

# Trailside killer appeals filed in Superior Court

Appeals were filed today at the state Supreme Court in San Francisco by defense attorneys for trailside murder suspect David Carpenter.

The attorneys are trying to challenge the special allegation of "lying in wait" against Carpenter, as well as some of the evidence amassed by the prosecution.

If convicted of murder with special allegations, Carpenter would face the death penalty.

Assistant Public Defender Gerry Christensen said an interesting question raised by the defense is whether Proposition 8 — the so-called "Victim's Bill of Rights, which was passed overwhelmingly by voters in June — will affect the admissibility of evidence in the trailside case.

Defense attorneys are arguing that Prop. 8 should not be used as the standard of admissible evidence.

Recently, the state Court of Appeals

denied without comment the defense's request for a review of the issues. The defense had appealed the ruling of Superior Court Judge Chris Cottle on those same issues in May.

Carpenter is charged with a string of slayings that occurred in Santa Cruz and Marin counties over a 1½-year period. Most of the murders were committed on popular hiking trails, leading investigators to dub the slayings the "trailside killings."

Carpenter is accused of killing two women and attempting to murder a young man in Santa Cruz County. Carpenter is also accused of five murders in Marin County.

The 52-year-old murder suspect was arrested in May 1981 outside his parents' San Francisco home after an intensive investigation by San Francisco Bay Area, federal and Santa Cruz County authorities.