

In his motion for new trial, defendant provided the affidavit of Dr. Joseph Hull. (R.A. 126-27). Dr. Hull averred that King's medical records revealed that King suffered from a superficial abrasion to the lids and a small laceration to the conjunctiva and that there was no bleeding and the injuries were consistent with being poked in the eye. (R.A. 126-27). The laceration and abrasion information, however, was contained in the medical records before the jury. Trial counsel also presented John Hayes, who, unlike Dr. Hull, saw Mr. King right after the incident, and testified that he did not see any blood or fluid coming from King's eye and that his injury did not look serious. (Tr.IV 916-18). He further testified that Mr. King stated that he must have gotten "poked in the eye." (Tr.IV 918). Based on this information, trial counsel argued that King greatly exaggerated his eye injury. (Tr.V 1224-25). Because the additional testimony would have been cumulative of the evidence counsel had already presented at trial and not as convincing given the Dr. Hull did not see King after the incident, defendant has not shown how his counsel's performance was deficient or deprived him of a substantial ground of defense. See