

NEWS

**Stage is set for `suitcase murder' trial**

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Susan Rice had just stepped from the shower in her Chesapeake, Va., home and was walking past the television when a startling image appeared on the screen.

It was a composite sketch of a John Doe whose remains had been recovered over three days from three suitcases dumped in the Chesapeake Bay.

And she recognized him.

John Doe was actually Billy McGuire, her husband Jon's best friend and Navy buddy, a 39-year-old computer programmer and father of two young boys. The Rices contacted police on that day in May 2004, marking the first break in a case that had perplexed investigators.

Tomorrow that case will go to trial in the Middlesex County Courthouse, where prosecutors will try to convince a jury of 12 women and 4 men that Melanie McGuire, a 34-year-old fertility clinic nurse, killed and dismembered her husband, William T. McGuire, in their Woodbridge apartment on April 28, 2004.

Authorities say countless hours of police work and hundreds of interviews with people who knew William McGuire uncovered a tawdry tale of sex, murder and deceit - and that Melanie McGuire, a petite woman with dark curly hair and almond-shaped eyes, is in the middle of it all.

Assistant Attorney General Patricia Prezioso contends the nurse murdered McGuire so she could continue her romance with Barry Miller, a doctor at the fertility clinic, Reproductive Medical Associates in Morristown, where both of them worked.

Prezioso and Deputy Attorney General Christopher Romanyshyn say they have strong evidence albeit circumstantial that shows the nurse drugged her husband with a powerful sedative before shooting him in the head and chest. She then cut him to pieces with a sharp object and a reciprocating saw, stuffed those pieces into three suitcases, and dumped them in the Chesapeake Bay, authorities charge.

The defendant, who remains free on \$2.1 million bail, has declined to talk about the case, but her attorneys, **Joseph Tacopina**, a celebrity lawyer from New York, and Stephen Turano of Newark, are confident she will be acquitted.

"Our defense in this case is: She didn't do it," **Tacopina** said at a recent court hearing.

During one of many hearings in the case, **Tacopina** suggested police failed to consider Miller as a suspect, asserting the fertility clinic physician "forgot" to tell authorities, until after he was granted immunity, that he had purchased a hacksaw sometime before the slaying.

The defense has declined to say whether the nurse will take the witness stand to deny wrongdoing, but it is possible a decision won't be made until the prosecution completes its case.

The trial in New Brunswick before Superior Court Judge Frederick DeVesa is expected to take five weeks. If convicted, McGuire faces 50 years to life in prison.

TROUBLES FROM THE START

Melanie Slate and William McGuire met at a restaurant where they both worked, and had an affair that led to the breakup in 1994 of his first marriage, according to friends. The couple married on June 6, 1999, in West

Orange.

But there were problems right from the beginning, according to the divorce complaint Melanie McGuire would later file.

Just three days before the wedding, William McGuire filed for bankruptcy. During the marriage, Melanie McGuire accused her husband of being an abusive alcoholic and a problem gambler, once withdrawing \$5,000 from their personal savings to go to Atlantic City.

His first wife, Marci Paulk, who now works at a hospital in upstate New York, offered a similar account, contending he battled his vices and was abusive toward her as well.

State investigators say William McGuire was not in debt and was never a high roller, though he once turned a few hundred dollars into a \$40,000 win. His friends, the Rices, and his sisters, Cindy Ligosh of Wyckoff, and Nancy Taylor, a Florida resident, say he was a gentle and dedicated family man.

Melanie McGuire said in the court papers that her husband slapped her and tried to stuff a dryer cloth in her mouth before storming out of their apartment on April 29, 2004, less than a day after they closed on a deal to purchase a \$500,000 home in Warren County.

Melanie McGuire said she never saw him again. Police said she never reported him missing.

On May 21, 2004, she signed papers seeking a divorce in New Jersey. On the same day, William McGuire's friends in Virginia identified him as a homicide victim.

