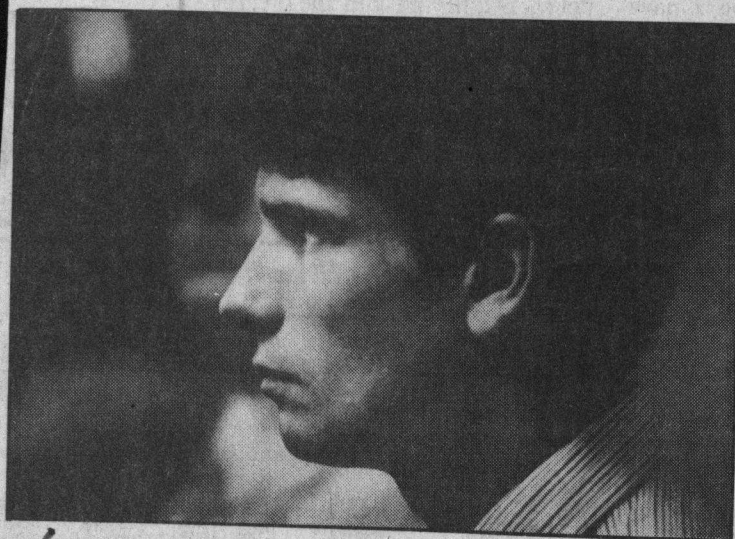


101  
Murder

KING, Ernie

A-2—Santa Cruz Sentinel — Friday, July 8, 1988



Brett Erickson, the truck's driver, is out on bail.

## Suspect asks speedy hearing in King death

By MARK BERGSTROM  
Sentinel staff writer

SANTA CRUZ — One of three men charged in connection with the death of Ernie King refused Thursday to waive time limits and demanded a speedy preliminary hearing.

Gregory Kern, 24, withdrew his time waiver after the prosecutor and three defense attorneys had agreed to consolidate the preliminary hearing on Aug. 1.

Preliminary hearings are conducted to determine whether there is sufficient evidence to order a suspect to stand trial in Superior Court.

The District Attorney's Office has charged Kern with assault with intent to cause great bodily injury for allegedly jumping on King and kicking him at a dirt parking lot on Summit Road June 24.

After Kern exerted his rights,

Municipal Court Judge Tom Kelly severed Kern's case from the others and ordered a preliminary hearing on July 14. By law, a preliminary hearing must be set within 10 days.

