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Cleveland News

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# Blythin's Talk Irks Sheppard Lawyer

Paul Herbert, attorney for Dr. Sam Sheppard, today challenged the conduct of Common Pleas Judge Edward Blythin in discussing the Sheppard case in a speech Judge Blythin made before the Portage and Summit County Bar Associations.

Herbert, according to an Associated Press dispatch from Columbus, termed the talk "discourteous, disrespectful, improper and in bad taste for a judge whose actions are being reviewed (by the Supreme Court)."

Judge Blythin countered, however, with an assertion that "I spoke only of the incidents of the trial and I never discussed in any way, shape or manner the issues in the case."

## Judge Comments

"Mr. Herbert evidently was not informed correctly as to what I said," Judge Blythin added.

"If he's actually challenging what I said, he is insulting the intelligence of every member of the Supreme Court.

"They will not listen to any gossip in deciding the case."

Judge Blythin, who presided at Dr. Sam's trial, said at the meet-

ing last night in Akron that "the prosecutors argued that whoever killed Marilyn Sheppard was guilty of first degree murder.

He said the prosecutors contended that the killer carried the murder weapon into the victim's bedroom, and that "no man would do that unless there was murder in his heart."

## Refers to Sam's "Stories"

"A large number of people felt Sam's unfortunate stories and his failure to explain many things he should have been able to explain were the two major reasons the jury found him guilty," Judge Blythin said.

"I'm happy in the thought that be Sheppard guilty or not, 12 jurors, the prosecutors, the police and sheriff's deputies, the coroner and the judge did everything humanly possible to give him all the rights under the process of the Constitution and state laws of Ohio."

Convicted of second-degree murder, the Bay Village osteopath now is serving a life term in the Ohio Penitentiary. An appeal of his conviction will be heard April 17 by the Ohio Supreme Court.

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