

Law and order

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Missouri high court grants St. Louis man new trial in slaying

BY JENNIFER MANN • jmann@post-dispatch.com > 314-621-5804 May 2, 2012



ST. LOUIS • The state's highest court has granted a new trial for Jermane Clark, a St. Louis man who was sentenced last year to life in prison without parole for the fatal shooting of Morris Thompson, 58, in December 2008.

The 7-0 Supreme Court of Missouri ruling on Tuesday says the trial court erred by not allowing cross-examination of a key witness on whether he believed he'd receive special treatment in his own criminal case as a result of testifying against Clark.

Investigators at the initial trial had suggested Clark was attempting to rob Thompson, whom he knew from the neighborhood, when he shot him.

Glenn Shelby, a man who was chased and arrested by police at the scene, testified he had given Clark the murder weapon shortly before Thompson was found dead. Maurice Payne, another witness who police found through Shelby, testified he saw Clark fire the fatal shots.

At the time of trial, Payne was participating in a drug court program as part of his probation on an unrelated case, which was in lieu of a traditional sentence as long as he complied with the program's requirements.

The trial court allowed Clark's attorney to cross-examine Payne about his guilty plea but sustained a prosecutor's objection to questions about Payne's belief on whether testifying would result in leniency.

Judge William Ray Price Jr., who wrote the supreme court decision, said the latter prejudiced the jury, which made its decision without any physical evidence by the state and based largely on the testimony of Payne and Shelby.

Price pointed out that Payne's testimony about leniency, if allowed, might have led the jury to question his account.

Then, he said, jurors would have been left to rely only on the statements of Shelby, who had his own credibility problems.

Man gets prison for St. Louis killing

Man convicted in St. Louis murder

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