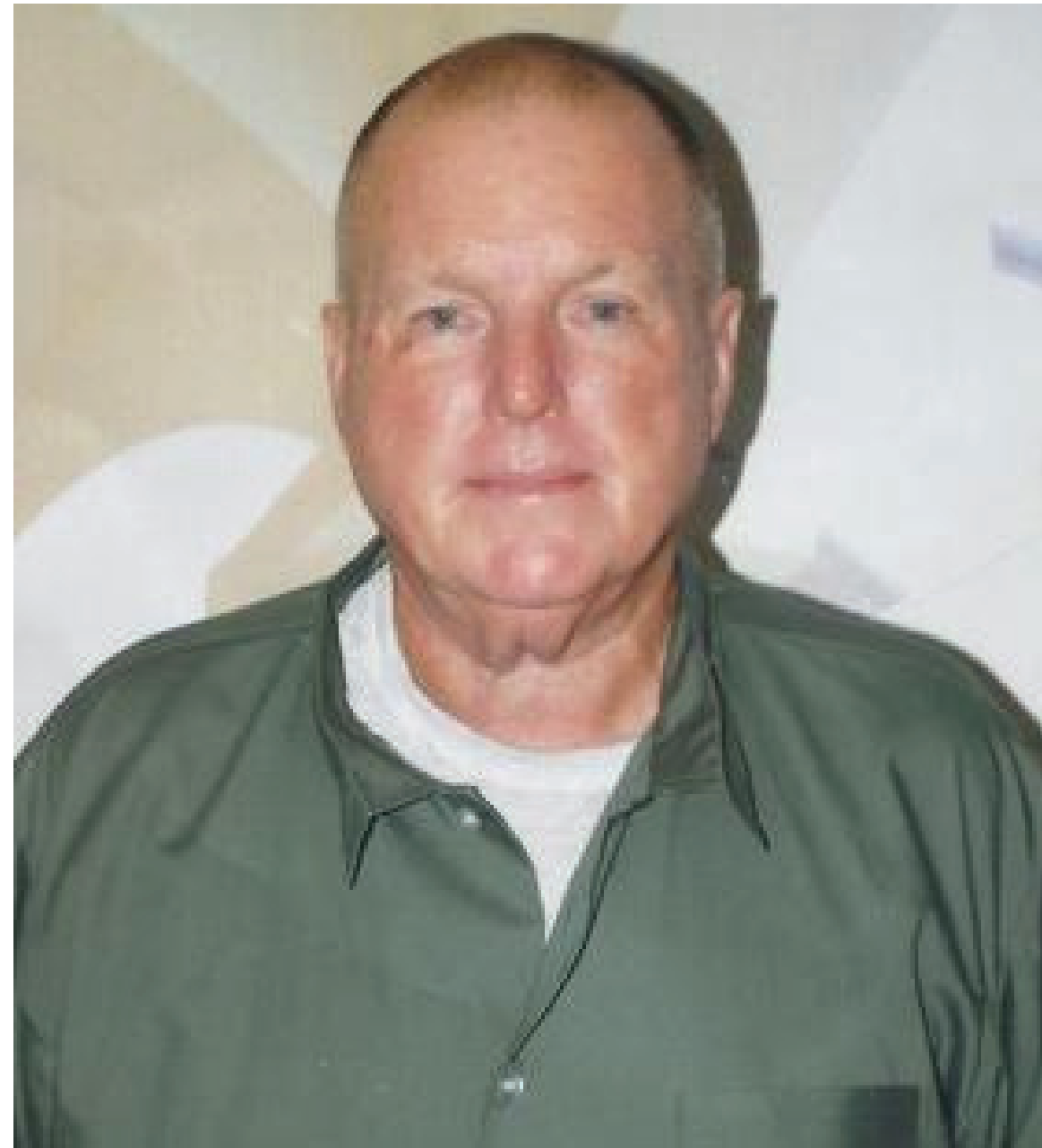
FREE

Charles "Fred"

Cundiff

INCARCERATED SINCE 1991

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Charles-Cundiff-Life-For-Pot/](http://www.candoclemency.com/Charles-Cundiff-Life-For-Pot/)**



End LIFE SENTENCES
for Marijuana

Charles “Fred” Cundiff is yet another prisoner behind bars for a victimless crime because of America’s horrendous conspiracy laws. Fred was arrested in 1991 while waiting in car for a friend who was involved with trafficking marijuana.

The trial consisted of 10 co-defendants, decades later, all but Fred Cundiff are now free. The defense lawyers caught a federal witness lying in court, but Fred’s judge called it “an honest mistake.” With the exception of a 30-minute window, Fred’s name was not brought up during the entire trial, which lasted over 2 months. Near the end of the trial, the judge asked witness Frank B., who had “cooperated” with prosecutors in order to avoid a long prison term, to identify Charles Cundiff. The witness could not, searching among the defendants without success, until the group of lawyers all stared at Fred and tipped the witness off who he was supposed to identify. Fred Cundiff maintains he had never seen the witness who identified him in his entire life. No one else identified Fred Cundiff as a conspirator in the entire trial. When the jury received their instructions, they were told that if one person in the group is guilty, they ALL are guilty. If one person walked, they ALL walked.

At sentencing, Fred’s attorney told him he would get a reduced sentence if took responsibility. He did, but received no sentence reduction, despite the attorney arguing that the government had no proof whatsoever of Fred buying or selling any marijuana at all. The judge’s reply to Fred: “I think you knew what was going on.”

Like other prisoners serving life for marijuana who knew they had done nothing wrong and took it to trial (Craig Cesal and John Knock among others), Fred Cundiff is paying the ultimate price for exercising his Constitutionally guaranteed right to a trial by jury. The conspiracy statute that holds one person responsible for the crimes of others, set him up for failure before he began. Cundiff has already served far more time than many murderers and other violent criminals. At nearly 70 years of age, he is in extremely poor health. He deserves a compassion release pardon or Presidential clemency so he can spend his few remaining years in freedom with his family.