

**IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA**

STATE OF FLORIDA,

Plaintiff, : Case No.: **84 -03235CF10A**

v. : Judge: **GARCIA-WOOD**

RONALD HENRY STEWART :

Defendant. :

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**STATE'S MOTION TO VACATE, SET ASIDE JUDGMENT AND SENTENCE AND  
DISMISS THE INDICTMENT**

COMES NOW, Michael J. Satz, State Attorney, Seventeenth Judicial Circuit, Broward County, Florida, on behalf of the State of Florida, by and through the undersigned Assistant State Attorney, and moves this Honorable Court pursuant to Florida Rule of Criminal Procedure 3.850 to vacate, set aside the judgment and sentence and dismiss the indictment of Ronald Henry Stewart that were entered in the above styled case, and as grounds, therefore, states as follows:

1. On March 22, 1984, Ronald Henry Stewart was indicted for the first-degree murder of Regina Harrison. The murder occurred on May 2, 1983. Represented by Special Public Defender Robert C. Stone, Ronald Henry Stewart entered into a plea agreement with the State and pled no contest to the second-degree murder of Regina Harrison on January 28, 1985. In exchange for his plea, which the Court found was freely, voluntarily and intelligently entered, Stewart was sentenced by the Court to fifty (50) years in prison. This sentence was to run concurrently with the sentences imposed for Stewart's other

convictions in Broward County, Florida and in Mississippi. Stewart wanted to serve his time in Mississippi where his family was located. After he was sentenced, Stewart was transferred to Mississippi to serve his sentences.

2. Ronald Henry Stewart had previously been sentenced to three (3), fifty (50) year sentences on June 30, 1983, upon his plea of guilty in Broward County Case Numbers 83-6127, 83-6128, and 83-6129. Each case charged a sexual battery with the use of a deadly weapon. All three (3) sentences were to run concurrently with each other. In exchange for Stewart's pleas of guilty in those cases, the State agreed not to file further charges in reference to the other six (6) offenses for which Stewart was suspected and questioned following his arrest on June 8, 1983. Additionally, the State agreed that Stewart could serve his sentences concurrently with sentences to be imposed in cases pending for crimes committed in the State of Mississippi.
3. In Mississippi, Stewart had been charged in case numbers 19,254; 19,255; and 19,256 with committing rape, armed robbery and burglary of an occupied dwelling in the nighttime that occurred on September 10, 1982. He pled guilty to those charges on January 27, 1984. He was sentenced to fifty (50) years on case number 19,254, fifty (50) years on case number 19,555 to run concurrently with the sentence in case number 19,254 and fifteen (15) years on case number 19,256 to run concurrently with the sentence in case number 19,255. Stewart was charged in case number 19,257 and 19,258 with rape and burglary of an occupied dwelling that occurred on August 27, 1982. He pled guilty to those charges on January 27, 1984. He was sentenced to fifty (50) years on case number 19,257 to run concurrently with the sentence in case number 19,256 and fifteen (15) years on case number 19,258 to run concurrently with the sentence in case

number 19,257. Stewart was charged in case numbers 19,259; 19,260 and 19,261 with rape, armed robbery and burglary of an occupied dwelling in the nighttime with a deadly weapon that occurred on September 20, 1982. He pled guilty to those charges on January 27, 1984. He was sentenced on case number 19,259 to fifty (50) years to run concurrently with the sentence in case number 19,258, fifty (50) years in case number 19,260 to run concurrently with the sentence in case number 19,259, and fifty (50) years in case number 19,261 to run concurrently with the sentence in case number 19,260. Stewart was charged in case number 19,262 with rape that occurred on September 5, 1983. He pled guilty on January 27, 1984 and was sentenced to fifty (50) years to run concurrently with the sentence in case number 19,261. Stewart was charged in case numbers 19,263 and 19,264 with rape and grand larceny that occurred on September 26, 1983. He pled guilty on January 27, 1984. He was sentenced on case number 19,263 to fifty (50) years to run concurrently with the sentence in case number 19,262, and five (5) years on case number 19,264 to run concurrently with the sentence in case number 19,263.

4. Ronald Henry Stewart served his sentences for all of his crimes committed in Florida while in the custody of the State of Mississippi until his Mississippi sentences expired. He was returned to Florida on February 18, 2007 to serve the balance of his Florida sentences. Ronald Henry Stewart died while in Florida custody on September 11, 2008.
5. Ronald Henry Stewart did not challenge his plea in this case on grounds that it was not voluntarily entered and never filed a post-conviction pleading claiming that he was not guilty of the murder of Regina Harrison. Stewart never filed any motions or appeals

attacking his convictions, guilt or voluntariness of his pleas in Broward County Case Numbers 83-6127, 83-6128, and 83-6129, which were all sexual battery cases.

