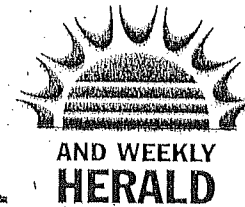




Charlotte Sun



NEW TERROR THREAT

Obama, top intelligence are "certain" al-Qaida will try to attack U.S. within six months. **FRONT PAGE 2**

SIGNING DAY

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SHAW TOPS AREA SIGNEES

DeSoto running back Marcus Shaw finalized his commitment to South Florida.

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Witness: Victim last seen 3 days before death

By **KATE BAXTER**
STAFF WRITER

PUNTA GORDA — It was almost a blink-and-you-missed-it moment Wednesday in the trial of a local man accused of killing his stepfather seven years ago.

Even the prosecutor and defense attorney appeared taken by surprise.

John Quinton, a witness called by the state Wednesday in the trial of 38-year-old James Paul Mace, testified that he last saw Joseph F. "Sonny" Dostie on May 16, 2003 — one day after Quinton moved out of the Deep Creek man's home.

Dostie was found dead in the early hours of May 19, 2003, in the attached garage of his Ocelot Lane home. The 54-year-old man died from blunt-force trauma to the head, according

to court records.

In his opening statements Tuesday, Assistant State Attorney Donald Mason told jurors they would hear testimony during the course of the trial that would reveal Dostie was unheard-from by close friends for about 10 days before his body was found.

Mason also said the state would be able to place Mace in the victim's home around May 13. The prosecutor's earlier statements to the jury suggested there was already a strong, foul smell emitting from the home.

After Quinton's revelation, Mason told 20th Circuit Judge Alane Laboda he had no further questions for the witness.

Defense attorney Russell Kirshy practically leapt from his chair.

On cross examination by



MACE

Kirshy, Quinton, who described himself as a "good friend" of Dostie, confirmed his statements that he just made under oath.

"The last time

you saw Sonny was on the 16th?" Kirshy inquired.

"Yes," Quinton replied.

Kirshy attempted to ask the witness further questions, but the prosecutor objected, stating the line of questioning went beyond the scope of cross examination.

The defense attorney obliged, and said in court that he simply would recall Quinton as his own witness. Quinton's testimony was the briefest by a witness Wednesday.

According to court records, Quinton was not deposed preceding Mace's trial.

Mace is charged with second-degree murder. He faces up to life in prison if found guilty at trial.

On Wednesday, prosecutors presented the bulk of their physical and medical evidence in the case.

Charlotte County Medical Examiner Dr. Riazul Imami testified that Dostie died from blunt-force trauma to the head. He estimated that the time of death was eight to 10 days prior to the body being found on May 19, "plus or minus two or three days."

The body was in a state of decomposition, but there are many factors that could have

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DEATH: Surprise testimony

FROM PAGE 1

accelerated that, Imami said.

With Quinton's earlier statements apparently putting a wrench in the timeline of Dostie's death, Mason asked Imami whether the time of death could have been just a day before the body was found.

Mason withdrew the questions following defense's objection.

Jurors Wednesday also were handed several photos taken by Charlotte County Sheriff's crime scene technicians of the crime scene on May 19. Photos of Dostie's body and a 20-pound dumbbell weight also were entered into evidence.

Dr. Ivan Kiselev, supervisor of the Sheriff's Office's Crime Scene Unit, testified that a fingerprint lifted from one of two louvers that were covering Dostie's body matched a controlled print taken of the defendant's right thumb.

On cross examination by the defense, Kiselev acknowledged that there was no way to determine when the print was left on the louver.

Charlotte County Sheriff's Crime Scene technician Ronald Mueller also testified at trial Wednesday that there was evidence of an additional three or four fingerprints on the louvers, but