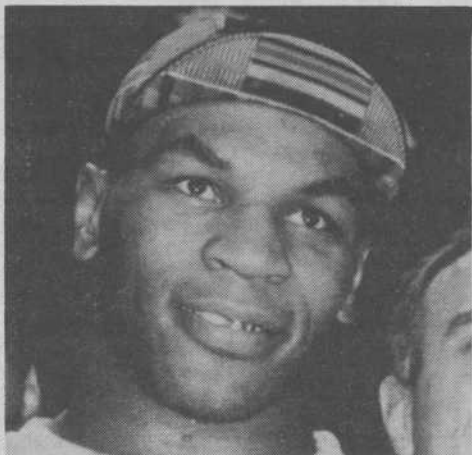


NEW BOOK ON TYSON BLASTS BOXER'S LAWYERS

By Erik Hromadka

A new book about Michael Tyson's 1992 rape trial blasts the manner in which Washington D.C. attorney Vincent Fuller defended the former heavy-weight boxing champion.

In *Down for the Count*, a 265-page book released this month by Sagamore Publishing, author Mark Shaw suggests that Fuller mishandled Tyson's defense and should never have accepted the case. Shaw, a former



Indian criminal defense lawyer who now practices entertainment law, coordinated the trial's media coverage for the court and sat behind the defense table during the proceedings.

Shaw held no punches of his own when it came to analyzing Tyson's legal counsel. He is particularly harsh on Fuller, a partner in Williams & Connolly and highly-regarded for his successful defense of John Hinkley Jr.

Fuller led the defense team that urged against rape and sexual deviate conduct charges for which Tyson was found guilty and sentenced to six years. Shaw's book outlines how the case developed after Desiree Washington, an 18-year-old contestant in the Miss Black America pageant, claimed Tyson raped her when she visited his hotel room in Indianapolis.

"Everyone kept waiting for the high-powered \$5,000-a-day lawyer to come to Tyson's rescue," Shaw wrote. "He never did. Instead... Fuller's mistake-prone, bumbling defense may have been more responsible for the guilty verdict than the evidence alone."

Shaw cites Fuller's unfamiliarity with the Indianapolis courts and his failure to use counsel as the basis of his critique. Among Fuller's mistakes, Shaw lists not using a jury expert or striking an ex-Marine who later became jury foreman, having a "stuffed-shirt" federal demeanor, portraying Tyson as a "bad boy sexual animal" and portraying Washington as a "money-hungry bitch."

Shaw was also critical of Fuller's ability to communicate with the jury and his use of a podium to deliver remarks.

"Vincent Fuller's impersonal, federal-courtroom style made the jury want to avoid him," Shaw wrote.

During a recent interview, Shaw said he became so frustrated with Fuller's performance that he almost stood up and

complained during the trial. "I came so close, several times, to standing up and causing a mistrial," Shaw said. "It really bothers me that he just kept pounding Mike Tyson into the ground."

Shaw said he hopes *Down for the Count* will send a message to the legal community that something must be done to ensure adequate representation in criminal cases.

He would like to see legal specialization that prevents lawyers from representing clients in areas they don't routinely practice. Shaw also urged some form of regular competency testing for lawyers, using Fuller's excellent reputation in federal courts and dismal performance in Tyson's case as a prime example.

"If that doesn't make people stop and think, I don't know what will," he said. "Vincent Fuller could not pass a test on how to practice in the county courts."

Although he devotes most of the book to Tyson's jury trial, Shaw also offers criticism of the way Harvard law professor Alan Dershowitz has handled the boxer's appeal.

Shaw said Dershowitz has been too harsh in his public attacks on Desiree Washington. He also faulted Dershowitz for being too outspoken against Marion County Superior Court Judge Patricia Gifford and the way she handled the trial.

"Just as with the Washington, D.C.-based Vincent Fuller, Dershowitz - himself an outsider from Harvard - was again putting Tyson in an 'us against them' situation with the very tribunal that would be hearing Tyson's appeal," Shaw wrote.

