

Retrial

Sisters of murdered woman testify

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intend to kill his wife, but rather himself.

Wisher testified under Cleary's cross-examination that she was aware Merlo had told his mother-in-law he was going to go to the Crest Beauty Shop and kill himself.

Sharon Merlo's sister, Christine Lewis, testified that shortly before her sister's death, Merlo asked her to intervene and convince his wife to return to him and drop the divorce she had begun.

"He wanted me to talk to my sister, and change her mind about the divorce. He said if he can't have her, nobody else can either," Lewis said.

Lewis also testified that she witnessed an argument between Merlo and Sharon while they lived in her parents' home.

"John had shoved my sister up against the wall . . . and raised his hand as to strike her," Lewis said.

Lewis testified that later, she again witnessed a scuffle between the newly married couple in mid-December 1986.

WHEN SHARON noticed her husband driving repeatedly past her parents' home, she went outside to his car to let him know that she was home because she was concerned he would think she was out all night, Lewis testified.

Lewis said she could not hear the conversation between the husband

and wife. But Lewis testified that she saw Merlo chest his wife as she walked away from the car and scuffle with her, hitting her face and breaking her glasses.

Because of the 20-year lapse, some witnesses called by Gary Chopp, Oakland County assistant prosecutor, have since died or are unavailable to testify. The testimony these witnesses gave in the original trial was read into the court record Tuesday by court officers and employees.

Lillian Kamen, Sharon Merlo's mother, who is now dead, was one of the original witnesses whose testimony was read Tuesday.

The bulk of the testimony concerned a telephone call Kamen received from Merlo shortly before his trial 20 years ago.

Kamen testified that she was spiced Merlo called her. During the conversation, Merlo talked about the killing.

"I'm not sorry I did it," Kamen testified that Merlo told her. "I warned her ahead of time. I left a bullet on the front seat."

IN HER testimony, Kamen also said Merlo told her that, "I did it. I haven't shed a tear over it."

Merlo also told his mother-in-law during the conversation that he had been outside the funeral home at Sharon's services but didn't want to go in.

"He asked me how she looked in

the coffin. Was she pretty?" Kamen testified.

Lewis also testified that she was with her father when they found the bullet — apparently left by Merlo as a warning — on the front seat of Sharon's car.

"We found the inside of the car was smashed up," Lewis testified. Lewis said she saw Merlo by Sharon's car.

A former Oakland County medical examiner's testimony also was read into the court record.

The medical examiner testified 20 years ago that Sharon Merlo was shot four times. Two of the shots — to the head and neck — proved to be fatal. She also was shot in the abdomen twice.

A THIRD witness whose testimony was read aloud for the jury was Frank Morris, a bank detective, who apprehended Merlo in Philadelphia in mid-January, as he attempted to cash stolen checks.

Morris then turned Merlo over to the Philadelphia police detective Allan Roslund. Because of Mester's concern about a statement by Merlo taken by Roslund, the former detective was interviewed last weekend by telephone and video camera.

Court officials are waiting for the taped interview to arrive by mail in Oakland County. Mester, Chopp and the defense attorneys were expected to review the interview Wednesday afternoon, if the tape arrived.

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Felon's letters in dispute

By Joanna Maliszowski
staff writer

Letters to a then-Farmington Hills detective and to the late Sharon Merlo's mother were the latest focus of a legal dispute in John Merlo's retrial.

Questions about the admissibility of the letters prompted a lengthy court recess so Oakland County Judge Fred Mester could determine whether the letters should be admitted as evidence.

Gary Chopp, Oakland County assistant prosecutor, told Mester the letters "directly pertain to the defendant's state of mind."

Defense attorney Patrick Cleary disagreed and called the content of the letters "grossly prejudicial" to Merlo, who was convicted 20 years ago of killing his wife in a Farmington Township beauty shop.

After reconvening the retrial, Mester told attorneys that the only letter that would be accepted was one written to Farmington Hills Police Capt. Russell Conway, the detective in charge of the Merlo case in 1967.

CONWAY TOOK the stand and read the letter he received from Merlo in February 1967 when the defendant was in a Philadelphia jail after being apprehended for attempting to cash stolen checks.

In the letter, Merlo told Conway that he was awaiting information about extradition to Michigan. He also asked Conway about his wife's burial.

"Where and what cemetery is my wife buried? Did she have a nice funeral?" Conway said, reading the letter.

Merlo also asked about his baby son and his mother-in-law. "Who has custody of my son, Jeff? I sure miss the little guy," Merlo wrote in the letter.

"Is my mother-in-law taking this very hard? This must have drove her nuts, right? That's what I wanted," Merlo said in the letter, adding that he felt his mother-in-law, Lillian Kamen, was behind much of his troubles.

While on the stand, defense attorney Patrick Cleary cross-examined Conway about a witness who testified last week.

In cross-examination, Martha Stanfield, owner of the Crest Beauty Shop where Sharon Merlo was killed, denied last week that she told police or a Detroit newspaper reporter 20 years ago that she heard the Merlos arguing the morning of Sharon's death.

BUT IN cross-examination Tuesday, Conway testified that according to his reports, written during the murder investigation, "she (Stanfield) stated the couple appeared to be arguing."

Conway also testified that police reports do not mention a bullet found on Sharon Merlo's car seat prior to the shooting — apparently left there by her husband as a warning.

But Conway also testified that if the incident did not take place in Farmington Township, he would not

have a report on it. With some prosecution witnesses, Cleary has challenged differences in testimony made 20 years ago and testimony in the current trial.

The jury has not been privy to the fact that Merlo was convicted of his wife's killing.

Judge Mester told jurors Tuesday that after they reach a verdict, he will explain the 20-year lapse and the reason they have been frequently dismissed while attorneys argue certain legal questions concerning possible evidence and testimony.

Balloonfest set

Skywatchers alert! The balloons will be coming in for a landing Saturday, June 13, at the Crossroads Village Annual Balloon Festival in Flint. It's the highlight of a day's activities offered by the Farmington Hills Recreation Division.

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The fee for the day is \$18 per person for the chartered bus and village ticket. You must pre-register at the Recreation office, 31555 11 Mile (at Orchard Lake Road), by Friday, May 29.

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