

# Daily Courier

## New trial denied in deer DNA case

By Mary Pickels  
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A Fayette County man serving life in prison after deer DNA helped to convict him of homicide has been denied a new trial.

Lawrence J. Cseripko, 62, was found guilty in 2005 of first-degree murder in the death of Paul J. Horvat Jr. at a Menallen farm in December 1997. The case went unsolved until 2004, when state police produced evidence showing an identical genetic match of venison taken from Cseripko's freezer in March 1998 to deer entrails and blood found near the victim's body.

In September, his new court-appointed attorney, Dianne H. Zerega, contended in a post-conviction relief hearing that numerous errors were made during Cseripko's trial.

Zerega argued that trial attorney Lisa Middleman failed to request a hearing to determine if DNA analysis of the deer meat was scientifically acceptable, failed to request a hearing to test the admissibility of that evidence in a Pennsylvania court, failed to call character witnesses and improperly advised Cseripko not to testify.

Middleman testified at the September hearing, held before Judge Gerald Solomon, that it was a trial strategy not to call character witnesses.

She said some witnesses could not be located and at least one declined to participate.

She also testified that she advised Cseripko not to testify for at least three strategic reasons: he did not have an adequate explanation for some of the facts, he had a continued dislike for Horvat that was evident, and his demeanor showed problems.

"I didn't think the jury would like him or believe him," Middleman said at the time.

"Although the strategy was unsuccessful, it was not plainly unreasonable," Solomon wrote in his opinion, issued Thursday.

Cseripko failed to show how not testifying was prejudicial to his case, Solomon ruled.

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