

MURDERER STILL COVETS THEIR TRUCK

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In 2006, after William Deparvine was sentenced to death for killing Richard and Karla Van Dusen for their vintage Chevy pickup, a prosecutor leveled with the slain couple's family.

The appeals process could drag on for years, Hillsborough State Attorney Mark Ober warned. They shouldn't consume themselves with every new development, because it would just be another emotional roller coaster.

Go on with your lives as best you can, Ober told them.

Michele Kroeger remembers thinking that was good advice. But her father's killer has made moving on difficult.

From his cell on death row, Deparvine is suing Richard Van Dusen's estate to gain ownership of the vintage truck the inmate claims is rightfully his.

This isn't just jailhouse lawyer hogwash. During the past two years, Deparvine's lawsuit has cost time and money and caused a considerable amount of headache for lawyers, judges and Van Dusen's family.

Kroeger, the personal representative of her father's estate, says her only choice is to keep fighting. "The last thing I want is him to win or get a judgment saying that my family has to pay him for anything," she said. "He's already robbed us of so much."

Attorneys say such a lawsuit is unusual, but even a death row inmate has rights.

"Justice is blind," said Robert Vessel, one of Kroeger's lawyers. "He may have been tried by a jury and found guilty of murder, but until the appeals process is exhausted, he has hope."

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Richard Van Dusen was just looking for a hobby.

A divorced guy who sold color copy machines for a living, he thought it would be fun to go to weekend car shows with his brother. He bought a meticulously refurbished red 1971 Chevrolet Cheyenne truck in the late 1990s. He washed it every week and won Best of Class trophies.

Then he remarried and spent more time with his new wife, less with the truck. He put the truck up for sale.

William Deparvine, a St. Petersburg steel construction worker just seven months out of prison, responded to the classified ad.

On Nov. 26, 2003, the day after Deparvine met with Richard Van Dusen, 58, and his 49-year-old wife, Karla, to purchase the Chevy, the Tierra Verde couple's bodies were found lying facedown in a dirt driveway near Old Memorial Highway in northwest Hillsborough County. They had been shot in the head.

Authorities said Deparvine came up with a calculated plan to rob and kill the couple but make it look like he bought the truck and someone else shot them. He went so far as to type up a bill of sale that included a \$6,500 purchase price and Richard Van Dusen's signature.

He maintained his innocence at his criminal trial, but his scheme didn't fly with jurors, who found him guilty of the double murder and recommended death sentences.

By then, Kroeger had already hired a law firm to retrieve the truck from the Hillsborough County Sheriff's Office, where it was being held as evidence. She wanted to make sure the truck never ended up in Deparvine's hands, conviction or not.

The lawsuit named Deparvine as an interested party, requiring him to provide a formal answer in civil court.

He went a step further and, serving as his own attorney, countersued.

Inmates who fancy themselves as lawyers usually aren't much more than an annoyance to opposing counsel. But Deparvine, 57, has a bona fide law degree that predates his lengthy Florida rap sheet.

His chief argument remains that the bill of sale proves he owns the truck. He has filed reams of handwritten court pleadings to make his case, forcing Kroeger's attorneys to spend far more time on the case than they ever anticipated.

"I will have to give him credit," said Vessel, one of the attorneys. "He's one of the best jailhouse lawyers I've seen."

However, by the time Deparvine gained speed on his civil efforts, Richard Van Dusen's estate was closed and the Sheriff's Office had already returned his truck and other belongings to his family.

Kroeger, 36, said she sold the truck soon after Deparvine's conviction.

It was too painful to keep, she said. A cousin helped find a buyer because, after what happened to her father, she was too scared to sell the truck on her own.

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So, what to do about a truck that Van Dusen's family no longer has and Deparvine wouldn't be able to drive anyway?

Last summer, Hillsborough Circuit Judge James Arnold granted a summary judgment that deemed Van Dusen's estate the lawful owner. In boldface type, Arnold pointed out that a criminal judge had already found that Deparvine killed the Van Dusens for the truck he now sought.

Arnold also noted that Deparvine never possessed the title or filed a claim against the estate for the truck in the probate case.

Other than Deparvine's word, there has never been any evidence that he paid for the truck.

Much to the dismay of Van Dusen's daughter, the dispute isn't over. Deparvine has appealed Arnold's ruling to the 2nd District Court of Appeal.

Legal types don't think the death row inmate has much chance for relief from the higher court. But Kroeger, who works part time in medical billing, isn't taking any chances. She reluctantly hired an appellate attorney recently and expects to pay a couple of thousand dollars for his services.

Theories about Deparvine's persistence abound.

Housed in a 6- by 9-foot cell at the Union Correctional Institution in Raiford, he has a lot of time on his hands and little else to do. He may be looking for leverage in the murder cases, hopeful that a favorable ruling on the civil side would bolster his criminal appeals.

So far, the Florida Supreme Court has upheld his convictions and sentences.

In his civil filings, Deparvine says he isn't trying to harass Van Dusen's family. Kroeger doesn't believe him.

Neither does the homicide prosecutor who helped put Deparvine away.

"It's disgusting," Assistant State Attorney Jay Pruner said. "They're getting victimized again."

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