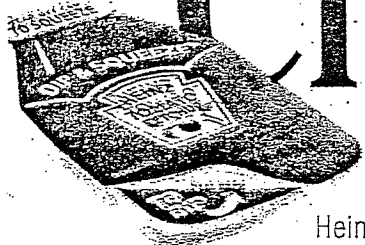


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State rests in murder trial

James Paul Mace's wife takes witness stand Thursday

By KATE BAXTER
STAFF WRITER

PUNTA GORDA — Prosecutors finished presenting their case Thursday afternoon in the trial of a local man accused of killing his stepfather seven years ago in Deep Creek.

James Paul Mace, 38, is charged with second-degree murder in the death of Joseph "Sonny" Dostie in May 2003. Mace faces up to life in prison if he is found guilty at trial.

The state called nearly a dozen witnesses over three days. Its final witness was Traci Harper Mace, who married James in February 2004.

Jurors listened as the Charlotte County woman described her overnight stay at the victim's home with James, on the night of May 13, 2003.

Dostie's body was found by detectives in the early hours of May 19, 2003.

Traci claimed the defendant told her that Dostie's Ocelot Lane home was "his" — left to him by his parents.

The Charlotte County woman claimed that on that night, James gave her two rings and a necklace that he



MACE

retrieved from Dostie's room as they were lying on the victim's bed.

Those pieces of jewelry were later confiscated by police during the investigation into Dostie's death.

Traci also testified that both she and James detected a foul odor in the home when they woke up the next morning. She claimed James opened several windows and sprayed a deodorizer can to offset the stench.

Also during the trial Thursday, two members of the Charlotte County Sheriff's Office told jurors that the victim's wallet was found inside

the victim's van, in which the defendant and Traci Mace were stopped on May 19, 2003.

During cross examination, defense attorney Russell Kirshy tried to cast a shadow of uncertainty on Traci's testimony.

The Charlotte County woman teared up on the stand as she admitted to taking drugs for days leading up to the May 19, 2003, traffic stop and subsequent interview by deputies.

On Thursday afternoon, the defense was able to start calling its own witnesses. Four

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people testified for the defense Thursday.

A former neighbor of Dostie's, William Miller, told jurors he was aware that the victim's home had been burglarized before in the past. Two other witnesses claimed Dostie would allow family members to drive his van

on occasion.

One of the day's most eye-raising moments occurred when Assistant State Attorney Donald Mason claimed, in open court, that a defense witness, Jeff Clark, had winked at James Mace as he took his seat on the witness stand.

The jury was taken from the courtroom as the

attorneys approached 20th Circuit Judge Alane Laboda.

Jurors returned after a few minutes and listened as Clark said the gesture was an expression to show that he missed James, whom he called a "dear, dear friend." He claimed he would never lie for James.

Kirshy also tried to cast

doubt Thursday on one of the state's most compelling pieces of evidence — a window louver that was found covering Dostie's body.

Officials earlier testified that a print lifted from the louver matched that of James Paul Mace's right thumb.

Defense witness Jason Dostie, the son of the

victim Joseph "Sonny" Dostie, claimed himself, his father and James handled several louvers in late summer of 2002 in Dostie's garage.

On questioning by Kirshy, Jason Dostie said it was possible that James touched the louver in the spot where his fingerprint was found by crime scene technicians.

The trial is expected to wrap up today at the Charlotte County Justice Center with one or two final defense witnesses and closing arguments. Kirshy has indicated during court proceedings that his client had not yet decided whether he would take the stand.

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