

## Defense rests in sneaker murder trial

By LISA BACKUS

After some spirited sparring between attorney Norm Pattis and the judge, the defense rested its case Monday in the fatal shooting of 18-year-old Issaac Smith over a pair of sneakers.

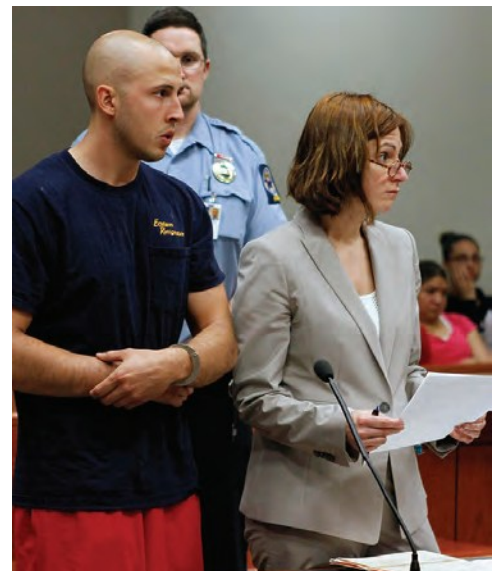
Jonathan Gibbs, 27, of Meriden, is on trial for the murder of the teen who was shot once in the back of the head as he was running off with the pair of sneakers the older man was hoping to sell to him.

Throughout the six-day trial Pattis has repeated his client's claim that it is his uncle who actually shot the teen and not Gibbs, despite the statement Gibbs made to a police detective the night of the shooting taking responsibility for the crime.

Over an objection from New Britain State's Attorney Brian Preleski, Gibbs' former girlfriend Jessica Crebase was allowed to tell the jury Monday that the accused's uncle, Terry Gibbs, told her that he was the shooter. "He said he was the one who fired the gun," Crebase said on the stand.

Preleski later pointed out that Crebase told a New Britain detective she couldn't be sure Terry Gibbs

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Jonathan Gibbs, 26, appeared with his attorney Judy Machuga.

actually fired the gun, and that she refused to allow the police to see her cell phone to corroborate her story.

Pattis and New Britain Superior Court Judge Frank M. D'Addabbo, who is presiding over the case, exchanged arguments as the defense attorney, known for his flamboyant style, tried to get Terry Gibbs, Sr. in front of the jury.

D'Addabbo started Monday's proceedings with a lengthy ruling

Continued on next page

# NEW BRITAIN HERALD

Continued from previous page

denying Pattis' motion to compel Terry Gibbs to testify and to allow him to speak on the stand without fear of prosecution.

D'Addabbo also rejected Pattis' bid to have Terry Gibbs take the stand, give his name and address and then leave, which the judge said could possibly lead to incriminating statements. During a probable cause hearing last year, Terry Gibbs invoked his Fifth Amendment right not to incriminate himself.

D'Addabbo ruled that it could possibly prejudice the jury if the older Gibbs were to take the stand and again invoke his Fifth Amendment rights.

Pattis then contended that since Terry Gibbs, Sr. was the "centerpiece" of their defense, he didn't want the jury to think "that was all smoke and mirrors." "I'm going to go down swinging on this issue," Pattis said at one point, while arguing that the jury should at least be told that Terry Gibbs, Sr. was "under subpoena but unavailable to testify."

By the time Pattis rested his defense D'Addabbo agreed to tell the jury that the older Gibbs didn't testify through no fault of the prosecution or the defense. Both attorneys are expected to present their closing arguments Wednesday. ■