Summit County Prosecutors Office to Appeal Prade Ruling
The State claims errors in Court's application of the law

AKRON, OHIO – January 29, 2013 – Summit County Prosecuting Attorney Sherri Bevan Walsh today announced that her office will be appealing Judge Judy Hunter's ruling exonerating Douglas Prade of the murder of Dr. Margo Prade.

"This is a gross misapplication of the law, and we will be appealing Prade's exoneration. The defendant had to present new evidence so convincing that no juror would have found him guilty, and he failed to do so," said Prosecutor Walsh. "The DNA evidence presented by the Ohio Innocence Project on behalf of Prade is contaminated and unreliable. It does not prove innocence."

Dr. Margo Prade was found shot to death in her minivan outside her medical practice in November 1997. Her husband, Akron Police Captain Douglas Prade, was convicted of her murder, along with wiretapping charges, and sentenced to life in prison. The Ohio Innocence Project took up Prade's claim of innocence and petitioned the Court for his release or at least a new trial. They based their motion on additional DNA testing that they say excludes Prade as a contributor to the partial male DNA profiles present in the area where Dr. Margo Prade was bitten. DNA experts from the Ohio Bureau of Criminal Investigation, however, interpret the test results as insufficient and unreliable and most likely proof of contamination or mistakes.

"We are disappointed in Judge Hunter's opinion exonerating Doug Prade," said Akron Police Department Chief James Nice. "All of the evidence clearly points to Prade as Dr. Margo Prade's killer. He was proven guilty in front of a jury using a substantial amount of other evidence."

"Senior prosecutors in my office, none of whom were involved in the original prosecution against Douglas Prade, have reviewed this case and agree with the jury's interpretation of the facts and evidence," said Prosecutor Walsh. "All of the evidence points to Prade as the person who murdered Dr. Margo Prade. He was a serial stalker. He tapped her phones and recorded more than 400 of her personal calls. He had verbally abused and threatened her. And we know Margo was afraid of him. Additionally, we have Prade's handwritten tally of the bills he owed subtracted

from the life insurance he'd get if Margo died, and we have two eyewitnesses who place Prade at the murder scene. We have not seen any credible evidence that suggests innocence, and we are taking all available actions to keep a dangerous killer off the streets."

The State has an appeal of right with regards to the exoneration, which means the Ninth District Court of Appeals must consider the State's appeal. If the Court of Appeals reverses Judge Hunter's ruling, then the State has 30 days to file a motion in the Court of Appeals requesting permission to appeal the decision for a new trial. The Court of Appeals may take several weeks to decide whether to hear the appeal. Prade's conviction on six counts of Interception of Wire, Oral or Electronic Communications and one count of Possessing Criminal Tools was not part of his motion for his conviction to be overturned.

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