

# Lindsey Lowe convictions upheld by appellate court



[Tena Lee](#), tlee@mtcngroup.com 8:55 p.m. CDT July 12, 2016



(Photo: George Walker IV / File / The Tennessean)

The Tennessee Court of Criminal Appeals has upheld the first-degree murder convictions of a Hendersonville woman serving life in prison for the 2011 smothering deaths of her infant twins.

A Sumner County jury found Lindsey Lowe, who is now 29, guilty of two counts each of first-degree murder and aggravated child abuse in March 2013. She is currently serving more than a 50-year sentence in the Tennessee Prison for Women.

Lowe's appellate attorney David Raybin argued for a new trial in front of the three-judge panel in August 2015.

Raybin said then that Lowe's videotaped confession to police should not have been allowed and that Hendersonville police used "coercion and trickery" to get Lowe to make the statement. In it, Lowe admitted she put her hand over one baby's mouth until the infant stopped crying, and then did the same to the second child after giving birth to them in a toilet.

Raybin also argued that police did not properly read Lowe her Miranda rights, including the right to an attorney and the right to remain silent.

The same issues were raised by Lowe's attorneys John Pellegrin and James Ramsey at trial and in separate hearings leading up to the trial before Sumner County Criminal Court Judge Dee David Gay.

During the appeal, Assistant Attorney General Leslie Price argued the officers twice read Lowe her rights. She also said that, according to case law, Lowe waived those rights when she continued to talk. Lowe was not in custody, agreed to go to the police station and was free to leave at any time, Price added.

“After a thorough review of the record and the applicable law, we affirm the judgments of the trial court,” said judges John Everett Williams, Norma McGee Ogle and Robert W. Wedemeyer in their 71-page ruling issued Tuesday.

Raybin said his team “absolutely” planned to appeal the decision.

“While I appreciate the thoroughness of the court’s review, we are disappointed with the result,” he said. “And we are certainly going to appeal to the Supreme Court and ask them to review the case with fresh eyes.”

*Tennessean reporter Stacey Barchenger contributed to this report.  
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