

Trial date in 1986 slaying uncertain | New lawyer, client in disagreement

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The trial date for a man charged with the 1986 slaying of his ex-girlfriend's mother is in limbo in part because of a disagreement between the man and his new lawyer -- the defendant's fourth.

Marc Exter Jernigan, 41, is scheduled to go on trial in September in the slaying of June Marilyn George in the kitchen of her La Mesa home. George, 47, was stabbed more than 75 times.

Defense attorney Christopher Plourd told El Cajon Superior Court Judge Charles W. Ervin this week that he needs more time to prepare for trial but that Jernigan isn't willing to wait. Jernigan hasn't said in court why he's unwilling to postpone his trial. He's being held in jail in lieu of \$1 million bail.

Plourd, who took the case June 5, is the fourth lawyer appointed by the court to represent Jernigan since his arrest in February 2006.

Plourd told the judge at a hearing this week that he will try to persuade Jernigan to agree to postpone the trial.

If Jernigan doesn't agree, Plourd said, he will ask the judge Aug. 8 to order the trial postponed against Jernigan's wishes.

Deputy District Attorney Jill Schall said she's ready to go to trial in September.

"The sooner we could get this to trial we think is in the best interests of everyone," Schall told the judge. If the trial is postponed past September, it would likely be until May or June 2009, she said.

Delays of a year or more aren't "all that rare" in cold cases like this, said Michael Crowley, the head of the Criminal Defense Bar Association in San Diego. But it's unusual for a defendant to go through four lawyers, he said.

"It sounds like there's difficulty communicating with the client," Crowley said. Even so, he said it's critical that someone charged with murder has a lawyer he can work with.

"If you're not communicating, you're just not going to feel like you're getting a fair trial," Crowley said.

At the time of George's slaying, her daughter had broken off a dating relationship with Jernigan. George didn't approve of the relationship.

Jernigan was one of several people questioned by police after the slaying, but it wasn't until DNA testing was improved that a link was established.

The evidence -- bloodstains on a towel, bedspread, wallet, eyeglasses case and purse -- has been preserved. Improved DNA testing conducted in 2005 tied Jernigan to George's slaying, and additional tests in 2007 further established a link,

prosecutors said.

Plourd told the judge it's likely that he will want the samples tested independently.

Crowley said it's common practice for defense lawyers to have their own tests done in DNA cases.

"All of those things have to be critically gone over to make sure that what the government says the DNA says is correct," he said.

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Abstract (Document Summary)

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