

Ohio priest's bid for retrial of murder case denied by Supreme Court

WASHINGTON - The Supreme Court denied a request to hear an appeal from an Ohio priest convicted in 2006 of the 1980 murder of a nun in the chapel of a Toledo Catholic hospital.

Lawyers for the priest, Father Gerald Robinson, say they will seek redress for the conviction through other legal means.

The Supreme Court's denial was issued without comment Oct. 5, the first day of the high court's new term.

John Donahue, one of Father Robinson's attorneys, said a request was pending in Common Pleas Court in Lucas County, Ohio, which includes Toledo, to have the judge vacate the jury verdict of murder and to order a new trial. No date has been set to hear arguments.

Mercy Sister Margaret Ann Pahl was killed at the now-closed Mercy Hospital in Toledo. She had been stabbed 31 times and strangled from behind, with two bones in her neck broken. The case remained open but had grown cold until Father Robinson was arrested in 2004. He was suspended from active ministry upon his arrest.

At his trial, the priest's lawyers said DNA tests would implicate Coral Eugene Watts, a notorious mass murderer, and a Toledo priest, Father Jerome Swiatecki, in the nun's murder, but test results indicated that neither man's DNA was found at the crime scene.

Father Swiatecki, who worked with the nun, died in 1996, and Watts died a couple of years ago.

Donahue cited "ineffective assistance of his trial counsel" as one basis to pursue an

appeal of Father Robinson's conviction. Nobody on the priest's current legal team was working for him during the murder trial.

"The second constitutional claim that we have asserted is that the state of Ohio destroyed or withheld evidence," Donahue told Catholic News Service in an Oct. 20 telephone interview from Toledo. "That inhibited Father Robinson's ability to defend himself."

Donahue added Father Robinson has no money and that he and other lawyers are subsidizing the costs associated with the appeal. The Ohio Innocence Project, based in Cincinnati, also has taken up the priest's case.

Father Robinson is serving a term of 15 years to life. He is not eligible for parole until 2021.

Richard Kerger, another of the priest's attorneys, said he believes the time elapsed between the murder and the trial deserves court scrutiny. "A large number of people who had firsthand knowledge are dead," he said, "especially the county coroner ... who had the evidence at hand and felt he had no need to point a finger at Father Robinson."

Father Robinson told the Columbus Dispatch from prison in Hocking, Ohio, where he is jailed, "I didn't do this. I have no idea why anyone would do it."

Dean Mandros, the lead prosecutor in Father Robinson's trial, told the Dispatch that protestations of the priest's innocence ring hollow. "For him now to come out and say he didn't do it - I would say to him, 'You missed your chance to say that when it counted,'" Mandros told the Ohio daily newspaper. "He didn't take the stand because he knew he couldn't answer the (critical) questions."

Lee Pahl, the victim's nephew, told the newspaper he believes Father Robinson was justly convicted. "If he is innocent, I hope that is proven," Pahl said. "But if he is not, I hope he confesses before he passes, for everyone's good, especially his own."