



State of North Carolina

Roy Cooper
GOVERNOR

PARDON OF INNOCENCE
for
DAMIAN MIGUEL MILLS

WHEREAS, during the June 2001 Term of Buncombe County Superior Court, Damian Miguel Mills ("Mills") pled guilty to Second-Degree Murder, Attempted Robbery with a Dangerous Weapon, and Conspiracy to Commit Robbery with a Dangerous Weapon, Docket Numbers 00-CRS-065084, 01-CRS-006334, 01-CRS-006335; and

WHEREAS, on September 10, 2002, by judgment of said Court, Mills was sentenced to a minimum term of one hundred twenty (120) months and a maximum term of one hundred fifty-three (153) months in the custody of the then-North Carolina Department of Corrections; and

WHEREAS, on April 1, 2014, counsel for Mills filed an amended Motion for Appropriate Relief ("MAR") in Buncombe County Superior Court, seeking a judicial determination of actual innocence; and

WHEREAS, on October 31, 2014, February 13, 2015, July 24, 2015, and September 30, 2015, the Honorable Judge Joseph N. Crosswhite heard the MAR proceedings; and

WHEREAS, based on the Court's findings of fact, Judge Crosswhite found Mills had demonstrated his actual innocence by clear and convincing evidence; and

WHEREAS, on September 30, 2015, Judge Crosswhite, based upon evidence tending to establish Mills' innocence of the crimes for which he was convicted, concluded that his convictions should be vacated and dismissed all charges against Mills; and

WHEREAS, Mills now seeks a Pardon of Innocence from the Governor; and

WHEREAS, the Governor of the State of North Carolina is vested with the exclusive authority under the state constitution to issue pardons to individuals upon such conditions as he may think proper.

NOW, THEREFORE, I, Roy Cooper, Governor of the State of North Carolina, in consideration of the above factors, and by virtue of the power and authority vested in me by the Constitution of the State, do by these presents PARDON the said DAMIAN MIGUEL MILLS, it being a Pardon of Innocence.

This Order effective this the 17th day of December 2020.



A handwritten signature in black ink that reads "Roy Cooper".

Roy Cooper
Governor