

Defense rests its case in Bandler murder trial

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SANTA CRUZ — The defense rested its case Tuesday in the Richard Bandler murder trial.

Bandler, 37, co-founder of Neuro-Linguistic Programming, is charged with the shooting death of a 31-year-old Capitola woman Nov. 3, 1986.

Bandler and his friend James Marino, 55, went to Corine Christensen's townhouse early on the morning she was murdered.

Marino testified for the prosecution

that Bandler shot and killed the woman, who was described at the trial as a cocaine dealer and prostitute.

Bandler took the witness stand late last week and said Marino pulled the trigger.

Assistant District Attorney Gary Fry grilled Bandler about Christensen's position at the dining room table when she was shot in the face.

Bandler said Christensen was seated in an armless chair at the

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table. Bandler said he was seated next to her when Marino walked up and shot her in the face with a .357-caliber Magnum revolver.

He testified that Christensen turned her head away from the table and looked up at Marino as he pulled the trigger.

Fry asked Bandler repeatedly why, then, did her head end up back over the table, where investigators found a large pool of blood. He intimated that the woman's body would have been expected to go backward out of the chair.

Bandler said he couldn't explain why Christensen fell over the table, but she did.

Defense attorney M. Gerald Schwartzbach wrapped up his case Tuesday by re-calling firearms expert Lindberg Miller, who testified that the force of bullets does not knock people backward as commonly portrayed on television.

He said the impact on Christensen's head would have been minimal. And, he said, the impact of the bullet would have little effect on how the body would fall.

He said he based his conclusion on having conducted experiments, including firing shots at cadavers.

On cross-examination, Miller said Christensen could have fallen over

the table if she had been shot while leaning over the table inhaling cocaine. Marino testified that Bandler was seated next to Christensen and leaned forward and shot her as she inhaled a "line" of cocaine.

The trial has been postponed until Monday because one of prosecutor Fry's rebuttal witnesses will be out of state until then.

Superior Court Judge Chris Cottle told the jury that the two attorneys will then give their final arguments. He said he expects the jury to get the case early next week.

Outside court, Schwartzbach said he thought the defense case "went extremely well."

"I think James Marino has been thoroughly discredited and I think, scientifically, their case has been thoroughly repudiated," Schwartzbach said.

At the core of Schwartzbach's case, Fry countered, "is the allegation that James Marino did it and the jury is supposed to believe it because Marino is not a model citizen."

"But they (defense) haven't been able to satisfactorily explain why Corine Christensen's blood is on Mr. Bandler and not on James Marino. And they haven't been able to explain why Mr. Bandler didn't go to the cops and Marino did," Fry said.