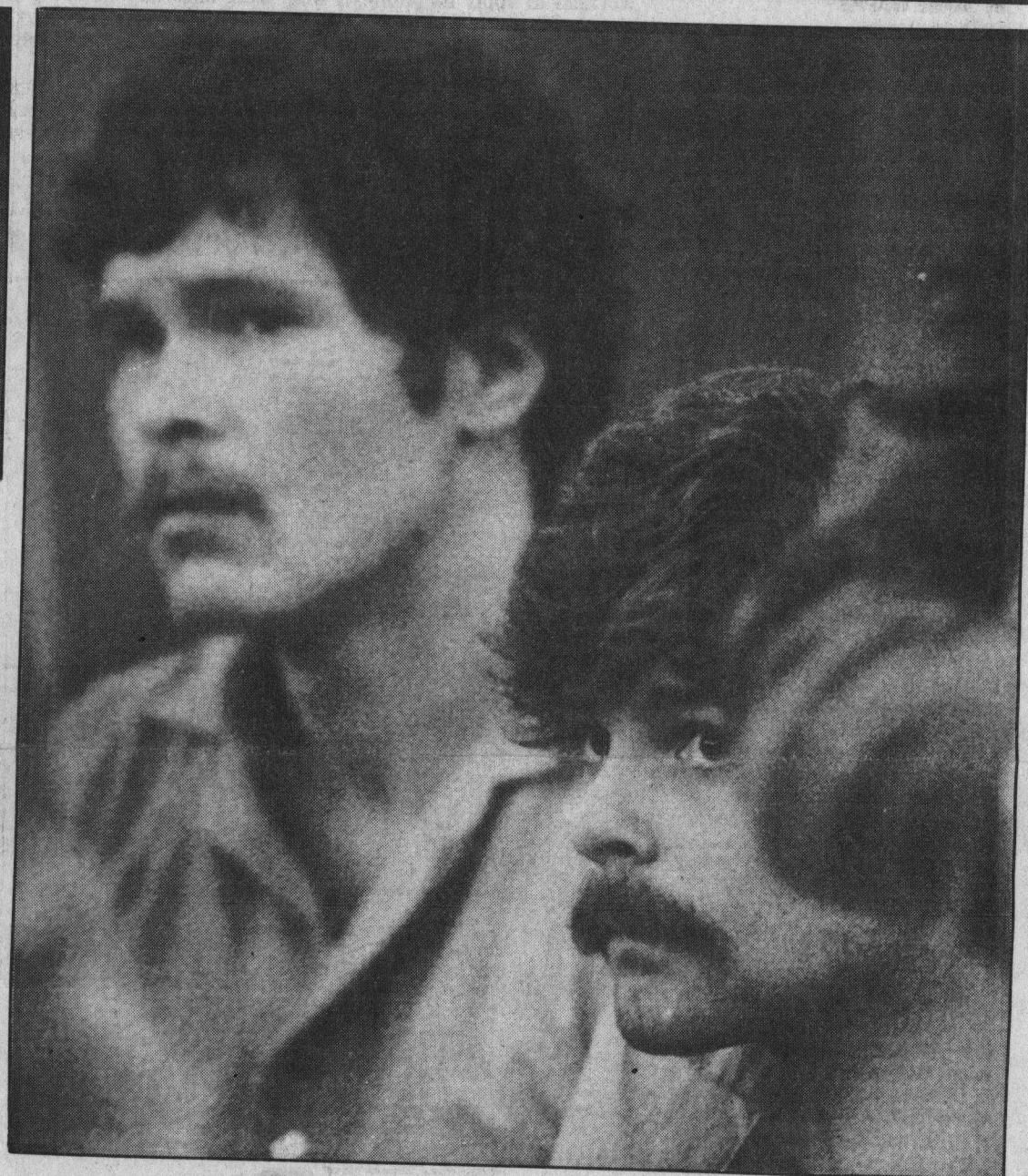
Kern's attorney, Peter Chang, told Kelly that Kern has been unable to raise his \$250,000 bail and is anxious to proceed with his case.

Kelly agreed to set a preliminary hearing date for the other two defendants, Robert Spedding, 29, and Brett Erickson, 24, on Aug. 1.

Spedding is accused of murdering King by "forcing" him out of the back of a moving truck after attempting to rob King. Spedding is being held in jail, with bail set at \$500,000.

Erickson, who was driving the truck, is charged with leaving the scene of a fatal accident. He has been released on bail.

Prosecutors allege that Spedding forced King into the back



Photos by Bill Lovejoy

Gregory Kern, right, is accused of beating the victim. Spedding, left, is charged with murder.

of the truck after Spedding and Kern had beaten King when he approached them and asked for a ride.

The Coroner's Office has reported that King, 38, died of head injuries sustained when he hit the pavement after being forced out of the truck. The truck's speed was estimated at 35-40 mph.

King, married and the father of two children, was on his way home from graduate classes at San Jose State University when he was killed. He suffered from tunnel vision and could not drive an automobile.

Authorities have said he rode to and from school with a classmate who lives at the Summit. They said it was King's

custom to then solicit a ride down the Old San Jose Road from one of the many commuters who use the park-and-ride lot, or to call his wife for a ride.

Authorities said the suspects, who all worked together in construction, had been drinking in the parking lot. They said the attack on King was unprovoked.