#### THE CASE AGAINST HER

Some of the evidence authorities have compiled since that time leaked out slowly during a series of pretrial hearings following Melanie McGuire's arrest on June 2, 2005.

The prosecution has no eyewitness to the slaying but promises to implicate McGuire through her behavior before and after her husband was killed.

Two days before the homicide, she bought a .38-caliber revolver at an Easton, Pa., gun shop, using a driver's license obtained through an aunt's Pennsylvania address. The gun, the prosecution charges, was similar to the kind of weapon used to kill William McGuire.

Prezioso, the lead prosecutor, said police seized the defendant's computer and learned that, days before the slaying, she sat in front of her keyboard and typed such phrases as "undetectable poisons," "how to purchase an illegal weapon" and "how to commit murder" in her Google search engine.

The fertility clinic nurse, who had access to a drug prescription pad, settled on chloral hydrate, a powerful sedative, and forged a prescription for the drug, which was purchased shortly before the murder, Prezioso charged.

After the husband went missing, authorities recovered his 2002 blue Nissan Maxima from the parking lot of the Flamingo Hotel in Atlantic City. Inside the car, police recovered a vial of a pink liquid that scientific testing later identified as chloral hydrate, Prezioso told the court.

Prezioso contends the nurse gave her husband the powerful sedative before shooting him, but concedes the victim's remains were cremated before authorities realized they should have tested for the presence of chloral hydrate.

#### THE DEFENSE'S RESPONSE

The defense, calling the drugging allegation sheer speculation, counters no drugs were found in the victim's system during an autopsy.

Police forensics experts also recovered tiny fragments of skin - described as "human sawdust" - found on both driver and passenger sides of the victim's car. The prosecution contends Melanie McGuire admits dropping the car off at the Flamingo. The defense argues it would not be unusual for the victim's skin cells to be found in his own car.

The prosecution also says the victim's face was covered with a medical blanket that is commonly used at the fertility clinic, and he was wrapped in plastic garbage bags that, under testing, are similar to bags that can be

traced back to the nurse and to their apartment.

Additionally, razor stubble consistent with hair from both the victim and the defendant was recovered from tape used to close the bags. The prosecution offers it as evidence that the victim was dismembered in his bathroom.

As the state Attorney General's Office worked on the case, someone began sending anonymous letters asserting Melanie McGuire was being framed. In one package, the author of the letters sent some of the victim's personal items, including his wedding band.

A state grand jury charged Melanie McGuire wrote the letters to get police off her trail. The defense argues prosecutors will not be able to prove authorship.

The prosecution also will present the defendant's phone conversations, which were secretly recorded by police. In the tapes, the nurse discusses such topics as purchasing the gun and explaining why she was in her husband's car.

The defense notes that in one conversation, a friend, James Finn, presses her on the homicide. "Did you do it? Did you do it?"

The tapes record Melanie McGuire's denial. A jury in Middlesex County will soon decide if they believe her.

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1. 'Suitcase murder' trial to begin While 400 names are being bandied about as people with roles in the trial of Melanie McGuire, here are the key figures in the case:

**THE VICTIM** ▪ William T. McGuire, 39, of Woodbridge, was a computer programmer, adjunct professor at New Jersey Institute of Technology and father of two young sons. Hours after he closed on a deal for a \$500,000, four-bedroom Colonial, he was shot to death, dismembered and stuffed into three suitcases that later were dumped in the Chesapeake Bay.

**THE PROSECUTION** ▪ Deputy Attorney General Christopher Romanyshyn is assigned as co-counsel in the McGuire prosecution. He worked in private practice, specializing in civil litigation, before becoming a deputy attorney general eight years ago. He also has expertise in the science behind the evidence, and will present some of the important forensics testimony during the five-week trial. ▪ Assistant Attorney General Patricia Prezioso will be the lead prosecutor. She was lured from the Manhattan District Attorney's Office in 2002 to work for then-state Attorney General Peter Harvey, who gave her the tough job of straightening out evidence-gathering procedures in homicide investigations in the Essex County Prosecutor's Office. She also headed the program aimed at collecting DNA samples from 120,000 state prison inmates under a crime-fighting measure enacted in 2003. Energetic and fast-talking, Prezioso is a forensics and trial preparation specialist who took on the McGuire case voluntarily - a rarity in the ultra-political Attorney General's Office, where high-profile cases like McGuire's can make or break careers.

