

No. 88-1003

Dept. No. CW-C

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEW YORK  
THE HONORABLE WILLIAM E. KEPPEL, DISTRICT JUDGE

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THE PEOPLE OF THE STATE OF NEW YORK	>	PARTIAL TRANSCRIPT
	>	
Plaintiff,	>	OF PROCEEDINGS
	>	
vs.	>	March 6-8, 1988
	>	
CHARLES M. WILSON	>	
	>	
Defendant.	>	
	>	

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CHARGE: Murder in the First Degree

APPEARANCES:

For the People: D. James Kerning  
Assistant District Attorney

For the Defendant: John D. Evans, Esq.  
Attorney at Law

Reported by: Maureen P. Brooks, C.S.R. #1274

### The Prosecution

The Defendant, Mr. Charles Wilson, is charged with two crimes of murder in the first degree for the deaths of Mary Lou Wilson, the defendant's wife, and Scott Maddox, her friend. According to the prosecution, Mary Lou had asked for a separation two weeks before the murder. After hearing the evidence, the State asks that you find Wilson guilty on both counts of murder in the first degree.

The evidence shows that Wilson, believing that his wife was having an affair, hired Robert Scholz, a private investigator, for ten days, to follow her. Scholz testified that he watched Mary Lou as agreed, but saw no signs of her having an affair. Wilson told Scholz to quit four days before the murder.

Officer Donald Heffling testified that Wilson called the police roughly 30 minutes after the murders were committed -- and after calling his lawyer. Upon arrival, Heffling met Wilson in front of his home. When he entered, he found the dead bodies of Scott Maddox and Mary Lou Wilson. Heffling informed Charles Wilson that he was a suspect in the case and later that day placed him under arrest.

Dr. John Belmonte, of the state coroner's office, also testified for the prosecution. Dr. Belmonte testified that Maddox was stabbed with a hunting knife and Mary Lou Wilson was strangled. Because of the height and angle of Maddox's wound, Belmonte estimated the murderer to be about 6 feet tall, about the size of Charles Wilson.

The prosecution cross-examined Arnold Feinstein, Charles Wilson's friend. Feinstein admitted that Wilson was angry at his wife, but not, he insisted, on the night of the murder. Feinstein and Wilson had eaten together that night, and Wilson left at 7:30 p.m., which meant that he would have arrived home at the time of the murder.

Returning to the stand, Officer Heffling testified that he took Charles Wilson to the station, read him his rights, and questioned him. After about an hour, Wilson confessed. He said that when he saw Maddox and his wife together, he just "lost it". At that point, he said, he stabbed Maddox three or four times in the stomach and strangled Mary Lou with his bare hands.

In closing argument, the prosecution claimed that Charles Wilson, who was so jealous he had hired a private investigator, returned home to find his wife with Scott Maddox. In a fit of jealous rage, he accused Maddox of having an affair with his wife and stabbed him repeatedly. He then strangled Mary Lou to death. Realizing what he had done, Wilson disposed of the weapon and did not call the police for thirty minutes. The State concludes that the evidence shows beyond a reasonable doubt that Charles Wilson had the motive and the opportunity, and was guilty of both murders.

### The Defense

Charles Wilson had every reason to be upset about his separation with his wife. Yet despite the strain he was under, he was always in control of his emotions. Wilson was a double victim. First he lost his wife. Then he was caught in the wrong place at the wrong time. He got home after the murders only to find the dead bodies. In shock, he called his lawyer, and then the police. The defense believes that Wilson is innocent and should be found not guilty.

The first witness for the Defense was Arnold Feinstein, a friend of Charles Wilson. Feinstein was with Wilson at a bar the night of the murder. Feinstein said Wilson believed that his wife was probably not having an affair. He described Wilson as "calm". The two men parted when Wilson went home to pick up some bills.

Next the defense called the Defendant. Wilson conceded that he hired an investigator, but after a few days he called it off. Wilson said that on the night of the murder, he had dinner and "a couple of beers" with a friend, went home to get some bills, and found his wife and Maddox dead in the kitchen. He left, called his lawyer, and then the police. Wilson was grief-stricken by his wife's death. "This isn't me", he said. "I'm not a violent person". With regard to his confession, Wilson testified that he was very upset and not thinking clearly while being interrogated. Shortly afterward, he retracted the confession and claimed his innocence.

On cross-examination, Robert Scholz testified that Wilson hired him to spy on his wife but then had doubts about it a few days into the investigation. Scholz said that Wilson seemed level-headed. Also on cross-examination, Officer Don Heffling testified that the murder weapon was never recovered, so the police have no idea what knife was used to kill Scott Maddox. He also said that Wilson was very upset, not at all like a "typical criminal." Also on cross-examination, Dr. Belmonte conceded that the murderer's height could range from 5'10" to 6'2", and that he could not be more specific.

Summarizing its case, the defense maintained that Charles Wilson is not guilty. His actions were not those of a guilty man. He returned to his home, the scene of the crime, to meet with Officer Heffling, and was clearly stricken with grief. The State has not proved its case beyond a reasonable doubt. In fact, the evidence shows that Wilson is innocent and should be acquitted.

### Instructions to the Jury

Members of the jury. You have now heard all the relevant facts in this case. The defendant, Charles Wilson, is charged with two counts of first degree murder. Bear in mind that he is presumed innocent and that the burden is on the State to prove his guilt beyond a reasonable doubt. You will now retire to deliberate and arrive at a verdict.