

Mrs. Dorinda Marks

Fisher, 59, of 105 Oak Hill Dr., Huntersville, died May 10, 1991, at home. Funeral is 11 a.m. Tuesday at McEwen Funeral Home, Charlotte chapel. Burial will be in Sharon Memorial Park. Visitation is 7 to 9 p.m. Monday.



Mrs. Fisher

Mrs. Fisher, a native of Danville, Va., was a preticketing clerk for Gerber Co.

Survivors are her sons, Joe Fisher of Conway, S.C., Tim Fisher of Huntersville; daughter, Mrs. Debbie Butler; sister, Mrs. Betty Altman; nine grandchildren.

Man, 33, charged with killing mother

A Huntersville man remained jailed without bond Monday on a first-degree murder charge in the fatal stabbing of his mother.

The suspect, Tim Fisher, told Huntersville police he found his mother dead about 6:30 a.m. Saturday in the Oak Hill Drive home they shared in the Sherwood Forest development.

Saturday afternoon, police charged Fisher with killing 59-year-old Dorinda Marks Fisher. She was stabbed in the neck; police found her body in the home's den.

Tim Fisher, 33, has worked as a roofer. Dorinda Fisher was a clerk for Gerber Co.

DNA test gets day in court as evidence in murder trial

By **GARY L. WRIGHT**

Staff Writer

For the first time in a Mecklenburg County courtroom, prosecutors will use a genetic test called "DNA fingerprinting" as they try to prove that Timothy Fisher raped and killed his mother last May.

During opening arguments Monday, Mecklenburg Assistant District Attorney Stephen Ward told jurors that the DNA genetic test shows that semen taken from the victim matched the accused killer's blood.

DNA is found in cells and contains the genetic blueprint of a person. Each person has a unique DNA pattern; only twins share identical genetic patterns.

Dorinda Fisher was found stabbed to death May 11, 1991, in the Huntersville home she shared with her son. The 59-year-old woman had been stabbed once in the neck and apparently raped.

Prosecutors are seeking the death penalty against 35-year-old Timothy Fisher for the murder.

A 12-woman jury will decide if Fisher raped and killed his mother. If convicted of first-degree murder, the same jurors will decide if Fisher should be sentenced to life imprisonment or put to death.

Defense attorneys Harold Bender and George Laughrun spent much of Monday attacking

Please see **DNA**/page 4C

N



T. ORTEGA GAINES/Staff

Trial starts: Defendant Timothy Fisher (center) in court on Monday. For the first time in a Mecklenburg County courtroom,

prosecutors plan to use a genetic test called "DNA fingerprinting" to try to prove that Fisher raped and killed his mother last May.

DNA

Prosecutors to use test for the first time

Continued from page 1C

the prosecution's evidence.

Today, Bender and Laughrun will try to convince Mecklenburg Superior Court Judge Chase Saunders to throw out some of the prosecution's potentially damag-

ing evidence.

The defense lawyers late Monday afternoon filed motions seeking to suppress evidence that police discovered while searching a suitcase in the trunk of Dorinda Fisher's car and a toolbox in the garage.

Cornelius Police Chief Charlie VanHoy testified Monday that police discovered clothing stained with a red substance inside the car trunk and suitcase.

Defense lawyers say the suitcase and toolbox belong to their client and police obtained the clothes

and credit cards illegally because they did not have either a search warrant or Timothy Fisher's consent to search.

Bender and Laughrun also are seeking a mistrial. They claim prosecutors never told them that blood might have been found on credit cards discovered in the toolbox.

As the trial got under way Monday, the prosecution's first witness, Huntersville police Officer Bobby Grubb, testified that Timothy Fisher was pacing back and forth and appeared nervous when police arrived at the murder scene.

Grubb said Fisher denied killing his mother and told police he last saw his mother alive two days earlier.

"He said he and his mother had gotten into an argument and he had left," Grubb said. "He stated he thought his mother had committed suicide."

Earlier Monday, defense attorney Laughrun described to the jury what happened when Timothy Fisher returned home to find his dead mother: "He came out holding his stomach — sick at what he'd seen."

Judge to rule today on disputed evidence

By GARY L. WRIGHT
Staff Writer

A Mecklenburg judge will decide today whether to throw out prosecution evidence in the capital murder trial of a Huntersville man accused of raping and killing his mother last May.

Defense lawyers claim the evidence — clothes and credit cards found in a suitcase and toolbox — was illegally seized because police did not first obtain a search warrant.

Prosecutors are seeking the death penalty against 35-year-old Timothy Fisher, who is accused of stabbing his mother to death and raping her.

Dorinda Fisher was stabbed

once in the neck. The 59-year-old woman was discovered May 11, 1991, in the Huntersville home she shared with her son.

Police seized a pair of blue shorts — stained with a red substance — from a suitcase found in the trunk of Dorinda Fisher's car. They found credit cards in a toolbox in the garage.

Defense lawyers on Tuesday argued that the suitcase and toolbox belong to Timothy Fisher and police failed to obtain a search warrant or their client's consent to search them.

Prosecutors argued that Timothy Fisher stole his mother's car.

"If he stole the car, he doesn't have an expectation of privacy,"

Mecklenburg Assistant District Attorney David Cayer said.

Prosecutors also contend that Timothy Fisher's uncle — not police — opened the toolbox and discovered the credit cards.

Mecklenburg Superior Court Judge Chase Saunders gave prosecutors and defense attorneys until this morning to prepare written briefs on the issues. The judge is expected to make his rulings following more legal arguments by the lawyers.

Defense attorneys Harold Bender and George Laughrun also have asked Saunders to declare a mistrial. They claim prosecutors never told them there might have been blood on the toolbox where police found the credit cards.

Son pleads guilty in slaying of mother

By **NANCY WEBB**

Staff Writer

Tears rolled down family members' cheeks in a Mecklenburg courtroom Wednesday as Timothy Fisher pleaded guilty to stabbing his mother to death.

Superior Court Judge Chase Saunders sentenced Fisher, 35, to life plus 40 years in prison. Prosecutors declined to say when he would be eligible for parole.

Fisher's plea came suddenly, three days into his trial on charges of murdering his 59-year-old mother, raping her, using her credit cards and stealing her car. Dorinda Fisher's body was found May 11, 1991, in the Huntersville home she shared with her son.

Prosecutors David Cayer and



Fisher

Please see **Slaying**/page 3C