

Moore

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Assistant Attorney General Will Dill said, "The only perfect justice is God's justice, and we don't have that on this Earth at this time. I'm sorry for the Tipton family."

The state presented evidence that included DNA that expert witnesses said concluded Moore was the source of two hairs in the victim's bed and on a washcloth.

Police arrested Moore after he told his uncle that he was in the home when a friend killed Tipton downstairs at her home on Chapel Hill Road Southwest. Moore had been in the home five months earlier with his boss to work on the security system.

Haddock told jurors they did not have to talk with anyone and he had deputies to escort jurors from courtroom to their vehicles.

Moore had been in jail on the capital charges for almost 10 years.

The acquittal Friday ends the case for which Moore was tried three times. The jury in his first trial convicted him in November 2002, and Circuit Judge Glenn Thompson sentenced him to death. Thompson later overturned the conviction and sentence and granted Moore a new trial, but 14 months later, he dismissed the charges and freed Moore.

The state Court of Criminal Appeals then ordered Thompson to reinstate the charges.

Moore's second trial, last year, ended in a mistrial after the jury deadlocked.

The jury that freed him Friday deliberated longer than prior juries but did not appear to deadlock, Haddock said earlier in the week.

Moore checked out of the county jail shortly before noon Friday and left with his family.

Tipton's sister, Lauri Martin, said her family, including Karen's husband, Dr. David Tipton, and his daughters, Caroline, 17, and Catherine, 13, are distraught about the verdict.

"This (jury's verdict) is ignorance at its finest," Martin said. "I also think it was a clashing of the classes of people."

Second teen theft suspect charged

Decatur police said they arrested a second suspect Friday involved in a vehicle break-in at a local gas station last month.

A woman reported her purse stolen from her vehicle April 11 while she was inside Beltline Shell Food Mart at 401 Beltline Road S.W. paying for gas, police said. Detective Jeff Clem said investigators arrested a 16-year-old male for the incident the same day.

Wives talked to husbands about

By Sheryl Marsh
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A juror said wives called their husbands, telling them what they saw on TV news, but that didn't sway their decision to acquit Daniel Wade Moore for Karen Tipton's death.

Thomas Abernathy of Decatur spoke with *The Daily* by phone Friday evening and said Friday's jury verdict was based on evidence, not what others told them.

Wives of some of the jurors kept them abreast of TV news about the trial.

"Some of their wives would call them and tell them what they saw about the case on the news, but I don't think that had

nothing to do with their verdict. We were all together on this," Abernathy said.

Talking about rumors

Also, Abernathy said, some jurors talked about rumors they had heard about Moore's first two trials.

"They said they had heard rumors that the state didn't have enough evidence and that so much evidence was missing," Abernathy said.

Forensic experts presented DNA evidence they said concluded Moore was the source of two hairs found in Tipton's bed and on a washcloth. Abernathy said the jury gave little weight to the DNA evidence.

"They were going by the number of hairs. They didn't think

two hairs were enough," he said. "The people that came in there on the DNA program had had some trouble with their analysis, but it wasn't concerning this trial. That's reasonable doubt."

Judge's instructions

Morgan County Circuit Judge Steve Haddock instructed jurors not to watch TV news, read newspapers or talk to anyone, including spouses, about the case. When charging the jury for deliberations, Haddock said jurors could not consider rumors or innuendo.

Abernathy said verdicts were returned, however, on what jurors heard and saw in the courtroom.

Also, Abernathy said, jurors

Police: Ex-car salesman used fraud discount to make sale

By Holly Hollman
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ATHENS — A former car salesman apparently got a customer a fraudulent discount to make a car sale, Athens police said.

Robert Lee Dunn Jr., 37, of 198 Farmington Drive, Harvest, gave a customer a \$2,000 General Motors family discount for

employees, according to police.

Dunn used information from a female customer whose husband is a GM retiree, police said.

He had the information from when the woman bought a car at Champion Chevrolet in Athens in January, according to reports.

The woman received two letters from GM saying she requested an authorization num-

ber for a discount at Champion. She had not made that request and reported the fraud to GM and Athens police.

Sgt. Dustin Lansford investigated, and Dunn confessed that he wanted to "help a lady out" and used information from one woman to help another.

Lansford charged Dunn with identity theft. He is out of the Limestone County Jail on \$2,500 bail.

Appeal

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on its Web site Friday.

Siegelman attorney Vince Kilborn said he believes the

Supreme Court would be particularly interested in reviewing key questions: whether prosecutors proved at trial that there was a "quid pro quo" agreement between Siegelman and Scrushy, and if U.S. District Judge Mark Fuller erred by not telling jurors such an agree-

ment is required in federal bribery cases.

"I believe this is a case that will be of interest to the Supreme Court," Kilborn said.

Scrushy attorney Art Leach said the 11th Circuit decision "was one in a series of disappointments" for Scrushy.

