

Fate of Huguely in jury's hands

Death trial deliberations to start

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By [Meredith Somers](#) - The Washington Times

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Jurors in the high-profile trial of former University of Virginia lacrosse player George W. Huguely V are to start deliberations Wednesday on whether to find the defendant guilty of first-degree murder or a lesser charge after two weeks of emotional testimony, graphic crime-scene pictures and challenging scientific evidence.

Prosecutors say a drunk and angry Mr. Huguely entered the apartment of on-and-off girlfriend Yeardeley Love on May 3, 2010, kicked in her bedroom door, then slammed her head against the floor or wall hard enough to cause bleeding in her brain that slowed her heart and breathing, which eventually killed her.

Lawyers for Mr. Huguely, who could get life in prison with a first-degree verdict, say the defendant had a hand in injuring the 22-year-old Love but did not intend to kill her, thus should face no more than punishment for manslaughter.

Edward Leyden, a D.C.-area white-collar criminal attorney, said Tuesday the 12-member jury will need to look at all of the facts and that could take days. He also pointed out that Wednesday is the first day jurors really have the opportunity to talk about the case.

"They're going to have to get to know each other a little bit," he said. "As a general rule, they are probably going to be very cautious. The first thing is they test each other out. I expect they'll go around the room and say their general impressions."

After both sides rested their case Saturday evening, jurors decided to leave and begin deliberations after Presidents Day and grand jury proceedings Tuesday at the Charlottesville court house.

Mr. Huguely, 24, also faces five other charges including one of taking Love's computer when leaving her apartment.

Mr. Leyden said the jurors could take a preliminary vote, but a final verdict will require "more or less coming up with a coherent narrative that encompasses everyone's point of view."

"It's not so much negotiation as reconciliation," he said. "There will be give and take. ... But it won't be between, 'I'll give you robbery if you come forward on the murder.' "

For a verdict of first-degree murder, jurors must agree that Mr. Huguely killed Love with malice and forethought. Mr. Huguely could also be charged with second-degree murder, which carries a sentence of five years but no more than 40 years behind bars.

Something jurors can consider — but only for the first-degree charge — is whether Mr. Huguely was too drunk to realize what he was doing. In that situation, intent would not be present, a requirement for the first-degree verdict.

Prosecutors have asked jurors also to consider a felony murder charge, essentially saying Mr. Huguely killed Love, of suburban Baltimore, in the act of taking her laptop. That verdict carries a life

sentence but does not require intent.

Jurors can also consider voluntary or involuntary-manslaughter, the latter of which carries a maximum of 10 years in prison.

For eight days, medical experts from both sides took the stand to testify, often contradicting each other.

"I think it's interesting with medical testimony, you can have two very educated and experienced doctors, who can come out on the exact opposite side," said D.C. criminal defense attorney David Benowitz. "To me, then, it comes down to credentials of each side. What is it they're really saying?"

Mr. Benowitz said the delay between closing arguments and deliberations seems like positive situation because the extra time might keep emotions from determining the outcome of the case.

In the closing statements, Mr. Huguely's attorneys recapped their argument that the intoxicated student athlete intended only to talk to Love and never meant for her to die - a case backed by medical experts who stated Love, with a mix of alcohol and Adderall, an attention-deficit drug, in her system, likely died from suffocating in her pillow.

"George bears responsibility for her death," said attorney Francis McQ. Lawrence. "It's never been our position that out of the blue sky he had no responsibility. We believe alcohol and injuries were a fatal combination and he played a role in that."

Love, also a University of Virginia lacrosse player, was found facedown and unresponsive in her bloody pillow with bruises and scrapes on her face. Her right eye was swollen shut.

"This was no battle royal," said Commonwealth's Attorney Warner D. Chapman during closing arguments. "She was silenced early on. ... How hard would it be to scream? Who wouldn't crawl to get help if they could? You don't have to be able to move to scream, you just have to be conscious."

Source: <http://www.washingtontimes.com/news/2012/feb/21/fate-of-huguely-in-jurys-hands/?page=all>
