

## Water on tap



Taking shelter from the rain during the Senior Send-off on the EMU east lawn Wednesday afternoon, students pass the time collecting rain water in their beer glasses. The event featured live music and beer and was a time for seniors to gather and celebrate their upcoming graduation.

WENDY FULLER/Emerald

## Only closing arguments remain in McVeigh case

■ **TRIAL:** Jury members may be sequestered while they deliberate over the weekend

By Michael Fleeman  
The Associated Press

DENVER — Timothy McVeigh's attorneys rested their case Wednesday after 25 witnesses in just 3 1/2 days, wrapping up with video footage and wiretaps portraying the government's star witness as a scruffy opportunist who sold out an innocent man.

Jurors were told to return Thursday for closing arguments, followed by jury instructions and deliberations. Sources close to the case said U.S. District Judge Richard Matsch is considering sequestering the panel throughout deliberations, which would go through the weekend if necessary.

"The evidence is now closed," the judge told the 12 jurors and six alternates. He warned them to be extremely careful to avoid news reports and come back "ready to receive this case."

The modest defense — following a lean prosecution case that saw 137 witnesses in 18 days — came after Matsch refused to allow theories of a larger conspiracy involving foreign and domestic terrorists.

McVeigh's lawyers were left trying to show that the real bomber may have died in the blast, physical evidence was tainted in the FBI lab and key prosecution witness Michael Fortier and his wife, Lori, were drug-using liars.

"I feel we have done everything we came to Denver to do," McVeigh attorney Stephen Jones said as he left the courthouse. "We've done our best."

The brevity of the defense's case surprised some legal analysts, who felt Jones fell short of proving McVeigh's innocence, as he promised the jury in opening statements.

"I would say that I put on more evidence in defense of a DUI than he's put on in this case," said Oklahoma City criminal attorney Irvan Box. "I don't see that they've damaged the government at all."

For survivors of the April 19, 1995, bombing and relatives of

the victims, the end of the presentation of evidence drew sighs of relief and, for some, tears in the courtroom.

"It's like a 2-ton weight's been lifted from my shoulders," said Blanche Tomlin, whose son, Rick, was killed in the blast.

McVeigh, a 29-year-old Gulf War veteran, could get the death penalty if convicted of murder and conspiracy in the truck bombing that ripped apart the Oklahoma City federal building. The blast killed 168 people and injured hundreds more in the deadliest act of terrorism on U.S. soil.

The defense ended with an audio and video presentation intended to show how Fortier went from proclaiming the innocence of his former Army buddy on television to joking in wiretapped phone conversations about concocting a story to make a million dollars off the case.

"Everybody should be supportive of him because he's an innocent man," Fortier said in a CNN interview a week after the bombing.

The statement contradicted Fortier's testimony for the prosecution that McVeigh disclosed detailed plans to bomb the federal building to avenge the deadly 1993 government siege at Waco, Texas. Fortier said he even went with McVeigh to case the building four months before the blast. Fortier's wife, Lori, said McVeigh also revealed bombing plans to her.

Fortier pleaded guilty to lesser charges in the case and remains jailed, awaiting sentencing.

After the defense rested, the prosecution called three rebuttal witnesses to try to show that bombing co-defendant Terry Nichols, who will be tried later, may have bought diesel fuel to make the bomb, and to answer criticisms of the FBI lab.

Earlier Wednesday, Matsch refused to allow into the record most of a Justice Department report critical of the FBI crime lab. All he allowed was one section about FBI scientist Roger Martz not following proper procedures in examining for bomb residue on McVeigh's clothing.

"If this be error, so be it," Matsch said.

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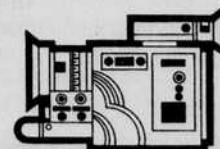
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