

# Mother convicted of smothering twins seeks new trial

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Reported by Heather Hourigan



Lindsey Lowe

NASHVILLE, TN (WSMV) -

A mother convicted in 2013 of smothering her newborn twins after delivering them in a toilet is seeking a retrial.

Lindsey Lowe's new attorney, David Raybin, told Channel 4 the jury did not hear all of the facts in the case.

A judge denied a request last year for a new trial. The state said the new motion should also be denied.

Lowe is currently serving a 52-year sentence for premeditated murder. The verdict came after a seven-day trial and less than two hours of deliberation from the jury.

“I reviewed the case and just found these issues fascinating,” Raybin said. “Issues that really affect a lot of folks that have trials like this to this magnitude.”

Raybin said there are three main points to his appeal.

“The first is that the state introduced Lindsay’s statement to the police,” Raybin said. “One of our issues was that there was no waiver under Miranda.”

In her statement, Lowe said, “I held my hands over their mouths until they stopped crying.”

“The second issue is that because the state introduced her statement, the defense was entitled to introduce testimony from her psychiatrist,” Raybin said.

That never happened because the judge wouldn’t allow it.

Raybin addressed what the psychiatrist would have said.

“That she was under a great deal of stress, that the police manipulated her,” Raybin said. “He cut her off, he wouldn’t let her finish her statement.

“So we suggest while certainly she bears responsibility for what happened, the issue is, what was her mental state?” Raybin said.

Lowe’s defense team hopes a jury will someday hear that question. They also hope a new jury will look at other possible homicide charges like manslaughter, which carries a sentence of three to six years.

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