

Court filing on death-row case called delaying tactic

By SHASHANK BENGALI
The Kansas City Star

Joseph Amrine's attorney said Monday that legal documents filed last week were a delaying tactic by the prosecutor in Amrine's death-penalty case.

Kansas City lawyer Sean O'Brien said he would file a motion with the Missouri Supreme Court today opposing Cole County Prosecutor Bill Tackett's request for 90 days to determine whether shirt stains link Amrine, of Kansas City, to a 1985 prison stabbing.

The court in April overturned Amrine's conviction and death sentence in the murder of Gary Barber after three inmates who had originally implicated Amrine recanted their testimonies.

The court gave Tackett until June 16 to refile charges or Amrine would be set free.

Late Friday, Tackett filed papers with the court asking for time to conduct DNA testing on a shirt that Amrine, now 46, wore on the day of the murder. Stains on the shirt could include blood traces, Tackett said.

In an interview Monday, O'Brien questioned Tackett's timing. Earlier tests on Amrine's clothing had turned up no blood traces. O'Brien said he had been told by investigators over the years that there was no blood evidence to be tested.

"Our position is, we've been there, done that, and it's time to let Joe go," O'Brien said.

Tackett wrote in Friday's motion that some of the stains were invisible to the naked eye and were found using highly sensitive equipment not previously available to investigators. He said the tests would help him decide whether to refile charges against Amrine and could potentially support his innocence.

No physical evidence has linked Amrine to the slaying.

The Associated Press contributed to this report.