

Murder - KING, Ernie

# Assailants beat King 'for fun'

By MARK BERGSTROM  
Sentinel staff writer

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**'In a fun fight — a drunken fun fight — you're just having fun hitting someone.'**

*— David Reveles, murder witness*

SANTA CRUZ — Two men beat Ernie King "just for fun" before he was ordered to jump to his death from a moving truck last month, a witness testified Thursday.

The testimony at the preliminary hearing for one of those defendants — Gregory Kern — provided the first eye-witness look at what led to the death of King, a popular 38-year-old Christian and family man.

In another revelation, prosecutor Christine McGuire said that Kern, 24, and the other defendant — Robert Spedding, 29 — have been positively identified as having attacked two San Jose men at Lighthouse Point in March.

McGuire said the new case still is being investigated, and no new charges have been filed against Spedding and Kern.

According to police reports, the two San Jose men were jumped and beaten by two men they had just met at the parking lot at Lighthouse Field. One of the men required hospital treatment.

McGuire said the victims later recognized Spedding's picture in a newspaper after he was arrested on suspicion of murder in the King case. They since have positively identified their attackers.

David Reveles, a construction worker who worked alongside Kern and Spedding, took the stand Thursday and told a chilling story.

According to Reveles, he, Spedding and co-worker Albert Eslit were at the park-and-ride lot on Summit Road at about 7:30 p.m. on June 24 when King approached them. King made conversation, saying he had to call his wife for a ride home.

They had noticed that a woman in a red sports car had dropped King off there. Authorities have said that King, who was legally blind, depended on rides from others to and from graduate classes at San Jose State University. They said he regularly rode with that woman, who lived at the Summit.

Reveles said he offered King a ride down the Old San Jose Road and King replied "that would be great."

Spedding, Reveles said, made sexual

remarks about the woman in the sports car and laughed at King. When King asked where the men worked, Spedding told him they worked on the Alaskan pipeline and introduced his two buddies by phony names.

Reveles said he did not know why Spedding chose to tease King. But, he said, unaware that King had vision and hearing problems, he suspected King either was retarded or on drugs.

Reveles said that he, Spedding and Eslit had been drinking heavily with other construction workers a short time before at a pizza parlor in Los Gatos. He said they stopped at the parking lot to wait for two of their buddies — Kern and Brett Erickson.

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Those two pulled up in Erickson's pickup truck just as Spedding punched King and knocked him to the ground.

Kern, Reveles testified, jumped out of the truck and kicked King, who was on the ground. He said Kern kicked him several times and then joined Spedding in punching him.

Reveles said the two men were punching King "for fun."

Puzzled and questioning who was having the fun, prosecutor McGuire pressed Reveles to explain.

"In a real fight, you'd be giving it all you can. In a fun fight — a drunken fun fight — you're just having fun hitting someone," Reveles said.

Still, Reveles said he stepped in and pulled Kern off of King and told Spedding to stop hitting the man. "I said, 'What are you doing? Use your head.'"

Sixteen-year-old Scott Collins was standing near the telephone booth at the parking lot and watched the fight. He later told police it was the "weirdest thing" he'd ever seen.

"Mr. King said nothing. That's what I found so strange," Collins explained at Kern's hearing. "He made no attempt to fight back."

Then, after having been attacked, King got into the back of the truck with Spedding, Collins testified.

"Because he got into the truck on his own, I thought maybe they were all just playing around," Collins said.

But when two of Collins' friends came along minutes later and said there was a dead man in the road up ahead, Collins knew it was no game. He testified that he knew who that dead man was going to be. When he went to see, he found he was right. The dead man was King.

Collins testified that after Spedding, Erickson, Kern and King left in the truck, the other two men — Reveles and Eslit — followed in their car.

Reveles said King and Spedding were sitting opposite each other in the back of the truck.

As all were getting ready to

leave, Reveles said he heard Spedding yell at King "How much (expletive) money do you have?"

Just after the truck drove off, he said he watched as King pulled out his wallet and held it open with both hands, showing he had no money.

Then, he said, it appeared that Spedding ordered King out of the truck, which Reveles estimated was traveling at 35 to 40 mph.

He said Spedding pointed out the back of the truck, then picked up a chair and threw it toward the cab of the truck. King began to climb out the back, when Spedding lunged forward, pointing again.

Then, he said, King jumped. "I think he (King) thought he was going to get hit again."

Reveles said Spedding then gave a clenched-fist victory salute as King hit the pavement.

Reveles said he and Eslit then followed the truck into Soquel. He said the men eventually went to Eslit's house where they drank another 12-pack of beer.

He said he questioned Erickson, Kern and Spedding when they got ready to leave to head back up to the Summit, where all three reportedly live. He said he told them they shouldn't go back because of the police. He said he was told not to worry because he was not involved.

McGuire's revelation of the new case against Kern and Spedding came as she argued against lowering bail for Kern after Municipal Court Judge Tom Kelly held Kern to answer on a felony charge of assault with force likely to cause great bodily injury.

Kelly reduced Kern's bail from \$250,000 to \$5,000, which he said is the usual amount set for such a charge. He told McGuire she can argue to put the amount higher again if and when she files the new charges.

Kelly set a July 28 arraignment for Kern in Superior Court.

A preliminary hearing for Spedding and Erickson, who is charged with leaving the scene of a fatal accident, is scheduled to be set at a court appearance Aug. 2.