6. On February 4, 2019, a DNA report issued by the Broward Sheriff's Office Crime Laboratory revealed that the DNA collected from the body of Regina Harrison originated from Jack Harold Jones.
7. Jack Harold Jones had previously been linked by DNA evidence to the 1991 homicide of Lorraine Barrett in a Ft. Lauderdale hotel room in Broward County Case Number 05-3156CF10A. In that case, which had been unsolved, DNA collected at the scene was submitted by the Ft. Lauderdale Police Department to a national DNA database in 2003. The DNA came back to Jack Harold Jones, who at the time was incarcerated on death row in Arkansas. Jones was subsequently indicted on March 23, 2005 for the first-degree murder of Lorraine Barrett, and was returned to Florida from Arkansas. Represented by Assistant Public Defender William Laswell, Jones pled guilty at arraignment on April 1, 2005. He was sentenced to life without the possibility of parole. The sentence was to run concurrently with the sentence imposed in Arkansas where Jones had been incarcerated.
8. Thereafter, Jones was transferred back to the custody of Arkansas where he was incarcerated on death row. Jones had been convicted of first-degree murder and sentenced to death for the 1995 rape and murder of a thirty-four (34) year-old Arkansas woman in an attack that included the attempted murder of her eleven (11) year-old daughter. Jack Harold Jones was executed by the State of Arkansas in 2017.
9. In November of 2018, a letter written by Jack Harold Jones to his sister came to the attention of law enforcement. Jones had written the letter to his sister in 2006 or 2007 with instructions that it not be opened until one (1) year after his execution. In the letter,

Jones confessed to the 1983 murder of a young woman meeting the description of Regina Harrison. Jones gave several details in his letter, which lent it credibility. Jones instructed his sister to give the information to Detective John Curcio, which she did. That letter was shared with the Hollywood Police Department, which originally investigated the murder of Regina Harrison. The letter was also shared with the Office of the State Attorney, which prosecuted both Ronald Henry Stewart and Jack Harold Jones. It was after receipt of this letter by law enforcement that the Broward Sheriff's Office ran the DNA from the Regina Harrison homicide in the national DNA database. The DNA tests revealed that the DNA collected from the body of Regina Harrison in 1983 originated from Jack Harold Jones.

10. The Hollywood Police Department, the Broward State Attorney's Office and the Broward Sheriff's Office reopened their investigations into the murder of Regina Harrison. They have all determined that the DNA evidence is dispositive as to the culpability of Jack Harold Jones. Ronald Henry Stewart was not the source of the DNA collected from the victim's body.
11. DNA testing was not available in 1983 when Regina Harrison was murdered and was not generally available for forensic use on January 28, 1985 when Ronald Henry Stewart pled no contest to second-degree murder. Ronald Henry Stewart would not have been charged with murder if DNA testing were available. Ronald Henry Stewart would not have been prosecuted if DNA testing were available. Ronald Henry Stewart was not criminally responsible for the murder of Regina Harrison.
12. Although Ronald Henry Stewart is now deceased, it is appropriate that the record be corrected at this time to reflect the new information stated above. It is for this reason that

the State moves this Court to vacate the judgment for second degree murder imposed on January 28, 1985 on Ronald Henry Stewart, dismiss the indictment, and enter any order it deems proper. Ronald Henry Stewart's other convictions and sentences for sexual battery should remain intact.


13. Regina Harrison's family has been contacted and advised of these developments.

14. Mr. Robert C. Stone, who previously represented Ronald Henry Stewart in the above-styled case, has been advised by the undersigned counsel of these recent developments. He has no objection to the State filing the instant Motion.

WHEREFORE, the State respectfully requests that this Court Grant its Motion to Vacate, Set Aside Judgment and Sentence, and Dismiss the Indictment regarding Ronald Henry Stewart's 1985 conviction for second degree murder.

Respectfully submitted,

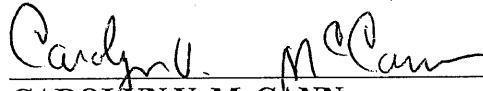
MICHAEL J. SATZ  
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**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished via the Florida E-Portal which will provide a copy of the foregoing by E-Mail to: The Honorable Marina Garcia-Wood, (mfleming@17th.flcourts.org), Room 6880, Broward County Courthouse, 201 S.E. 6<sup>th</sup> Street, Fort Lauderdale, Florida 33301; and Robert C. Stone, (rstone4173@aol.com), Previous Attorney for Defendant, 33 SE 5<sup>th</sup> Street, Suite 100, Boca Raton, Florida 33432, this 21st day of March, 2019.

  
CAROLYN V. McCANN  
Assistant State Attorney