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Sheppard Would Face Death Again in Any New Trial

Dr. Samuel H. Sheppard's life would go on the block again if he were to win a new trial.

If Common Pleas Judge Edward Blythin would grant a new trial, Dr. Sam again would be risking a trip to the electric chair.

That would be true also if he appealed his second-degree murder finding to higher courts and ultimately won a reversal.

Should a court of appeals say Dr. Sam's trial was conducted wrongly enough so that substantial justice was not done, the state would have the right to carry that up to the Ohio Supreme Court.

If the state lost in that tribunal it could go up to the United States Supreme Court. The defense can go that high, too, if the murder mark remains upon the brow of the osteopath.

Whether any court — Judge Blythin or the appellate court here—would allow Dr. Sam to be at large during that time was declared "doubtful" by County Prosecutor Frank T. Cullitan "due to the nature of the crime and all the circumstances."

Judge Blythin has never been reversed, ultimately. Once an appellate court reversed him, but that was erased in the State Supreme Court.