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CORRECTION

In the Monday, March 11 General Merchandise Weekend insert, we inadvertently printed the incorrect price for the Play-A-Song books. The correct price for these books is \$11.98. We apologize for any inconvenience this error may have caused our guests.

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Battle won, but assisted suicide war is not over

BY PAT MURPHY
STAFF WRITER

Dr. Jack Kevorkian may have won a battle. But the war over assisted suicide is far from over. Another battle — another trial — looms.

"We're beaten but not defeated," Oakland County Prosecutor Richard Thompson said. "We plan on going ahead," he said, referring to the scheduled April 1 trial of Kevorkian on two other assisted suicides.

Kevorkian's lawyer, Geoffrey N. Pledger, had urged the prosecutor to abandon plans to continue with the scheduled trial of Kevorkian. The jury had sent a message that Michigan's law against assisted suicide was questionable if not unconstitutional, he said.

"Don't waste any more tax money," the Southfield attorney said.

But the upcoming trial will have totally different circumstances, said Thompson. "It's a different law, there were different victims," he said, and there will be different instructions to the jury. Asked to elaborate, he said:

■ The law. Kevorkian, of West Bloomfield, will be tried charged under Michigan's common law against assisted suicide, the prosecutor said. He won't be charged under the law aimed directly at Kevorkian that was allowed to lapse after 18 months.

■ The victims. Kevorkian Friday was acquitted in the 1993 deaths of Marian Frederick, 72, and Dr. Ali Khalili, 61, who died in the retired pathologist's apartment, then in Royal Oak. Frederick and Khalili both suffered from incurable diseases.

In April, Kevorkian faces charges in the deaths of Sherry Miller, 44, and Marjorie Wentz, 68. Both died on Oct. 23, 1991, in a rustic cabin in Bald Mountain State Recreation Area in Oakland Township.

"Neither of these women had a terminal illness," said Thompson.

■ The instructions. In the trial that ended Friday, said the prosecutor, instructions from Judge Jessica R. Cooper to the jury were confusing.

Judge Cooper didn't adequately

delineate between Kevorkian's intent and his motive, Thompson said, a distinction that was crucial to applying the law.

"His motive might have been to end suffering," said Thompson, "but his intent was to kill. I liken it to a man who wants to send his kids to college, but robs a bank to do it. The motive is good, but the intent is a crime."

In a press briefing following the verdicts, jurors said they had problems with the instructions: "We had difficulty with 'intent,'" acknowledged former Donald Ott of Royal Oak.

That wasn't the only problem, jurors said. "It was difficult to put personal feelings aside," said juror Marcel Jefferson of Southfield. "But that's what we were asked to do, and that's what we did."

Juror Jeff Kovalesky, who did not identify the community in which he lives, said he had strong feelings against assisted suicide. "I was against it. I don't believe he (Kevorkian) should have done it."

But he was able to put those feelings aside, said Kovalesky. He was also able to overlook feelings that Kevorkian came across as "rude" when he testified and that defense attorney Geoffrey Pledger was "unprofessional at times . . . particularly when he said prosecutors were 'spineless'."

The three-week trial drew near-capacity crowds, most of whom voiced strong opinions about Kevorkian or the trial.

"I think he will be sainted one day," said Sidney Dillick, a retired professor from Wayne State University who lives in West Bloomfield.

Southfield resident Norm Cohen, one of the alternate jurors, said he regarded Kevorkian as a champion of an unpopular cause. "If he's guilty of anything, he's guilty of being ahead of his time," said Cohen, a retired investor.

Dr. Alan Sorscher of Rochester Hills, however, had a totally different view. "I think he (Kevorkian) should be in jail. He took the law into his own hands and he's a great shame to medicine."

OBITUARIES

BETTY JANE MILBURN

Services for Betty Jane Milburn, 73, formerly of Farmington Hills, were Friday, March 8, from the Thayer Rock Funeral Home in Farmington. The Rev. Roger G. Stuteham, chaplain at Evangelical Home in Detroit, officiating. Burial was in Parkview Memorial Cemetery, Livonia.

Mrs. Milburn died March 5 at Marywood Nursing Center in Livonia.

She worked as an accounts payable clerk for the Clarenceville

Board of Education from 1976 to 1986. She was a graduate of Farmington High School, class of 1940. She lived in the Farmington area for 40 years.

Surviving are her husband, Earl; daughter, Gail Milburn of Dearborn; brother, Earl Billing of Novi; sisters, Joyce Gagnon of Farmington, Marge Prisk of Livonia, Clara Simpson of Osoda, and Cora Dettlinger of Farmington.

Memorials may be sent to: Alzheimer's Association, Detroit area chapter, 17251 W. Twelve

Mile Road, Suite 109, Southfield 48076.

NORMAN LEONARD PECK

Services for Norman L. Peck, 72, of Farmington Hills, were Feb. 7 from the Ira Kaufman Chapel, Southfield. Burial was in NuSach Harie cemetery.

Mr. Peck died Feb. 5 of a heart attack in his home.

Mr. Peck was a funny man who touched the lives of many people. His involvement with the Kiwanis organization spanned over 30 years. He also spent 40

consecutive years handing out socks at Veteran's Hospital during Christmas.

His Old World Style Pizza business along with his photography business took him into the lives of so many people. He always had a smile and a joke to warm the hearts of everyone he met.

Mr. Peck is survived by two daughters, Ellen Crawford and Barbara Peck, grandchildren Erin and Zachary, son-in-law Don Crawford, and companion Patricia Zaron.

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