

# Judge Refuses New Trial For Dr. Clark

By FRED DeLANO

Dr. Ronald E. Clark, 57-year-old Farmington Township physician who began serving a three-to-15-year sentence July 18 for manslaughter, was denied a new trial Thursday by Circuit Judge William J. Beer.

The physician's court-appointed attorney, Philip E. Rowston, of Pontiac, advanced

seven claims why he believed the earlier conviction and sentence should be set aside, but Judge Beer held that none had sufficient merit to cause the case to be retried.

"The jurors were the judges of the doctor's guilt or non-guilt and I fail to see any reason to grant a new trial," declared the jurist at the conclusion of the formal hearing held in the

Ingam County Court House at Marion. The same court room was the scene of the two-week trial in June.

Judge Beer concluded his statement with the words, "Dr. Clark had every constitutional protection to which he was entitled. The motion is denied."

AT THE SAME TIME the jurist released Rowston from any further service in Dr. Clark's behalf, stating, "This ends your responsibility."

Dr. Clark, who formerly practiced in Redford Township prior to opening an office at 30735 Grand River, Farmington Township, in the mid-'50s, was convicted of having caused the death last Nov. 3 of a 14-year-old woman, Mrs. Tharon E. (Grace) Nell.

He was accused of gross negligence in administering a lethal dose of sodium pentothal while treating Mrs. Nell in the Grand River office, where she worked as a part-time office helper. It was in the office that the death occurred.

Dr. Clark, who currently is a prisoner in the State Prison at Jackson, was not brought to the court for Thursday's hearing.

However, his wife, Violet, was present and following the judge's denial of the motion she said she has not determined whether to carry appeal of her husband's conviction to a higher court.

"Who's got the money for that?" she queried. "Am I supposed to spend my teacher's salary for that?"

Mrs. Clark is employed as a counselor in the Dearborn public school system.

IN AN OUTBURST before she left the courtroom, Mrs. Clark told reporters, "The jury did not hear the whole story. What was presented to them was not conclusive evidence of the doctor's guilt," she speculated that she may ask the Oakland County

Bar Association to aid in filing a further appeal, now that Rowston is out of the picture.

The latter's motion for a new trial was based on these claims: That the verdict of the jury is contrary to the law and contrary to the great weight of evidence; that presence in open court of two armed sheriffs, deputies "created a presumption of fact to the jury that the defendant was guilty and likely to attempt an escape."

That certain newspaper coverage of the trial was "prejudicial and biased," preventing Dr. Clark from receiving a fair and impartial trial.

That the technical testimony of Dr. S. David Kutob, state toxicologist, was inconsistent as to the concentration of sodium

pentothal found in Mrs. Nell's blood and brain tissue.

That expert testimony contradicting the assertion that the dosage of sodium pentothal given Mrs. Nell was lethal is now available from Dr. Lester C. Mark of Columbia University, a witness not known to the defense at the time of the trial, and finally:

That the prosecution failed to make Mrs. Nell's medical records available to the defense in time to conduct "required research."

MEANWHILE, the fact that Dr. Clark still has the right to carry his case to the State Court of Appeals and eventually the Michigan Supreme Court has caused the State Board of

Medicine to delay any formal action pertaining to revocation of his medical license.

The license has been impounded upon order of Judge Beer while the physician is serving his prison sentence, but the question of outright revoca-

tion rests with the State Board.

Charles Holton, an investigator for the state, declared Thursday that the board can take no action until Dr. Clark has exhausted all avenues of appeal and his conviction becomes "final."

## Leader Attends Conference

A Farmington man recently returned from a Philmont Scout Training Center conference in Cimarron, New Mexico.


Thomas Mahoney, 22751 Lilac, received a scholarship for the conference from the National Council of the Boy Scouts on the basis of outstanding leadership in scouting, church, civic and other community organizations.

He and his wife attended the conference studying the newest and most effective program ideas for communicating with the changing population.

Mahoney has been scouting for the past six years. Under his leadership, Troop 110, sponsored by Our Lady of Sorrows Catholic Church, has grown to an active membership of 57 scouts.


In addition to weekly meetings, the troop has camporees and summer camping. They also do service projects for the church and school, and give aid to needy families at Christmas.

Mahoney is a member of Our Lady of Sorrows Catholic Church, the Men's Club, Veterans of Foreign Wars, and has served as a committee man for the UAW-CIO. He is also a member of the Order of the Arrow and holds a Scouter's Key.



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Corp. Richard L. Oglesby

## Medal Goes To Oglesby

Richard L. Oglesby, son of Mr. and Mrs. Edwin R. Oglesby of 28402 Herndonwood, Farmington, has been awarded a Bronze Star with the Combat "V" for meritorious service in Vietnam.

The Bronze Star is one of the highest medals awarded by the armed services. The Combat "V" designation is awarded to denote valor in combat.

Oglesby, a corporal in the Marine Corps, is currently recuperating from battle wounds in a naval hospital in Philadelphia. At the time of his injury he held the rank of Lance Corporal, but has since received a meritorious combat promotion.

THE PRESIDENTIAL citation lists the Marine's "outstanding professionalism" during April, 1968. During this time according to the citation, Oglesby participated in major operations in the Quang Nam Province of Vietnam and "consistently exhibited exceptional competence under fire by directing and coordinating more than 25 fixed wing and helicopter air strikes."

"On April 10, 1968," the citation continues, "during Operation Jasper Square, Lance Corporal Oglesby was attached to Company M as a member of the Tactical Air Control Party. Helicopter-lifted to the site of operations, he was seriously wounded upon debarkation when an enemy explosive device was detonated. His courage and professionalism, despite his painful injuries, earned the respect and admiration of all who served with him."

Corp. Oglesby recently spent two days with his family in Farmington. He has since returned to the Naval Hospital for further treatment.

## Fluoride Treatments Scheduled

Farmington Schools will again offer topical fluoride applications this year to children in kindergarten, second and fifth grades.

The treatments will begin at the William Grace Elementary School on Monday, Sept. 9.

Fee for cleaning of teeth and fluoride application is \$4 per child. Notices will be sent home with the children when their school is scheduled for the health service.

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