

# Jury recommends life sentence for Robert Jardin in Masaryktown murders

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Janice Link cries after apologizing to her son, Robert Jardin, front, as she testifies to her inadequacies as a mother at Jardin's sentencing hearing Wednesday.



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**BROOKSVILLE** — It was of little surprise that the mischievous little boy grew into a tormented young man.

Family members said Robert Jardin started with small thefts from his neighbors. He developed a penchant for brawling that eventually got him kicked out of the Marine Corps. And then he developed a taste for alcohol and cocaine.

For whatever reason, Jardin simply could not stay out of trouble.

In the end, Jardin's flirtation with self-destruction got him convicted of murder, but his troubled upbringing may have saved him from a death sentence.

A Hernando County jury on Wednesday recommended that Jardin be sentenced to life in prison for the fatal stabbings of an elderly Masaryktown couple in October 2006.

Minutes later, Circuit Judge Jack Springstead affirmed the life sentence.

The 12-person panel had found him guilty Tuesday in the slayings of Patrick DePalma, 84, and his wife, Evelyn, 79.

"I'm disappointed that the jury didn't recommend death," prosecutor Pete Magrino said. "But the jury speaks for the people of Hernando County, and I respect their recommendation."

Jardin, 35, of Brooksville was convicted of two counts of first-degree murder, one count of robbery, one count of burglary of an occupied dwelling and one count of grand theft.

Evidence showed that Jardin was at the home of the DePalmas at the time of the brutal murders, but he testified that two other men, whom he never fully identified, killed the couple.

After the sentencing, the DePalmas' only grandson, Kyle DePalma, said he was simply relieved that it was all over.

"We were more concerned with the verdict than the sentencing," he said. "There's no winners in this."

Wednesday, on the eighth day of the trial, jurors listened to another round of testimony and evidence before recommending life in prison for Jardin rather than death by lethal injection.

In closing statements during the sentencing hearing, Magrino urged jurors to think of the great-grandchildren that Patrick and Evelyn DePalma will never get to know.

"There will come a point in time when they're old enough to ask what happened to" the DePalmas, Magrino said. "They will learn about the type of justice that was done by your verdict in this case."

Public defender Devon Sharkey reminded jurors that Jardin suffered through a miserable childhood that left him a deeply troubled adult, but he still tried to make something of his life. Jardin joined the Marines, tried to keep a regular job and even got married and started a family.

But Jardin, Sharkey said, repeatedly failed at each of those endeavors.

"Robert Jardin didn't ask to be born into that household," Sharkey told jurors. "He was dealt a bad hand. It doesn't excuse anything. But it explains it."

Defense attorneys flew in Jardin's mother, Janice Link, and aunt, Roseanna Link, from upstate New York to illustrate that explanation for the jury.

From across the courtroom, mother and son briefly locked tear-filled eyes.

Jardin struggled to maintain the gaze, dabbing a paper towel at his face and shaking his head as Janice Link took the witness stand.

His mother then clasped her hands in front of her face, cleared her throat and told jurors about all of the terrible things she had done to Jardin as a baby.

When it was all over and Link was preparing to leave the courtroom, she could manage to say only one thing to her son.

"I'm so sorry," Link whispered to Jardin, who burst into tears again, never looking up to acknowledge her.

Roseanna Link told jurors that Jardin's mother sometimes physically abused him and rarely, if ever, showed much affection toward him as an infant and child.

She described one incident when Janice Link hung 5-year-old Robert upside down from a doorknob, bound his hands together behind his back and tied his feet together for not tying his shoes promptly.

"His face was as red as a red apple, and he had snot coming down his face," Roseanna Link said. "It was just awful."

Janice Link, who gave birth to Robert when she was 18, admitted to jurors that authorities in New York took custody of her son when he was only 3 days old because of allegations of physical abuse. She didn't regain custody until about four months later.

"The bond wasn't there," she said. "When we finally got him back, all he did was cry. I didn't know what was wrong with him."

A clinical psychologist from Tampa testified that Jardin's traumatic childhood almost certainly played a role in the troubles he experienced as an adult, including drug abuse, a penchant for brawling and even a dishonorable discharge from the Marine Corps in 1997.

"These are all significant factors," psychologist Peter Bursten told jurors. "Even before his birth, there were a lot of variables in place to create some very negative early life experiences."

The DePalmas' granddaughter, Sonsee Sanders, an elementary-school teacher from Brooksville, was the first witness of the day and read a pair of prepared statements to jurors — one written by her, the other from another granddaughter who lives out of town.

Sanders told the jury about life growing up with her grandparents, a working-class couple who moved from New Jersey 25 years ago to a home on a secluded 10-acre lot near the Hernando-Pasco county line. They came to Masaryktown to live out their final peaceful years.

She described a childhood spent enjoying large Italian meals on weekends, playing card games and resting under the large oak trees that dot the DePalmas' property.

"The beautiful property that was to serve as family land has now become the place of the worst nightmare that anyone could imagine," Sanders said. "There was plenty of space for our family to build our homes on, but we cannot do that now because of the horrible reminders of what took place there."

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