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# Dassey pushes to keep conviction overturned

ALISON DIRR  
USA TODAY NETWORK WISCONSIN

**CHICAGO** — Brendan Dassey's attorney, in a strongly worded motion to the U.S. Court of Appeals for the Seventh Circuit on Tuesday, urged judges to affirm a lower court ruling that overturned Dassey's conviction in the murder of Teresa Halbach.

The state's "narrative of the rape and murder of Teresa Halbach... is pure fiction," Dassey's attorney, Laura Nylkari, Steven Drizin and Robert

Dworkt, wrote in the 67-page brief.

In August, U.S. Magistrate Judge William Duffin overturned Dassey's conviction, finding that the confession didn't make sense and it is "riddled with contradictions," they wrote.

The theme of the interrogation was that there would be no consequences if Dassey agreed with the interrogators, they wrote.

"Plainly, the officers overcame Brendan's reluctance only by assuring him that everything

would be all right as long as he confessed. But in reality, the opposite was true: Brendan's confession or physical evidence... would be used against him in court."

Dassey's statement was voluntary, they argued.

Dassey's attorneys also asked the Seventh Circuit "to affirm on different grounds: his conflict-ridden representation by attorney Len Kachislay, who worked with the State to secure his conviction."

## Communist Madison? Some bristle at congressman's remark

SCOTT BAUER  
USCIBO.COM

**MADISON** A Republican congressman from northern Wisconsin who derided Madison as a communist haven from his comments even as those in the capital city that pride itself as being 77 square miles surrounded by reality "take offense."

Rep. Scott Bauer, R-Wis., who lives about 100 miles from Madison, called Madison a "communist community" in a recent Fox News interview and blasted the ongoing presidential recount. He alleged that election officials in Dane County, where Madison is located, were purposefully stalling so Wisconsin would miss the Dec. 11 deadline for certifying the vote.

After Democratic U.S. Rep. Mark Pocan demanded an apology on Wednesday, both sides took to Twitter to battle it out.

"The PC crowd in honor of MTV's 'The Real World' in the 1990s, traveled. For those offended by my 'communist' comment, I'll send a therapy dog to your safe place of choice in Madison."

## Evidence in Avery case sent to state crime lab

ALISON DIRR  
USA TODAY NETWORK WISCONSIN

**MANITOWOC** — Evidence in the case against Steven Avery has been sent to the Wisconsin State Crime Lab in Madison for scientific testing, according to court records filed Tuesday.

The evidence in the Toyota RAV4 of Teresa Halbach, the 25-year-old photographer whom Avery and his nephew, Brendan Dassey, are convicted of killing in 2005. His confession is rendered involuntary because of investigators' repeated false promises of leniency, they wrote.

"No fingerprinted jacket" and the court unreasonably applied federal law in concluding that

been a frequent commentator on national news programs discussing Trump's transition to the White House. He is also an executive committee for Trump's transition team.

Duffy's northern Wisconsin district voted for Trump in the Republican primary while Texas State Sen. Jon Erpenbach, who lives just outside of Madison and represents Dane County in the Legislature, called Duffy's remarks "extremely offensive" and "beneath" a congressman.

"Their job is to build bridges, not burn them," Erpenbach said. "I expect that out of a talk show radio host but not a congressman."

Erpenbach said he had a motion to support scientific testing in the case.

Sheboygan County Circuit Judge Angela Sulkowicz ordered the scientific testing in November. Sending the evidence to the crime lab complies with that order.

turned over to Calumet County Sheriff's Lt. Mark Wisport and the department's evidence custodian Amanda Bussell to be transported to Madison.

The Menomonee County Clerk of Court's Office said:

- A bloodstain cutting from the Toyota RAV4
- A swab of the ignition of the RAV4
- A bloodstain cutting from the passenger seat.

Dassey's statement was voluntary, they argued.

Dassey's attorneys also asked the Seventh Circuit "to affirm on different grounds: his conflict-ridden representation by attorney Len Kachislay, who worked with the State to secure his conviction."

## Mayor calls Duffy a 'moron'

**MADISON** Mayor Paul Soglin called Duffy a "moron" and "a lout" in a tweet on Wednesday.

"I'm probably giving him too much credit by calling him a moron since he is so adept at misleading the good people of his district, folks who deserve better in regards to jobs and the future of their children," Soglin said.

Duffy's remarks "are a disgrace to the city of Madison," Soglin said.

The only thing common about Madison is that revenue generated there is redistributed to help economically struggling communities in Duffy's district, said Soglin, who led a delegation to Cuba in 1975 and gave Fidel Castro the key to the city.

Residents of Madison, where the main campus of the University of Wisconsin is located, have long embraced their place as a liberal bastion, taking pride in the city's unofficial motto as 77 square miles surrounded by reality. Democrat Hillary Clinton received 89 percent of the vote in Madison, while Donald Trump won Duffy's home county with 57 percent of the vote.

Duffy is a vocal supporter of Trump and has

## Cleric No stalling

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## State senator reacts

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## Merkt, Joetta 'Penny'

**JOETTA** "Penny" Merkt, 70, of Fond du Lac, was called home to the Lord on December 7, 2016, at St. Agnes Hospital with family by her side. She was born on January 29, 1946 to the late John H. and Laura L. (Boyer) Helter in North Carolina.

She worked at various fabric/sewing shops. Penny enjoyed tending to her flower garden. She was a very artistic person and showed through her paintings, quilting, especially lariat quilting and making her own pajamas. She loved her family and friends and had a personality that people were drawn to her; she was an exceptional woman.

She was a member of Rock Bible Baptist Church in Tirasas, WI. Joetta married Richard J. Merkt on December 31, 1968 at Rock Bible Baptist Church.

Penny is survived by her husband, Richard; one son, Russell (Lainie) Grantman, two granddaughters, Joshua and Sierra; three step-children, Tina Merkt, Eric Merkt and Paul Merkt; four step-grandchildren, Gage, Grace, Corbin and Savannah.

Zachert Funeral Home is serving the family. www.zachertfuneralhome.com

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