

## **Juror wants teen's conviction reversed**

Appeals Court hearing Tuesday for boy given life sentence at age 13

By Jerry Mitchell  
[jmitchell@clarionledger.com](mailto:jmitchell@clarionledger.com)

A juror who voted to convict a then-13-year-old boy of murder said she would like to see the state Court of Appeals reverse his conviction.

"I'd like to see him free," said Sarah Uharriet of Starkville, who came close to hanging up the jury that eventually convicted Tyler Edmonds of helping his 26-year-old half sister, Kristi Fulgham, murder her estranged husband, Joey, in Starkville.

After the jury convicted him in July 2004, Edmonds was given an automatic life sentence under the law. No date has been set for the capital murder trial for Fulgham, who also is charged with trying to escape jail.

Under Mississippi law, a teenager has to be 17 or older to be tried as an adult, but the law provides an exception: If a crime carries a life sentence and a deadly weapon is involved, a teenager as young as 13 must be tried as an adult.

That exception gives judges no leeway in sentencing, which means a 13-year-old defendant must stay in prison until he or she is at least 65 — the same as defendants who might be decades older.

"That is just heartbreaking," Uharriet said. "I think about this kid all the time."

Edmonds' attorney, Rob McDuff of Jackson, will try to convince the appeals court judges Tuesday that the conviction of his client should be reversed. "This is a 13-year-old honor student, never in trouble before, who was pressured by his manipulative 26-year-old half sister to take part of the blame off her, who gave a false confession only when the police separated him from his mother after three hours of questioning, and who recanted four days later," McDuff said.

Assistant District Attorney Frank Clark responded, "It's for a jury to decide if the confession was false."

The jury saw two videotaped statements. In the first, Edmonds initially denied and then confessed to the crime. In the second, Edmonds denied any role, saying he was outside when he heard a "pop" inside. "You watch both those tapes, and you can tell which one's genuine and which one's practiced," Clark said.

When Edmonds confessed in the first tape, he said he didn't want his mother present, Clark said. Later, Clark said she entered and asked, "Are they making you confess?"

Edmonds replied he was telling the truth, Clark said. "He was boohooing, and the tears are flowing. He says, 'We did it. We killed him.' "

Clark said the defense is trying to have it both ways, saying Edmonds is a straight-A student and in the same breath saying he didn't understand his constitutional right

to remain silent.

McDuff said Edmonds' confession "makes no sense and is contradicted by the physical evidence and the testimony of one of the prosecution's own witnesses."

For instance, Edmonds told police he saw sprinkles of blood go on a white pillowcase, but videos of the crime scene showed no such pillowcases and no such sprinkles, McDuff said. "In over 20 years of practicing law, this is the worst single injustice I have ever seen. This child is innocent and should not be spending the rest of his life in prison."

Clark said Edmonds' statement is consistent, talking about "blood spattering over something white." Clark said it's also consistent with the angle of entry by the bullet and the statement by Edmonds' cousin that Edmonds wasn't strong enough to pull the trigger by himself.

After the Edmonds trial finished, Circuit Judge James T. Kitchens met with jurors, just as he always does.

When he did, Uharriet was weeping. "I was almost hysterical," she recalled. "It was very upsetting."

The judge asked her to call him later to make sure she was OK. "He talked about the law and that we did the right thing," Uharriet said. "He probably talked to me a good 20 minutes. Afterward, I felt a little better."

The judge said he didn't comment to her on whether the jury had done the right thing. "I tell jurors, 'If you base your verdict on the evidence and law as I have instructed, then you've done your job,' " the judge said. "I don't say good job or bad job."

The jury deliberated over Edmonds' role in the killing, Uharriet said, with most jurors feeling "he was forced into this out of love for this girl."

During the jury's discussions, she said one thing that influenced her vote was a fellow juror telling her Edmonds would probably get out in five years — something she believed was true.

When she threatened to hold out and vote "not guilty," she said the foreman told her another jury would hear the case and likely find him guilty of capital murder.

People who have committed far worse crimes have received far less punishment, she said. "This does not serve justice in this case."

She said she always had believed she could handle serving on a jury. Now she wonders.

"I think we did the right thing legally," she said. "I think we did the wrong thing morally."