

Farmington Observer

Volume 92 Number 43

Thursday, March 12, 1981

Farmington, Michigan

60 Pages

Twenty-five cents

Murder rap lodged again, bond denied

By CRAIG PIECHURA

For the second time in 10 months 47th District Court Judge Michael Hand has ordered two suspects in the June 16 slaying of a Farmington Hills gas station owner held without bond to stand trial for murder.

The case was sent back to district court Thursday by Oakland Circuit Judge Robert B. Webster because co-defendants Herbert Crosby, 26, of Detroit and Daryl McMillion, 23, of Detroit, were originally charged with first-degree murder under a statute that has since been found unconstitutional.

In June, both men were bound over for trial for first-degree murder on grounds they allegedly murdered Pincus "Pete" Reif, 65, of Farmington Hills while committing another felony — car theft.

On Nov. 24, the Michigan Supreme Court unanimously ruled the court must show evidence of malice to charge defendants with first-degree or premeditated murder.

Asked to review both cases in light of the new ruling, Hand decided to bind both over for trial in circuit court on an open murder charge which allows the judge and jury to determine the degree of the offense.

A related ruling by the circuit court judge enraged Farmington Hills Police and Oakland County Prosecutor L. Brooks Patterson. Judge Webster drew their ire by dropping cash bonds against Crosby and McMillion. Citing rules which guarantee the right of a defendant to a speedy trial, Webster said defendants must be released on personal bond if their trial is delayed for longer than 180 days.

Farmington Hills Police Chief John Nichols maintains that the trial was delayed by a defense motion filed by McMillion's attorney, William Waterman. One exception to the 180-day rule is a delay caused by the defendant.

DESPITE police and prosecution fears that Crosby wouldn't return for his Tuesday court date, the defendant walked into the court building on time, dressed in a grey suit with a black shirt.

McMillion was in police custody, despite Webster's order that he be released on personal bond, because there is a warrant to hold him for his escape from a prison farm.

Hand said the circuit court jury "could very well find malice" in the deeds of Crosby and McMillion to justify a charge of first-degree murder, but added that a jury also "might find a different degree of murder."

William Waterman, attorney for McMillion, unsuccessfully argued that murder charges should be dismissed against his client because "my client said he did not want the weapon to be used, he did not want anybody killed."

Waterman originally represented both Crosby and McMillion. He convinced the court to appoint a different attorney for Crosby by arguing that there would be a conflict in representing both clients fairly.

Tuesday, in the preliminary examination, Waterman portrayed Crosby as the trigger man and said McMillion was only involved in a scheme to steal Reif's reconditioned white 1973 Cadillac.

"UNLIKE Mr. Crosby, the facts show my client was not in possession of a firearm at the time of the commission of the crime (of murder)," Waterman said.

Special Prosecutor Frank Mandelbaum responded to Waterman by pointing out it was McMillion's loaded gun that allegedly killed Reif.

If McMillion's intent was only armed robbery, Mandelbaum said, "why send (Crosby) out with a loaded gun?" Armed robbery can be committed without a weapon.

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Kindly crooks hold up family

Four "polite" burglars, at least two armed with a sawed-off shotgun and a pistol, entered the home of a Farmington Hills family and held up three occupants.

Frank Collar was seated in the family room with his son, Derek, when two armed men entered the home on the 3000 block of Highmeadow.

Collar said the gunmen intercepted his wife as she was walking down the stairs to the foyer. upstairs, the woman turned over almost \$300 and silverware to one of the gunmen while the other held a shotgun on the men in the family room.

A short time later, two more men entered the house, Collar said, and helped cart stolen goods to the car.

An estimated \$1,000 worth of stereo equipment — including a Pioneer stereo receiver, a BSR turntable and an AM-FM tuner — was taken in the hold-up, along with silverware and six credit cards.

No one was hurt during the robbery. The day after the incident someone attempted to use a stolen Hudson's department store charge card, according to Farmington Hills Sgt. Albert Havner. The card was confiscated but the suspect was not apprehended, said the detective.

