

Eimer Stahl Attorneys Successfully Help Reverse District Court Decision in *United States v. Dingwall*

August 18, 2021

Last September, Eimer Stahl attorneys Amy Miller and Ryan Walsh filed a critical *amicus* brief in the Seventh Circuit in support of a victim of domestic violence and on behalf of the firm's pro bono clients, End Domestic Abuse Wisconsin and Wisconsin Coalition Against Sexual Assault. The case involved a domestic-abuse survivor, Marjory Dingwall, who has been criminally charged by the federal government and seeks to raise a defense of duress. The Firm's *amicus* brief argued that victims of chronic domestic abuse, who are all but imprisoned by their violent abusers, have the right to raise the defense of duress (and to back it up with expert testimony) when charged with an alleged crime that the batterer forced the victim to commit.

In April, Amy Miller argued on behalf of *amici* before the Seventh Circuit. Earlier this week, the Seventh Circuit issued its decision, reversing Ms. Dingwall's convictions and sentence. The Seventh Circuit held that the "immediate physical presence of the threat is not always essential to a duress defense and that expert evidence of battering and its effects may be permitted to support a duress defense because it may inform the jury how an objectively reasonable person under the defendant's circumstances might behave."

[Click here to view a copy of the opinion.](#)

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