

# Prosecutor tells jury of rape-murder case

By STEPHEN BUTTRY

Register Staff Writer

MARSHALLTOWN, IA. — Janet Lynn Levis was raped and beaten to death by Jerry Bert Sumpter Jr. after a weekend drinking binge and a fight with his wife, Marshall County Attorney Phillip Krejci told jurors here Wednesday.

Sumpter, 25, is on trial for first-degree murder and first-degree sexual abuse in the Feb. 5 slaying of Levis, 20, at the Champlin Pep Stop on Marshalltown's east side. Levis was raped and "basically beaten to death" shortly after opening the store on a snowy Sunday morning, Krejci said in his opening statement.

Krejci told jurors about the fight between Sumpter and his wife Sheila, but Marshall County District Judge Carl Peterson would not let the jury hear Sheila Sumpter's testimony about the fight.

## Objections Raised

Sumpter's court-appointed lawyers, Barry Kaplan and Theodore Hoglan, objected to the testimony about the argument and the ensuing fight, claiming it was confidential, irrelevant and prejudicial. Krejci questioned Sheila Sumpter about the fight after the jury had left the courtroom, but he failed to persuade Peterson that the testimony was relevant.

Sheila Sumpter told jurors that she had bought a bottle of Clear Spring, which is 190-proof alcohol, Feb. 3 after cashing her husband's \$98 paycheck from North American Van Lines. The Sumpters and Jerry's brother, Mike, finished off that bottle Friday night and Saturday morning and bought a second bottle, she said.

Mike Sumpter left, the couple continued drinking, and Jerry Sumpter walked to the Pep Stop to buy pop and cigarettes right before the store's midnight closing time Saturday night, Sheila Sumpter said.

After her husband returned "his mood changed" and "I could tell from

his mood we were going to have a fight," Sheila Sumpter said.

After Peterson ordered the jury out of the courtroom to hear the lawyers' arguments, Sheila Sumpter said the fight was "about us not having sexual relations for, he said, three weeks," which she said was not true. For about an hour they shouted at each other, Jerry in the living room and Sheila in the bedroom, she testified.

Then he came into the bedroom, "pushed me onto the floor and . . . had me in a choke hold," Sheila Sumpter testified. She said she yelled and kicked their daughters' bed, and he let her up when the girls awakened.

Sheila Sumpter said she went into the bathroom, and her husband followed her, pushed her into the bathtub and began swinging at her, but he missed and knocked three holes in the wall.

The fight ended "with us making love" sometime between 4 and 4:30 a.m., Sheila Sumpter said after the jury returned to the courtroom. She testified that her husband wanted to continue having sex, but she did not, and she went to sleep about 5 a.m.

## Late For Work

About an hour later, Levis reported to work. She was a few minutes late — on that Sunday was one of the winter's worst blizzards, which Krejci said dropped the wind chill index to 60 degrees below zero. Levis was supposed to arrive at 5:45 a.m. and open the store at 6 a.m.

Levis called her boss, Leanna Raum, when she arrived at the store, to tell her she was late. "When she told me she was late I looked at the clock in the kitchen. I figured it was 7:30 or 8, and it was 6:01," Raum testified.

Levis ended the conversation saying, "I've got a customer already and I don't even have the register open yet," said Raum.

After the murder, \$103.30 was

missing from the store, Raum said.

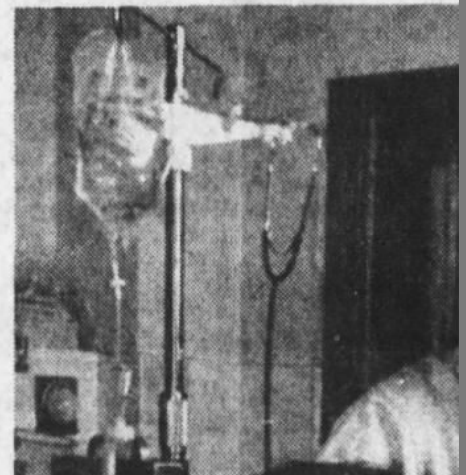
Sheila Sumpter said police confiscated from the couple's home a jar containing more than \$20 in change that she had not seen before.