**THE JUDGE** ▪ Superior Court Judge Frederick DeVesa was a police officer in Newark when he decided to go to law school and later landed a job in the state Attorney General's Office, where he briefly served as the acting attorney general before becoming a judge. This pleasant fellow goes out of his way to put nervous jurors at ease, but is a no-nonsense judge who keeps attorneys in line. He has no fear of being over-ruled by appeals courts, which means he will decide in favor of the prosecution when he thinks it's the right thing to do.

**THE DEFENSE ATTORNEYS** ▪ **Joseph Tacopina**, a New York celebrity lawyer, will defend Melanie McGuire. He once was crowned by the New York Times as the Donald Trump of New York defense lawyers, while USA Today puts him in the same league as Thomas Mesereau and the late Johnnie Cochran, according to McGuire's Web site. When he's not a guest on WNBC radio's "Imus In the Morning," **Tacopina** is teaching at Fordham Law School or representing celebrities in trouble - rap diva Foxy Brown and former New York City Police Commissioner Bernard Kerik, the one-time Homeland Security secretary nominee - among them. Calm, deliberate, personable and smart, **Tacopina** has real jury appeal. He has won most of the nearly 80 cases he has tried. ▪ Stephen Turano, defense co-counsel, has expertise in homicide trials and white-collar investigations, according to McGuire's Web site. He is expected to tackle cross-examination of some of the prosecution's critical forensics evidence.

**THE DEFENDANT** ▪ Melanie Lyn McGuire, 34, of Brick Township, is the mother of the two boys and has been a nurse since 1997. Until she was arrested and charged with murdering her husband, the lifelong New Jersey resident worked at Reproductive Medical Associates, a Morristown fertility clinic, where she developed a devout following of clients and friends, who have contributed to her legal defense and to a difficult and costly battle with her late husband's family over custody of the children. The "mother whisperer," as she is known on her Web site, was working last summer as hostess at a restaurant on Long Beach Island. ▪ Michael Baden, the renowned forensic pathologist, author and television personality, has been hired by the defense to examine bits of skin found in William McGuire's abandoned car and refute a prosecution contention that the material was tracked into the vehicle by Melanie McGuire after the victim was dismembered. The defense argues there is a normal shedding of skin particles and that the discovery is not significant. ▪ Barry Miller, a physician, will give the potentially most damaging testimony in the case when he is called to tell the jury he had an affair with Melanie McGuire that began in 2002, while they both worked at the fertility clinic. It's uncertain if the defense will try to portray him as the killer, but defense lawyers made it clear that, after being given legal immunity