According to Shaw, Tyson's best chance of having his case reversed is to argue the boxer's ineffective counsel.

"That's that strongest way for him to get a new trial," he said.

Down for the Count also includes an interview with one of the jurors in the case and commentary on Tyson's sentencing hearing by Charlie Steiner, who covered the trial for ESPN. Both also were critical of Fuller's performance.

"What is he doing here? I asked myself," Shaw quoted juror Michael Wetting. "He's stumbling and has lost his place a few times. He's also calling his own client a manic depressant..."

Steiner's comments were not much more generous.

"Fuller's (sentencing) plea for Tyson was as disjointed and confused as his presentation had been at trial," Steiner wrote. "What was he getting at? What was he trying to do? Fuller never

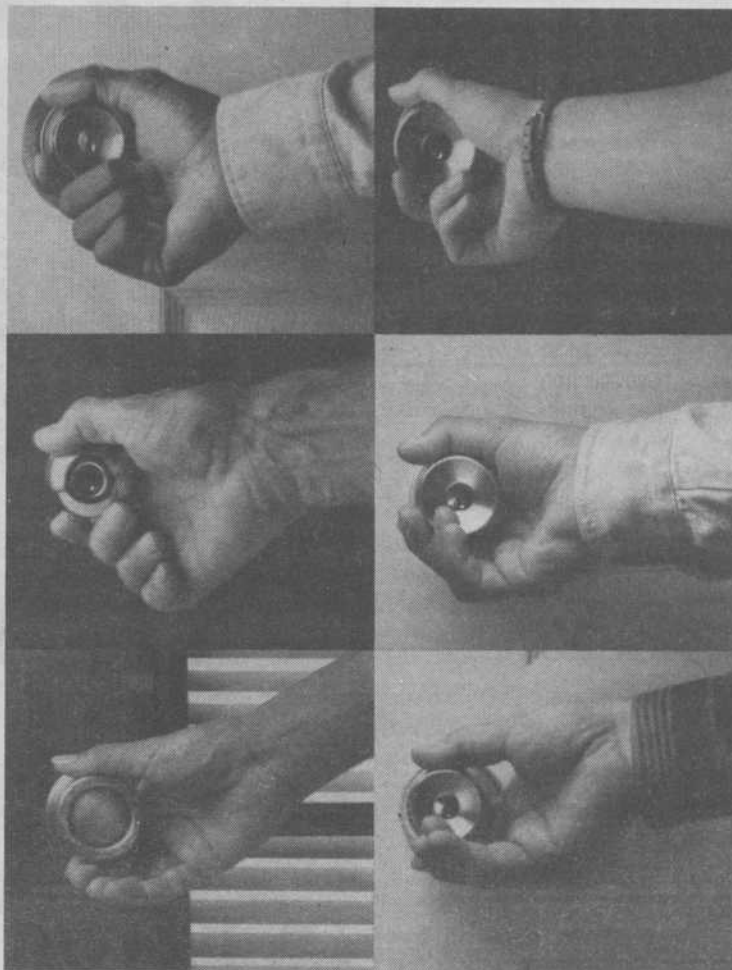
seemed certain of his purpose at this hearing, or of what the critical issues were that Judge Gifford would consider in evaluating Tyson's sentence."

Shaw said although he sent a draft copy of his book and a questionnaire to Fuller for comment, the Washington, D.C. lawyer replied that he and his firm would not comment and may consider filing a lawsuit. When contacted this month, Fuller's office said he was not available

to comment on the book.

Tyson is currently serving his sentence at the Indiana Youth Center in Plainfield, Ind. Oral arguments on his appeal were made on Feb. 15 before a three-judge panel of the Indiana Court of Appeals. To date, no decision has been handed down by the court.

Hromadka is an Indianapolis-based writer who has been covering Tyson's case since 1991.



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