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Bandler defense attacks pathologist's testimony

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Richard Bandler's defense attorney yesterday attacked the expertise of the forensic pathologist who examined the woman Bandler is accused of killing Nov. 3, 1986.

The trial resumed yesterday afternoon under Santa Cruz Superior Court Judge Chris Cottle, after a 2 1/2-week hiatus called for the holidays.

Key witness James Marino, a reputed former cocaine dealer whose life was apparently tangled with Bandler's for some time prior to the killing, concluded his testimony Dec. 17.

Marino had testified during four days on the stand that he saw psychotherapist Bandler kill prostitute Corine Christensen at her Live Oak condominium by shooting her in the face.

M. Gerald Schwartzbach, Bandler's attorney, hammered away at Marino in an effort to

portray him as a dangerous and paranoid chronic liar.

Since only Marino and Bandler were present when Christensen was killed, Bandler's defense rests on either implicating Marino in the murder or in discrediting his and others' testimony.

Yesterday, Schwartzbach focused on trying to discredit the county forensic pathologist's testimony on how Christensen was shot.

The pathologist, Dr. Richard Mason, said Christensen was shot by a gun held between 1/4 and 1/2 inch from her face to the left of her nose.

The bullet entered at a 50-degree left-to-right angle and a 25-degree upward angle, coming to rest at the back of her brain near the skull, Mason said. That and other conclusions in Mason's report support Marino's testimony that Bandler is Christensen's killer.

However, Schwartzbach attacked Mason's expertise and

questioned conclusions which Schwartzbach said were reached by considering only part of the evidence.

For example, Schwartzbach pointed out, Mason concluded that the gun used to kill Christensen was held on the left side nearer to her face than the tip of her nose. However, he could not explain how it was then that gunpowder dotting appeared on the right side of her nose.

Schwartzbach also contended that examination of Christensen's clothing had been incomplete, since Mason said he drew his conclusions by examining only her T-shirt, ignoring a blood stain on her jeans.

Assistant District Attorney Gary Fry was to continue the trial today by calling to the stand Chris Hall, allegedly a friend of both Bandler and Christensen.

Fry said Hall would testify that Bandler pulled a gun on her nine days before Christensen's death.