

# 3rd suspect in Chilcote slaying goes before judge

## Defense attorney refrains from opening statement

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SANTA CRUZ — Opening statements were heard in Superior Court Tuesday in the murder trial of Sean Petznick, who is charged with killing Gaylord "Kelly" Chilcote of Watsonville.

The prosecution presented in graphic detail its case against the defendant before Superior Court Judge Thomas Kelly.

But Petznick's court-appointed attorney, Tony Salatich of Santa Cruz, passed on opening statements, choosing to not tip his hand to his trial strategy.

Petznick, 22, is on trial for the Nov. 17, 1998, slaying of Chilcote, a well-liked Watsonville nursing-home owner. Petznick, known on the streets as "Casper," is one of four people either facing trial or who already have been convicted in the killing.

"Sean Petznick wanted money, and he wanted lots of it," prosecutor Ariadne Symons told the jury. "So he devised a plan to get it ... and it involved killing for money."

Symons said Petznick was the mastermind behind the robbery and killing scheme, and that if not for him, the crime would not have happened. She told jurors Petznick recruited at least three people who either said they wouldn't participate in the crime or tried to talk him out of it.

Finally, however, James Dotson, 28, Kimberly Labore, 30, and Gabriel Adam Banes, 23, all of the Santa Cruz area, agreed to go along with the scheme.

Banes is awaiting trial. Labore was sentenced to 62 years to life in April, while Dotson was sentenced in January to two life terms with no chance of parole.

Labore and Dotson also were convicted of murdering a homeless drifter two weeks before the Chilcote slaying.

Chilcote was stabbed multiple times, bludgeoned about his head, tied with stereo wire and duct tape and gagged before being left for dead on the bed in his Cutter Drive home. The suspects left with cash, personal items and liquor.

An autopsy determined Chilcote, 58, most likely bled to death.

Afterward, Symons said, the four went to a hotel in Santa Cruz and partied with friends.

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## Trial

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Symons called three witnesses to the stand Tuesday, including Chilcote's neighbor who reported her friend missing after he didn't show up for their daily walk. The deputy who first found Chilcote dead and the county sheriff's crime scene unit supervisor also testified, but revealed nothing new.

When he was arrested, Petznick's crewcut hair was dyed red. In court, he sported a shoulder-length, feathered, black haircut. He wore a cream-colored sweater over a white turtle-neck and often fiddled with a pen as he listened to court proceedings against him.

From the ages of about 4 to 15, Petznick lived across the street from Chilcote in a close-knit, well-maintained lakeside neighborhood, according to a neighbor's testimony.

Because of Salatich's limited comments and questions to witnesses Tuesday, it's unclear what type of defense he will mount. However, Salatich has said that Chilcote molested Petznick as a youth.

Judge Kelly ruled those allegations cannot be introduced before the jury because there is no evidence to support the claims. Salatich said he may introduce the alleged molestation by calling Petznick to the stand.

Symons and friends of Chilcote say Petznick's accusations are unfounded. And the experienced prosecutor said regardless of Salatich's defense strategy, she has evidence that proves Petznick was primarily responsible for the crimes.

The trial continues today at 9 a.m. before Judge Kelly. The judge told the jury of seven men, five women and four alternates to expect the trial to last six to eight weeks.

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**PETZNICK**

Accused of  
masterminding  
slaying, robbery