from prosecution, Miller told investigators he forgot to mention beforehand that he had purchased a hacksaw. ▪ Susan Rice, of Chesapeake, Va., first recognized the composite sketch of the murder victim as William McGuire and contacted police with the name, giving them the critical starting point in their investigation. ▪ James Finn, a nurse and friend of Melanie McGuire, tries to bait her into confessing after police persuade him to let them secretly record his phone conversations with her. She denies wrongdoing. ▪ Linda Cappararo and Michael Cappararo, the loyal mother and stepfather of Melanie McGuire, are listed among witnesses, but it's unclear if they may be called by the prosecution to discuss portions of their phone conversations secretly recorded by police, or will be called by the defense as alibi witnesses. ▪ Cindy Ligosh, one of William McGuire's sisters, is falsely portrayed as the author of an anonymous letter that contends Melanie McGuire is being framed for the homicide, according to prosecutors who say Melanie McGuire penned the letter to keep police off her trail. 2. CHRONOLOGY LIST: TIMELINE After three matching suitcases containing the remains of William T. McGuire of Woodbridge were recovered from the Chesapeake Bay, police in Virginia and, later, New Jersey, began an extensive investigation that led to the arrest of his wife, Melanie McGuire, now 34, of Brick Township. Defense lawyers say she had no role in the slaying, but prosecutors have implicated the fertility clinic nurse in the crime. June 6, 1999: William McGuire and Melanie Slate are married. April 26, 2004: Melanie McGuire buys a .38-caliber revolver from a gun shop in Easton, Pa. She also begins an Internet search on her home computer, looking up such topics as "undetectable poisons" and "how to commit a murder." April 28, 2004: Melanie and William McGuire close on a \$500,000 deal to buy his dream home in Warren County. Hours later, William McGuire, a 39-year-old adjunct professor at New Jersey Institute of Technology, is drugged and shot twice, and then dismembered in his Woodbridge apartment. April 29, 2004: Melanie McGuire says her husband began arguing with her, slapped her and stuffed a dryer cloth in her mouth, before he fled in a rage when she locked herself in the bathroom. She says she never saw him again. April 30, 2004: William McGuire's 2002 blue Nissan Maxima is found parked outside the Flamingo Hotel in Atlantic City. A surveillance camera captures the grainy image of someone getting out of the car and walking away. May 5, 2004: A man fishing from his boat near the fourth island of the Chesapeake Bay Bridge and Tunnel retrieves a suitcase containing human remains. May 8, 2004: William McGuire's abandoned car is towed to a police impound yard. May 11, 2004: A graduate student, out for a day of bird-watching, finds a suitcase that washed ashore on Fisherman's Island, off the Eastern Shore. A human head and torso are recovered from the suitcase. May 16, 2004: A boater finds a third matching suitcase, floating in the bay near the second island of the bridge and tunnel. More human remains are inside. May 21, 2004: Virginia Beach, Va., police release a composite sketch of the face of the man whose remains were recovered. Susan Rice of Chesapeake, Va., recognizes the victim as her husband's longtime friend and Navy buddy, William McGuire, 39. On the same day, McGuire signs papers seeking a divorce in N.J. May 25, 2004: Melanie McGuire files for divorce in Middlesex County. Sept. 29, 2004: Police in Virginia close their investigation and turn the case over to New Jersey after concluding William McGuire was killed in the Garden State. March 7, 2005: New Jersey authorities obtain a court order authorizing them to secretly record hundreds of hours of phone conversations between Melanie McGuire and her family and friends. June 6, 2005: After dropping off her sons at a Metuchen day care center, Melanie McGuire is arrested and charged with murdering and dismembering her husband. A not-guilty plea is entered on her behalf. Bail is set at \$750,000. Within days, she posts the amount and is released. Authorities say that since the summer of 2002, she had been having an affair with Barry Miller, a doctor at the Morristown fertility clinic where she worked. Oct. 11, 2005: A state grand jury hands up a four-count indictment against Melanie McGuire. Her bail is raised to \$2 million, and she is again released from custody. Authorities contend the woman had an accomplice, but no one else has been charged. Oct. 26, 2006: A second indictment is handed up, accusing Melanie McGuire of writing a series of letters aimed at getting police off her trail during the homicide investigation. The letters suggest she was being framed. Oct. 30, 2006: The second indictment is unsealed after Melanie McGuire appears in court and is advised of the new charges. Another not-guilty plea is entered. Oct. 31, 2006: Melanie McGuire is released after posting an additional \$10,000 bail. Her total bail is \$2.1 million. Nov. 18, 2005: Melanie McGuire hires a new defense team, **Joseph Tacopina** and Stephen Turano, to represent her. "I wouldn't have come into this case unless I was 100 percent convinced of her innocence," **Tacopina** says. March 5, 2007: Melanie McGuire's trial is scheduled to begin at the Middlesex County Courthouse in New Brunswick.

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