

## Man found guilty in double murder

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Doug Matthews looks back after hearing his guilty verdict Tuesday. N-J | David Tucker

DAYTONA BEACH -- The penalty phase is next for a former North Carolina man convicted in the stabbing deaths of two people in a beachside drug den.

The jury deliberated all day Tuesday before finding Douglas Blaine Matthews guilty of first-degree murder for the Feb. 20, 2008, slaying of Kirk Zoeller, 50.

In a compromise, the panel found Matthews guilty of manslaughter for the death of Donna Trujillo, 52, who was found stabbed eight times with a pillow covering her face in her apartment on Halifax Avenue that day.

"I just wanted to be a voice for my mother," said Christy Nichols, 37, of Tennessee, who was in the courtroom with her husband and daughter. "Everyone makes mistakes in life, but she didn't deserve to die like that. She was a mother, she was a grandmother."

Nichols sat quietly when the verdict was announced. Nearby, Zoeller's brother also watched in silence.

"I'm the last Zoeller," he said later.

Matthews showed no reaction to the verdict.

The jury heard closing arguments Monday and were sent home. After jurors were instructed on the law early Tuesday from Circuit Judge R. Michael Hutcheson, they began deliberations at 9:34 a.m.

Throughout the day, notes handed to the judge from the jury asked about smoke breaks and aspirin. A request for a transcript of Matthews' interview with police was not granted because it was not in evidence.

At about 3:50 p.m., Hutcheson began talking with attorneys about arranging a bus to take jurors to a hotel for the night. Just then, a knock on the heavy wooden door announced they had reached their decision.

Matthews testified Monday he did not kill Trujillo. He said Zoeller attacked him and he wrestled the knife away to protect himself. Prosecutors Ed Davis and Jason Lewis, however, showed photographs of Zoeller's 28 stab wounds to his head, neck, chest and back. They called the killings "a butchering."

Matthews' lawyer, Michael Nielsen, said later he thought the jury had some doubts about who killed Trujillo. A drug dealer who was at Trujillo's apartment to sell crack cocaine testified he saw Matthews "going at" Zoeller with the knife from above and behind.

But the witness, Justin Wagner, 20, did not see what happened to Trujillo when Matthews and the two victims were in a back bedroom.

Zoeller's blood and DNA were recovered from Matthews' clothing and hand, but only a trace amount of blood that may have been Trujillo's was on him, according to testimony.

"They didn't have enough for the first-degree charge (for Trujillo)," Nielsen speculated. "But they didn't want to let him go."

His focus now, Nielsen said, is to convince the jury to recommend life in prison instead of a death recommendation.

During the trial, Nielsen presented his client as someone who was defending his life. The defense lawyer pointed out that cocaine had been used by the victims, and the hard-knock life on the street had something to do with their end.

Prosecutors focused their case on the brutality of the killings, which were shown to the jury as deep stab wounds to both victim's chests and necks. The point of a knife was found imbedded in Zoeller's scalp.

The loved ones of both victims called the self-defense argument "ridiculous."

"I'm a little bit torn," Trujillo's daughter, Nichols said later. "I can't believe they decided on manslaughter, but at least they acknowledged he did this." Zoeller's brother, Ken, said he was surprised by the split. He now hopes the outcome will bring a sense of justice and closure. "All in all," Ken Zoeller said. "I think he's going to get what he deserves."

The penalty phase is scheduled to begin Thursday.