"My wife found out about the intruders (robbers) before we did," Collar explained. "She was coming down the steps to the foyer. The next thing I knew, a man said this was a stickup and sit down."

THE APPARENT ringleader, Collar said, was soft-spoken and polite. All while he held a shotgun on Collar and his son, Collar said he asked the man what would happen to his wife when she was ordered upstairs.

"He said, 'Nothing will happen to your wife. Trust me,'" Collar explained. "They didn't yell at us. They didn't hit us. They didn't molest us. He talked so softly I could hardly hear him, so he turned the TV off."

While the experience was unnerving, Collar said he's "thankful" the thieves weren't violent.

"The money, the stereo system, the silverware can all be replaced," Collar said. "Thank God they were pros. They didn't even mess up the house."

Before the robbery took about 15 minutes, Collar said, beginning at about 11:05 p.m. and ending about 11:20 p.m. The only damage to the home was a phone torn from the wall in the kitchen.

Before the four intruders finished loading stolen goods into their car, Collar said, the spokesman for the group told the family to "have a good evening."

Farmington Hills Police are puzzled about the unusual circumstances surrounding the crime. The home is located in the middle of a subdivision, three residents were home at the time, and the house and yard were well-lit.

"IT'S NOT only weird for this area, it's weird for any area," Det. Havner said. "Crim works as an engineer for Chrysler Corp. but says he'd had no trouble with co-workers or neighbors. The incident has left his family quite shaken."

"My wife is very nervous," Collar said. "It's mentally very disturbing for all of us. The only thing I'd suggest to others is be more observant of what's going on next door or down the block. Make sure your doors are locked. But apparently it doesn't help to have a light on. If you see anything in the neighborhood that doesn't look right, notice the car and take down a license plate."

Description of the gunmen is vague because one wore a nylon stocking over his face and two others wore stockings caps. All four men were black, according to Collar, and appeared to be in their late 20s.

A light-colored Ford LTD was seen leaving the scene, according to police.



Carrie Maier stands to give her oath of citizenship in Federal District Court while some of her classmates from Larkshire elementary school look on. (Staff photo by Randy Borst)

Free at last Young citizens finds new spirit

By CRAIG PIECHURA

On her first day as an American citizen, Carrie Maier found it easier to tell what she didn't like about Colombia than what she liked about the United States.

Miss Maier, 9, of Farmington Hills, took the oath Monday afternoon in the Federal Building in downtown Detroit along with 48 other former foreigners.

A TV news crew and reporters and photographers from two newspapers were there to record the event and ask Carrie what she liked about her new nationality.

"They can't tell me to go back to Colombia," Miss Maier said. "I want to be a United States citizen. I don't want to be a Colombian citizen. I don't like it there. They were mean to me. Every day they made me clean the room, wash dishes and cook. I had to take care of the whole house."

"You see I was adopted twice and I got now."

Her parents, Alan and Maureen Maier, are pretty pleased with the arrangement too. The Maiers confirm Carrie's tale of a history of hardship in South America.

Carrie lived in an orphanage from the age of 1 until she was adopted by a Colombian family when she was 5. But it was back to the orphanage when a social worker found the family was using Carrie to do domestic work both at home and at their store.

After completing an extensive screening process, the Maiers flew to Bogota in October 1979 to accompany their daughter home for good.

THAT'S WHY the concept of "home" is so important to Carrie. Today, less



The excitement of the day showed in the faces of Dawn Cox (left), Carrie Maier (center) and Cora Donati.

than two years later, Carrie speaks English effortlessly and is even having trouble communicating in Spanish with a classmate, Gabriel Borda, who hails from Argentina.

All 28 of Carrie's classmates were on hand Monday for the swearing-in ceremony in the courtroom of U.S. District Judge Patricia Boyle. The students waved tiny flags, furnished by the Daughters of the American Revolution Chapter and 17 of the students even got to sit in the jury box during the proceedings.

The verdict from Jennie Fitzgerald, a classmate of Carrie's at Larkshire Elementary, was that the experience was worthwhile. Before the citizenship ceremony, Jennie said Carrie was just another kid in class. Now she's something special.

