

Jury picks begin for murder trial

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DAYTONA BEACH -- Jury selection is set to begin Tuesday in the death-penalty case against William Gregory after the first attempt to try him for the shotgun slayings of his daughter's mother and her boyfriend ended in a mistrial.

Gregory is accused of first-degree murder in the slayings of Skyler Meekins, 17, and Daniel Dyer, 22, near Flagler Beach on Aug. 21, 2007. Gregory and Meekins had a daughter, Kyla, who is now 4 years old. Gregory, 28, is being held in the Flagler County jail.

Circuit Judge Kim C. Hammond, who presided over the first attempt last year to try Gregory, retired on Dec. 31. Circuit Judge William A. Parsons was assigned the case and he moved it to Volusia County in hopes of making it easier to find jurors.

Parsons and the attorneys will begin questioning potential jurors Tuesday and hope to have a 12-member panel and some alternates seated by Thursday or Friday.

Last time Gregory went on trial it took all week to pick the bare minimum dozen people needed for a jury in a death-penalty case and not enough people were left over for even a single alternate. Before jurors were even seated to hear opening arguments on Oct. 11, a problem developed. A juror said she had heard inappropriate comments made by a prospective juror who was not chosen for the panel.

Defense attorney Garry Wood then asked Hammond to remove the juror. Hammond did and because there were no alternates, the judge was forced to declare a mistrial.

A legal skirmish Feb. 4 led to some significant pretrial defeats for Gregory. Assistant State Attorney Jacquelyn Roys won several arguments, including allowing jurors to hear that Gregory was worried about testing positive for gunshot residue, even though it turned out no gunshot residue was found on him. She said Gregory tried to create an alibi by saying he had recently shot a firearm.

"He made sure he told a friend while he knew the police were listening that he shot the pistol the day before," Roys said during the hearing. "So the state's position is that is consciousness of guilt."

Wood unsuccessfully argued against allowing jurors to hear comments Gregory made that he had fired a pistol the day before the murders. Wood said it would confuse and prejudice the jury.

Many different types of evidence -- fleeing from police, refusing to submit to a breath test or threatening a witness -- can be introduced to show consciousness of guilt, wrote George Dekle Sr., a legal-skills professor at the University of Florida, in an e-mail.

"Any sort of activity engaged in by the defendant which can give rise to a logical inference that the behavior was designed to conceal the defendant's guilt can be used," Dekle wrote.

He said prosecutors must show a connection between the activity and the crime.

"I once had a murder defendant pour scalding hot coffee over his hands when he was told that the police were about to perform a gunshot residue test on his hands," Dekle wrote. "It frustrated efforts to do the test, but it suggested that he knew he had gunshot residue on his hands and didn't want the police to be able to prove it."