



TRY TRY TRY TRY AGAIN

4th wife-slay trial



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FINAL JEOPARDY: Calvin Harris (left) faces another trial in the presumed 2001 death of wife Michele Harris (right) in upstate New York after two overturned verdicts and a mistrial.

By MICHAEL HILL

ALBANY — For the fourth time since Michele Harris disappeared in 2001, her estranged husband, Calvin Harris, will go on trial for murder in upstate New York.

Prosecutors have persisted through overturned convictions and a mistrial in a high-profile case with no body, no weapon and — after 15 years — no resolution. Jury selection for the fourth trial is scheduled to start Monday in a court in Schoharie, west of Albany.

Michele Harris' empty minivan was found the morning of Sept. 12, 2001, with the keys still in the ignition at the end of her and her husband's long driveway in Spencer, NY, south of Ithaca.

Prosecutors argue Calvin Harris killed his 35-year-old wife when she came home the previous night to the secluded estate they still shared with their four young children. He was wealthy from his family's car dealerships and court papers say he told people she would not get half his business as divorce loomed. Defense lawyers claim authorities overlooked likely murder

suspects she met during the freewheeling life she led as her marriage broke up.

Prosecutors presented evidence of bloodstains in the home but relied on a largely circumstantial case to convince a jury in 2007 that he was guilty of second-degree murder. That conviction was set aside when a new witness potentially helpful to the defense belatedly came forward. A second guilty verdict in 2009 was overturned based on trial-court errors.

Jurors in the third trial last year failed to reach a verdict after 11 days of deliberations. This will be the second consecutive trial held in rural Schoharie, more than 100 miles from Spencer.

The judge in the last trial barred defense attorney Bruce Barket from introducing evidence that two workers in the area were involved in Harris' death. Barket is again seeking permission from the new judge to introduce that evidence. The defense team said they excavated new, "corroborative" evidence from a burn pit once owned by one of the Texans, including charred fabric and a possible bra strap.

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