"I learned that some things are important to know instead of just thinking about yourself," Miss Fitzgerald said. "Like how Carrie became an American citizen."

Sharing her big day with 28 classmates was the nicest part about becoming a citizen, Carrie said. Of course being on TV didn't hurt either.

Also in the contingent was Carrie's brother, Ted, 11, and Victoria, 13, Carrie's third-grade teacher, Ariene Schieber, the school principal and two bilingual teachers from the Farmington School District.

WITH ALL the spectators there to see Carrie, there almost wasn't room for the 48 other new citizens.

The breakdown, by country, of the other 48 immigrants was eight from Yemen, six from India, four from Poland, four from Iran, three from Great Britain, three from Korea, two from Jordan, two from Lebanon, two from Jamaica, and two from Germany and one each from Colombia, Brazil, Canada, Czechoslovakia, Hong Kong, Japan, Palestine, the Netherlands, Romania and Syria.

Eight of the 49 new citizens were children.

Richie LaBret, 6, who was born in Seoul, Korea, had a tough time repeating words like "sovereignty" in the oath. Richie is the adopted son of Gary and Carol LaBret of Plymouth. Mr. LaBret works as a Wayne County Prosecutor and since adopting Richie the couple had two other children.

Because he knew Judge Boyle, the proud father was able to pose his son behind the judge's bench for pictures. The judge gladly complied, but Richie was a little bewildered about the whole business.

Richie was tight-lipped about what he would do now that he's an American citizen. But, with his mother's prodding, let on that he wanted to be a policeman and "get robbers."

The judge departed from the official text to tell the new citizens that this country welcomes them by "celebrating your diversity and our oneness."

Headlee urges politicians to quit

Insurance executive Richard Headlee, in a talk to the area chambers of commerce in Plymouth, says it might be best if state Reps. Bobby Crim and William Ryan made good on their threats to quit their legislative jobs.

While speaking at the Plymouth Hilton Inn, Headlee told the gathering that it would be best if House Speaker Crim, D-Davison, and Ryan, D-Detroit, "go ahead and quit."

Headlee is chairman of the board of Alexander Hamilton Insurance Corp. in Farmington Hills and author of the tax limitation amendment now part of the Michigan Constitution.

"In the same week Reps. Crim and Ryan have threatened to quit unless the State Chamber of Commerce stops urging them to cut taxes and control state spending," Headlee told a regional meeting of chambers of commerce in Plymouth last Friday. "The state chamber has been urging state government to get off the back of business so we can create jobs."

For 14 years, former Speaker Ryan has been leading the UAW and AFL-CIO charge in Lansing toward state bankruptcy, claimed Headlee, and for 10 years Crim has been trying to change Michigan into a protectorate for the Michigan Education Association

(teachers union) and other free-spending special interest groups prospering at the public trough.

"Also during the same period, taxes in Michigan from all sources have increased at record levels to support the outlandish growth of state government. Today there are more than 159,000 people drawing salaries and fringe benefits from state taxpayers."

"And today Michigan's business climate ranks dead last in comparison to every other state in the continental U.S."

THE ANTI-BUSINESS attitude and free spending practices of certain leaders of the Michigan Legislature are two of the main reasons why Michigan has the highest unemployment rate in the U.S. today, Headlee said.

"What kind of quality of life can we have when we are driving people out of the state by the thousands?"

"And despite so-called consumer protection expenditures devised by our legislature, those unfortunate jobless people leaving our state do so carrying possible time bombs of PBB and other toxic problems with them. The will Headlee refuted Crim's claim that the lack of inspection fees and high taxes has caused the quality of life to de-

teriorate in Michigan. "Mismanagement and the highest state government spending spree in history caused the problem."

He said the departure of Crim and Ryan will cause other elected officials to face up to their legislative responsibilities.

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Ready for a Change?

If you're thinking you need a change around the house, you can bet others are thinking the same. Judy Popransky was ready to part with her waterbed, but knew it was still a good value. One ad in her hometown O&E classifieds brought her 67 calls on the first day and a sale.

There's a good chance that what you're looking to sell, others are looking to buy. Remember, one call does it all... 644-1070