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Painseeker Defense Attorney Explodes In Court

Levin Accuses Police, Victim's Lover Of Murder

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LOS ANGELES - On Wednesday in the Painseeker Murder Trial, the attorney for accused murder suspect Laura Douglass, Les Levin, quietly stewed about not having the opportunity to cross examine the prosecution's forensics expert before the end of the day. On Thursday, Levin brought that anger with him in one of the most memorable courtroom performances in recent memory.

Levin wasted little time in his cross examination of LAPD forensics expert Lisa Finnegan, who on Wednesday testified that she believed the murder of Raychel Wagner was committed by Laura Douglass and Sharon Wolfe acting in tandem, with Wolfe providing a physical assault in the living room before sending Wagner to the kitchen where Douglass provided the fatal blows with a broken tequila bottle.

Levin immediately began requesting Finnegan report on the findings of a long series of forensic tests. With each test, Finnegan reported that she was not asked to perform that test. When Levin asked what tests actually were performed, she seemed embarrassed to answer the series of fingerprints, the autopsy, and a DNA test on the bedroom sheets.

When asked what those DNA tests were intended to prove, Finnegan answered that there was originally a suspicion that a sexual assault may have taken place. Levin asked the nature of that suspicion. Finnegan claimed not to know,

but Levin demanded to know if she was aware of Wagner's police record. When she answered that she was not familiar with it, Levin informed her that Wagner had previous arrests for prostitution. She denied his accusation that the police intentionally ignored the case because they felt it was either a domestic violence case or a dead hooker case, neither of which was "worthy" of their attention. When Assistant District Attorney Thomas Andrews objected to Judge Michael Rodriguez that Levin was badgering the witness, Rodriguez sustained the motion and warned Levin that he was getting off on the wrong foot.

Levin changed tactics and asked Finnegan about the fingerprint tests which were performed. He acknowledged her testimony from the previous day when she indicated that several items in the living room had fingerprints from either Sharon Wolfe, Raychel Wagner, or both. He asked Finnegan if she had found any fingerprints from Laura Douglass on any items. She stated that none were found, but she attributed that to the fact that Douglass remained in the kitchen with the bottle in her hand. Levin then asked if they had ever recovered the alleged murder weapon. Finnegan admitted that it had not been recovered, and due to the time between the murder and the charges, it was unlikely that Douglass would have kept such incriminating evidence in her possession.

Levin charged that it was extremely convenient for the prosecution not to have a murder weapon, since it allowed them the opportunity to charge anyone, saying that they just got rid of

the murder weapon. Finnegan disagreed, saying that she felt it was extremely inconvenient. That was enough to light up Levin. He blasted Finnegan for testifying in the case with the authority afforded the LAPD that his client was in the room and committed the murder despite the fact that she had no factual evidence to back it up. While Andrews objected, Levin continued his assault, loudly asking Finnegan if she was aware of a police effort to close the case "using any means necessary." While Judge Rodriguez attempted to sustain Andrews' objection, Levin continued uninterrupted; charging that the police were embarrassed by the Painseeker web site and the growing media coverage, and needed to pin the murder on anyone they deemed convenient. He claimed that the police were as guilty as the person who actually murdered Raychel Wagner, since they were helping to cover it up by shirking their responsibilities to the public.

At that point, Judge Rodriguez, failing to establish order in the court, demanded a recess and ordered Levin and Andrews to chambers. Lisa Finnegan was not asked to return to the stand, as apparently each side had completed their questioning.

Following the recess, the prosecution called Raychel Wagner's lover, Kyle McAllister to the stand, who testified that he was the person who found Raychel's body in the apartment, and subsequently called police.

Andrews concentrated McAllister's testimony on his observations about Laura Douglass and her attempts to control Wagner. McAllister testified that he met Douglass in November of 1998 and Wagner shortly after that. He stated that he became aware that, although Raychel Wagner (who was then known as Raychel Vanderhoff) was living with Lance Wagner (a writer and creator of the Painseeker web site), Laura Douglass paid for Raychel Wagner's existence. He stated that he had seen Laura Douglass and Raychel Wagner use drugs together at Safehaven. He knew that Raychel had no money for the habit that he had witnessed, but that Douglass did.

McAllister also testified that between March and June of 1999 he helped Raychel Wagner beat her

addiction to heroin by taking her back to his home in North Dakota and putting her through an MMT plan. During this time, Wagner and McAllister began a collaborative process that turned her poetry into music. When they returned to Los Angeles in June of 1999, McAllister stated that Raychel Wagner was clean of her addiction and was a willing partner in their musical endeavor.

When they revealed themselves to Laura Douglass in their new situation, McAllister claimed that Douglass used alternative means to infiltrate herself into Wagner's life, mainly people. McAllister credited Douglas with making contacts for them in the music business, but said that she did it only to maintain favor with Wagner. He added that he believed that Douglass was attempting to remove him from Raychel's life by putting her in contact with powerful people, a charge which he claims was proved correct by Douglass' own writings on the Painseeker site.

Andrews asked McAllister about his interaction with Sharon Wolfe. McAllister stated that he did not know for certain who hired her, but he admitted that he did not believe that she was hired to be a bodyguard so much as a spy. McAllister admitted that he had a sometimes violent relationship with Wagner, and that Wolfe often did not step in to assist her.

When given the chance to cross examine McAllister, Levin did not attempt to hide his disgust of McAllister. He began by questioning McAllister's characterization of Douglass' assistance. Levin slowly drove over the points where Douglass provided contacts within the music business, and made McAllister admit that it was possible that what Douglass was doing was providing assistance to their careers, and therefore, she was helping them.

Levin proceeded to ask McAllister if he would consider his relationship with Wagner as physical. When McAllister agreed, Levin asked if he would characterize the relationship as violent. When McAllister said perhaps, Levin stated that he would characterize it as abusive, and asked McAllister if he would agree. When he did not, he asked McAllister to recount an encounter on June 6th of 2000 -- just over two

months prior to Wagner's murder -- when he abused Wagner to the point that she needed medical attention. When he reminded McAllister that it was Douglass who provided for that medical attention, Andrews quickly objected and struck Levin's remark as testimony.

Again, Levin proceeded in an accusatory tone, asking McAllister if he could provide his whereabouts at the time of the murder. When McAllister stated that he was out driving following an argument, Levin asked for verification. When McAllister admitted that he could give none, Levin outright accused him of the murder of Raychel Wagner. Shouting over the objections of Andrews and the orders of Judge Rodriguez, Levin continued on his tirade until he was stopped by a bailiff and taken into

custody for contempt of court. Following the removal of Levin, Judge Rodriguez asked Laura Douglass to personally remind her attorney of the code of professional conduct before the trial continued the following day.

On the steps of the courthouse, Assistant District Attorney Thomas Andrews said what many people in the courtroom were thinking, "Today I came to argue a first-degree murder case against the brilliant Les Levin, and what I got was a case against Perry Mason."

Levin was released from jail following a brief hearing in chambers. He would not comment as to the nature of the discussion with Judge Rodriguez.