Four witnesses said Wednesday they stopped at the store or drove by between 6 and 7 a.m. and it was closed, though the lights were on. Jerry Stansberry testified that he saw a man inside the store.

Hazel Barker, a neighbor of the Sumpters who was clearing snow from her doorway, said she saw Jerry Sumpter walk toward his house from the direction of the Pep Stop about 6:20 a.m., and sometime after 6:30 a.m. she saw him "kind of running" back in the direction of the store.

Krejci told the jury other evidence in the trial would include threads from Jerry Sumpter's jacket found in Levis' hair, and bloody footprints from shoes similar to Jerry Sumpter's on the floor and on the wall near Levis' body.

Kaplan and Hoglan did not present an opening statement but said they might later in the trial. Testimony of prosecution witnesses continues at 9:30 a.m. today.



## **Attempt at suicide reported in Marshalltown**

**MARSHALLTOWN, IA. (AP) —** The wife of murder suspect Jerry Sumpter reportedly attempted suicide Wednesday, said a Marshalltown police spokeswoman.

The spokeswoman said that when police arrived at the home shortly after 10 a.m. Wednesday they found Sheila Sumpter unconscious on a sofa in the living room. The gas in the residence had been turned on.

Sumpter was admitted to the Marshalltown hospital, where her condition Wednesday was stable.

Sumpter reportedly tried to visit her husband Tuesday night in the Marshall County Jail, where he is being held under a \$100,000 bond in connection with the slaying of a convenience store clerk Sunday morning.

When Sumpter was denied entrance to the jail, she reportedly became violent. Marshall County Sheriff Bud Gonzales said he charged the woman with trespassing, interference with official acts and disorderly conduct.

Sumpter pleaded innocent to the first two charges Wednesday morning in Marshall County District Court. She pleaded guilty to the disorderly conduct charge, paid a fine and left the courthouse.

## Marshalltown woman's death called murder

By VICKI SHANNON

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MARSHALLTOWN, IA. — Susan K. Vickers, 31, left her three children with a baby sitter at her Marshalltown home shortly after 10 p.m. Friday to make it to the Iowa Veterans Home in time for her 11 p.m. shift.

Eight hours later, her body was found in the cemetery behind the veterans home by a Marshalltown police officer and a maintenance worker.

Police say she apparently was murdered.

Although authorities say they have many leads to pursue, none had resulted in the naming of any suspects late Saturday.

Results of an autopsy performed Saturday afternoon at Mary Greeley Hospital in Ames showed that she died from multiple blows to the head. No sexual involvement was indicated.

When Vickers didn't show up for her job as geriatrics nurse Friday night, her supervisor called her home and, after being told by the baby sitter that Vickers had left much earlier, called police to report her missing.

The body was found on the grounds of the cemetery about 6:30 a.m.

Gerald Shanahan, director of the Iowa Division of Criminal Investigation, said his agents had received numerous calls from the public concerning the death.

"We've gotten a lot of leads," he said. "The citizens have been an enormous help. It takes time to check out all the leads, but the involvement is commendable."

Vickers had a daughter, 11, and two sons, 9 and 8 years old, police said. Authorities had not confirmed information about her husband, but said they assumed the couple was divorced. The woman's parents were en route to Marshalltown from Cedar Falls Saturday evening.

The DCI had nine agents on the scene Saturday assisting the Marshalltown Police Department.

One lead being investigated is the report given by a 15-year-old Marshalltown resident who told police that a man with a gun came to her door and asked to use the phone.

The girl said the man, who was in his early 20s, told her his car had broken down, and she let him make the phone call. She said she and a visiting girlfriend noticed the gun in the man's belt when he was leaving.

Police had the teen-ager identify a man from a photo, and sketched different gun handles for her to identify, she said. Police would not comment.

Jack Dack, commandant of the veterans home, said Vickers had worked there for only three weeks. He said she was a recent graduate of Marshalltown Community College.