

# Lindsey Lowe Seeks A New Trial



By Nick Beres. CREATED Jul 9, 2015

*GALLATIN, Tenn.* - She has been serving a life sentence for murdering her infant twins, but Lindsey Lowe has demanded a new trial.

In just days, the appeals court has been set to hear her case. NewsChannel 5 obtained an exclusive copy of Lowe's appeal.

Her new lawyer David Raybin said there's a strong case to be made that her convictions should be thrown out.

"The evidence was totally insufficient to justify a verdict of that nature," said Raybin.

After seven days of testimony, it took a jury less than two hours to find Lowe guilty of premeditated murder two years ago.

The judge sentenced Lowe to life in prison for the murder of her newborn twins. Raybin said that should never have happened.

"The integrity of the trial was contaminated," said Raybin.

His legal brief has targeted the key piece of evidence for the prosecution. That would be the interview Lowe gave a detective before her arrest. Prosecutors said she admitted to killing the twins.

"Her statement to police was completely illegal," said Raybin.

He said Lowe was not read her rights, was denied an attorney during questioning, and the interview should never have been allowed.

Raybin has also challenged the judge's decision not to permit a defense psychiatrist to testify at trial about Lowe's mental state during the police interview.

He would have told the jury Lowe suffered from diminished capacity and had no intent to kill.

"The defense had every right to put on a doctor to testify as to what he believes was her mental state at the time," said Raybin.

Could that have influenced the jury?

"Of course it would have made a difference. That's the centerpiece of our appeal," said Raybin.

The state did file a response to Raybin's brief arguing that no errors were made, that Lowe received a fair trial, and that her conviction and life sentence should stand.

The appellate court has been scheduled to hear her appeal in August.

With the Lowe case about to be heard on appeal, we have also been hearing, for the first time, from Jeremy Smith.

He was the father of Lowe's twins.

Smith didn't know Lowe was pregnant until a detective called to tell him of the murders.

Now Smith has been talking exclusively with NewsChannel 5's Nick Beres about his relationship with Lowe and how he has been dealing with the loss of two sons.

That two-part exclusive interview has been set to air next Monday and Tuesday at 6 p.m.