

Convicted killer gets death penalty that he sought

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SANFORD -- A convicted killer received the sentence Wednesday that he refused to fight: the death penalty.

Two years after he slipped into the home of a middle-aged woman, hog-tied her and then stabbed and strangled her on the bathroom floor, David Byron Russ was sentenced to die by Circuit Judge Marlene Alva.

Russ, 47, of Apopka had ordered his attorneys to do nothing that might spare him the death penalty after pleading guilty to first-degree murder in the case.

Alva could have chosen life without the possibility of parole but chose the death penalty. She did not explain during the two-minute hearing.

Russ said nothing. During a special hearing Jan. 15, scheduled to give Russ his last say, he cried, apologized and asked members of the victim's family to forgive him.

"I can't take this back," he said that day. "I can't change it."

He murdered 58-year-old Madeleine Leinen on May 7, 2007. From the roof of a nearby house, where he was hiding, he watched her leave for work, then sneaked into her home near Longwood, showered, prepared food, washed dishes and packed up her valuables. Then he waited. When she came home that evening, as she unloaded groceries from her car, he attacked her, said Assistant State Attorney Gino Feliciani.

He blackened both of her eyes, chipped a tooth and bound her hands, feet and neck with nylon cord, wrapping them so tightly, she couldn't breathe and lost circulation to her hands, Feliciani said.

Russ then stabbed her in the head and back several times.

"I wouldn't want that for anybody," said the victim's sister, Nancy Leinen Richter. "She didn't do anything to hurt him. Nothing. She didn't even know him. The horrible things he did to her, I've never heard anything like it."

Leinen's best friend, Margaret Hughes, was in court Wednesday. Her reaction to the sentence:

"I'm ecstatic," she said. If only, she said, the execution could take place "now."

In letters to the judge, Russ blamed his actions on cocaine.

A few days after the slaying, he was captured in Texas, where he had broken into the home of another woman but left before confronting her.

After Russ refused to let his attorneys put on a defense, the judge hired two lawyers of her own and had them present evidence. Jeff Dowdy and Mike Nielsen told the judge at that January hearing that when Russ is not on cocaine, he's smart, considerate and generous.

Caption: PHOTO: Russ

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