



Judge: York murderer's funds were properly seized

ELIZABETH EVANS *The York Dispatch*

Updated: 05/05/2010 12:56:53 PM EDT



Gooding

Even if Willie "Skip" Gooding had convinced a York County judge to refund him more than \$3,000 in court costs, the convicted murderer would have had to spend it all in one place -- prison.

But at a brief hearing Tuesday morning, Common Pleas Judge John S. Kennedy determined Gooding's court costs, which had automatically been deducted from his prison account, were properly taken.

That didn't sit well with Gooding, 42, formerly of Brooklyn, N.Y., who is serving time for third-degree murder.

"He was rather upset with Judge Kennedy's

decision, so he really started to have an outburst," York County Clerk of Courts Don O'Shell said. "He was accusing the judge of being corrupt, accusing York County generally of being corrupt. Judge Kennedy said more than once that (Gooding) would have to be removed if he did not stop."

At that point, two sheriff's deputies stood up and approached Gooding -- whose wrists and ankles were shackled -- but they did not need to restrain him, O'Shell said.

"Eventually, he did sit down," O'Shell said. "He didn't have to be removed, but it was close."

Gooding was representing himself, arguing that because Kennedy hadn't specifically ordered Gooding to pay court costs when he sentenced Gooding in 2001, it was improper that \$3,143.68 in costs was deducted from his account.

Six-month window: Spree killer Mark Spatz -- convicted of killing his brother and carjacking and murdering three women in York, Cumberland and Schuylkill counties -- made the same argument in his Cumberland County case and won, O'Shell said.

But unlike in Cumberland County, the solicitors for the York County Clerk of Courts office argued that Gooding waited too long to fight the issue.

"There is a short window of opportunity for an individual challenging a government action,"

Advertisement



SAVE up to 64%

Plus, get
3 FREE Gifts



Special Code: 45069ZWN

To Order: www.OmahaSteaks.com/print71 or call 1-877-586-4455

Print Powered By FormatDynamics™



solicitor Anne Zerbe said, noting that the statute of limitations runs out after six months.

"We ascertained that he ... made his first payment in March 2002," she said. "But he didn't file any type of (motion seeking) relief until 2004."

'Clerical error': Kennedy made it clear in court that there was no reason he failed to specifically order Gooding to pay court costs, according to O'Shell.

"He characterized it as a clerical error," O'Shell said. "Judge Kennedy's decision was that he was going to correct his clerical error."

The murderer's total court costs are assessed at \$4,348.28, according to O'Shell, and he still owes \$1,204.60.

"We expect him to appeal," O'Shell said.

O'Shell said his solicitors have successfully argued the issue in the past with other defendants, citing the six-month window.

Captive audience: Many people think prison inmates can't pay their court costs, but that's not true, O'Shell said.

"They are some of my best payers," he said. "They're a captive audience."

The Department of Corrections takes 20 percent of all money deposited into an inmate's account

for his court costs and restitution, O'Shell said.

"At least they're paying something. We're getting about \$200,000 a year from (state prison) inmates," he said. "To me, it's the principle of the matter. They're making some payment back to the taxpayers and the victims."

Gooding was convicted of third-degree murder and kidnapping for the Nov. 8, 1996, execution of 18-year-old Arthur Irick of York City and formerly of Brooklyn. He was sentenced to 30 to 60 years in prison.

Prosecutors said Gooding was the ringleader of a cocaine-selling crew who ordered the hit because he thought Irick tried to rob his crew.

-- Reach Elizabeth Evans at levans@yorkdispatch.com, 505-5429 or twitter.com/ydcrimetime.

Advertisement



SAVE up to 64%

Plus, get
3 FREE Gifts



Special Code: 45069ZWN

To Order: www.OmahaSteaks.com/print71 or call 1-877-586-4455

Print Powered By FormatDynamics™