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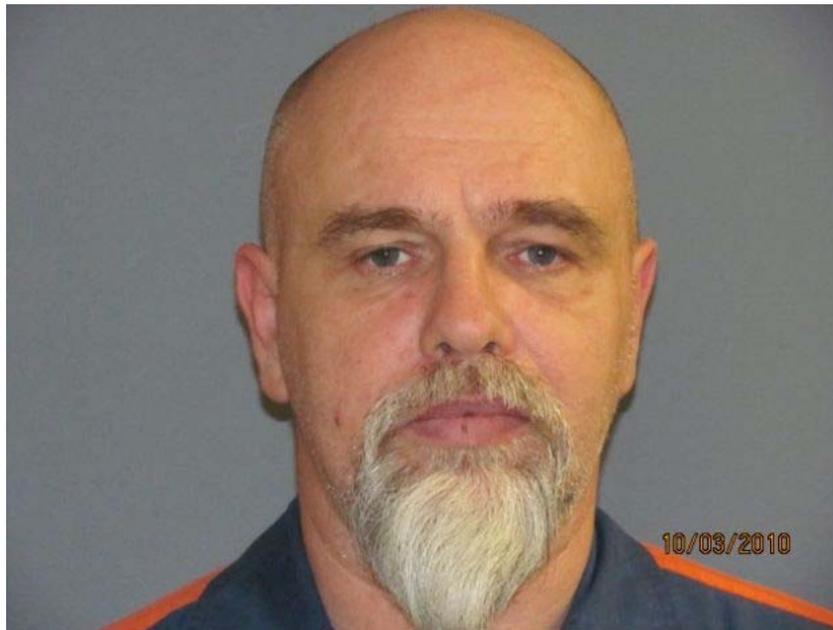
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Freedom for man held 10 years on rape conviction

ED WHITE, Associated Press
Updated 8:28 p.m., Monday, November 19, 2012



In this Oct. 3, 2010, photo released by the Michigan Department of Corrections in Lansing, James E. Grissom, 54, is shown. Grissom was released from prison Monday, Nov. 19, 2012, after spending nearly 10 years behind bars on a rape conviction. A St. Clair County judge dismissed the charge at the request of prosecutors after authorities learned that the women who said she was raped had lied about similar attacks in California. Grissom told The Associated Press that he was looking forward to a cheeseburger, fries and a Coke. (Michigan Department Of Corrections / AP)

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DETROIT (AP) — A judge granted a prosecutor's request to drop a rape case Monday against a Michigan man who was immediately released from custody after nearly a decade in prison.

James Grissom, 54, shook as he thanked the judge. He has maintained his innocence since his photo was picked from among thousands of police photos in 2002, 18 months after the alleged attack outside a Meijer store in St. Clair County.

Despite no physical evidence or witnesses, Grissom was convicted of first-degree criminal sexual conduct and sentenced to at least 15 years in prison. After the trial, new evidence emerged that the woman had lied about as many as nine assaults in California.

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The Port Huron man was granted a second trial based on the new evidence, a decision that was affirmed by the Michigan Supreme Court. Prosecutor Michael Wendling doubted he could win a conviction, however, and dropped the case.

"I've got butterflies in my stomach. It's been a long time. I'm finally hitting the street," Grissom told The Associated Press as he traveled to a restaurant for a cheeseburger, fries and Coke.

He said he has some bitterness for his accuser.

"Someone takes 10 years of your life for something you didn't do — you can't like them very much," Grissom said.

The woman went to a wedding rehearsal dinner after the alleged assault in 2001 and didn't report it to police for another year. She believed Grissom was the attacker after seeing him through her rearview mirror driving on a busy road.

Grissom's appellate attorney, Christine Pagac, said the California police reports show the woman has a credibility problem.

Judge Cynthia Lane said the woman was portrayed at trial as a "courageous wife and mother who struggled to overcome unthinkable shock and embarrassment" from a sexual assault.

But the new evidence from California, which could have been used by Grissom to cast doubt at a new trial, showed she had "concocted incredible stories of abduction and gang rape in apparent attempts to gain attention," the judge said in September.

Grissom's sentence in 2003 was enhanced by an allegation that he also had given the woman a sexually transmitted disease.

Wendling, who was not the trial prosecutor, said jurors made the right call when they convicted Grissom based on evidence presented at that time.

He said his office turned over the California information as soon as it was discovered in 2005. Wendling said Grissom doesn't deserve an apology from law enforcement for his years in prison.

"The criminal justice process worked the way it's supposed to. We followed the rules," the prosecutor told The Associated Press.

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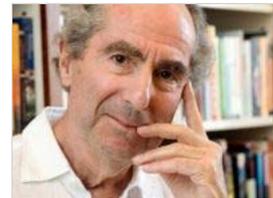
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