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Cleveland Press, "55/05/11 Dr. Sam's Verdict Fair, State Brief Claims" (1955). *All Articles*. 638.

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Dr. Sam's Verdict Fair, State Brief Claims

The seven-man, five-woman jury which convicted Dr. Samuel H. Sheppard of second degree wife murder properly evaluated the evidence and reached a correct verdict.

That is the prosecution contention, expressed in a brief that will be filed with the Court of Appeals at Lakeside Courthouse Saturday.

The brief rips into the claims of Defense Attorney William J. Corrigan that Dr. Sam's conviction resulted from a circus-like trial in which the rights of the defendant were ignored.

Cite Public Interest

Assistant Prosecutors Saul S. Danaceau and Thomas J. Parrino, authors of the reply, contend that Dr. Sam was tried and convicted in the courtroom—not, as Corrigan claims, in the newspapers.

The state's attorneys point out that the unusual character of the murder case aroused great public interest, which

would have resulted in extensive newspaper coverage, even if Corrigan had won his numerous demands for a postponement or a transfer of the trial away from Cleveland.

Reviewing the evidence presented to the jury, the prosecutors declare that "all the points add up to guilt."

As they did at the trial, they recite the theory that there were three persons in the house at 28924 Lake Rd., Bay Village, on the morning of July 4—the murdered Marilyn Reese Sheppard, her sleeping seven-year-old son and her husband.

There was no physical evidence, the prosecutors main-

tain, of the presence of an intruder, the "bushy-haired man" with whom Dr. Sam said he struggled in the house and on the lake front beach.

Oral arguments on Dr. Sam's appeal are set before the three-judge Appellate Court—Judges

Julius M. Kovachy, Joy Seth Hurd and Lee E. Skeel—for Monday, May 23.