

SPORTS

Taxpayers foot Carruth defense bill

CHARLOTTE, N.C. (AP) — North Carolina taxpayers have been paying for Rae Carruth's defense in his murder trial because the former NFL player has been declared indigent.

Carruth's lawyers so far have been paid more than \$104,500, according to records kept by the state's Administrative Office of the Courts.

Taxpayers also have paid \$10,000 to Carruth's jury consultant and \$7,100 for investigative work. The final cost of Carruth's defense is expected to be much higher.

In 1999, Carruth earned \$38,382 a game as a wide receiver for the Carolina Panthers.

A declaration of indigence does not mean Carruth is penniless. It simply means he is unable to bear the financial burden of a capital murder defense.

The ruling on his finances came months ago, but it hasn't been made public because Judge Charles Lamm ordered the court papers sealed.

The Charlotte Observer obtained some of the documents by requesting them from the state courts agency. Among the documents are copies of orders issued by Lamm under seal July 5 and Oct. 5. In both, the judge notes Carruth has been declared



Dawnyle Willard, a former girlfriend of Rae Carruth, testifies for the defense in Charlotte, N.C., Monday Jan. 8. Willard said she spoke with Carruth about becoming a father for the second time several months before his girlfriend, Cherica Adams, was due to give birth.

indigent. Carruth's lawyer David Rudolf and co-counsel Christopher Fialko declined to comment Saturday.

"From our perspective, the only important thing is that Rae Carruth is receiving a competent, caring defense," Rudolf said.

The average taxpayer cost to appoint two private attorneys in a capital murder trial is \$66,000, according to the most recent figures compiled by the courts agency.

The cost of Carruth's lawyers already has far exceeded that figure, primarily because the case is more complex and has taken longer to try than the typical capital case.

The \$85 hourly rate the



state is paying Rudolf and Fialko is the standard fee for court-appointed lawyers and is much lower than Rudolf's standard \$300-an-hour fee.

Carruth's finances have been a central issue in his trial, which is about to enter its 11th week and could go to the jury this week.

Prosecutors contend Carruth arranged the November 1999 shooting of his girlfriend Cherica Adams, who was eight months' pregnant with his son, in part because he did not want to pay child support.

Adams was shot four times in a drive-by attack. The baby was saved by emergency Caesarean section, but Adams died a month later.

Carruth's lawyers have argued that their client, who could face the death penalty if convicted, had no financial problems at the time of the shooting. Last month, they introduced evidence showing that Carruth had a net worth of almost \$368,000 in November 1999.

But Carruth's finances weakened considerably after he was arrested. He paid \$125,000 to get out of jail on \$3 million bond when he was first arrested, while Adams was still alive.

Later, Carruth's assets were temporarily frozen when Adams' relatives sought custody of the baby, Chancellor Adams, and child support from Carruth.

In August, Carruth's lawyer in the support case, Bill Diehl, said that besides his house, Carruth "doesn't have a whole lot left."

The house was auctioned under foreclosure in November for \$209,000, less than the original value of Carruth's mortgage.

Public documents in the case show Carruth has \$30,000 in an NFL 401(k) plan, about \$35,000 in an investment frozen by federal authorities in an unrelated case and about \$30,000 in severance payment he will receive if he never plays in the NFL again.

Hardaway: Charge may be dropped

PHOENIX (AP) — Phoenix star Penny Hardaway said there is a "good possibility" a misdemeanor intimidation charge against him will be dropped.

"I hope they will," Hardaway said Sunday night after he made his first NBA appearance of the season.

He said the matter has been discussed between his lawyers and prosecutors in Paradise Valley, the affluent Phoenix suburb where he lives.

In a complaint filed Nov. 20, Latarsha McCray, the mother of Hardaway's 8-year-old daughter, said she and Hardaway had been arguing two nights earlier and she left his house to sleep in a vehicle outside. She said he came outside and yelled at her while carrying a handgun.

She did not accuse him of pointing the weapon at her.

When the Paradise Valley town attorney's office decided Dec. 14 to charge him with intimidation, Hardaway insisted he would be cleared when all the facts were known.

"I've always said from the beginning that I was innocent and I had no intentions of intimidating anybody with a weapon at all," Hardaway said Sunday night. "It was a misunderstanding."

Hardaway said McCray had been inaccurately characterized in news stories as his girlfriend. He said the two have not had a relationship for eight years.

The incident stemmed from his desire to develop a relationship with his daughter, he said.

"I haven't had a relationship with her over the last eight years and it's time to build one," Hardaway said.

McCray had flown from her home in Memphis to meet with Hardaway to discuss their daughter.

"My daughter is the issue. It's not about myself and not her mom," Hardaway said. "It's just about getting my relationship back with her and going from there."

He said dropping the charge "a huge relief. Then I can just think about basketball."

Hardaway had not played for the Suns until Sunday while recovering from knee surgery.

Police: Troubled Underwood tried suicide

CORAL SPRINGS, Fla. (AP) — Troubled Dallas Cowboys defensive end Dimitrius Underwood tried to kill himself for the second time in about a year, this time by running into traffic twice on a busy suburban highway, police said.

Underwood, 23, told police he "wanted to go to Jesus" after he was detained for kicking and denting a car and asking passers-by for a gun last Wednesday. Underwood was taken into custody and hospitalized, police said.

The name of the hospital is not being disclosed by police. Coral Springs police dispatcher Elizabeth McDaniel said Saturday.

Underwood, who is intensely religious, suffers from bipolar disorder, which causes him to display manic and depressive behavior, according to his agent, Bob Huebner. He

also tried to kill himself in 1999 by cutting his throat in Lansing, Mich.

Police detained Underwood after residents reported that he jumped into their cars.

Coral Springs resident Lorrie Thomas, 49, was driving Wednesday when she said Underwood walked in front of her Chevrolet Astro van. "It was very disturbing," Thomas said. "He thrust his hip out to me, expecting to be hit. When I stopped, he was right at the front of my van."

Thomas told police Underwood looked at her after she stopped and just walked away. Thomas then called 911 from a nearby pay phone. Shortly afterward, Pompano Beach resident Carlos Almanzar was driving his Honda Accord to work when Underwood kicked the car, cutting his knee in the process, police said.

Conviction sought in Woods identity theft case

SACRAMENTO, Calif. (AP) — A Sacramento Superior Court jury met Monday to hear sentencing arguments in the case of a man convicted of stealing Tiger Woods' identity.

Anthony Taylor, 31, was found guilty last Thursday of using Woods' identity to apply for credit cards and accrue about \$17,000 in unpaid expenses.

Deputy District Attorney Nicolle Liem and defense attorney James Greiner refused to comment on the possible sentence for Taylor, who has a prior conviction for a 1992

robbery in Yolo County.

Prosecutors say Taylor used Wood's real name — Eldrick T. Woods — to apply for credit cards and purchase televisions, stereos, a used luxury car and services.

Woods testified Dec. 18 that he never accrued the expenses, rented a moving truck in the Sacramento area, or applied for a credit at a local furniture store.

Greiner told the jury that it was ridiculous to think that anyone would believe his client was one of the world's most recognizable celebrities.

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