

Ruling Reopens 35-Year-Old Murder Case

Poindexter Wants To Analyze Audio

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OMAHA, Neb. -- A Douglas County District Court ruling Tuesday reopened a 35-year-old murder case.

Edward Poindexter believes he was framed in the 1970 murder of Omaha Police Officer Larry Minard. The court decision gives him the chance try to prove it.

The defense comes down to who made a 911 call the night of the murder. Police say the caller lured police to a home at 28th and Ohio streets, where a booby-trapped suitcase exploded in Minard's face.

Poindexter's attorney, Bob Bartle, questions whether the voice on the tape is that of Duane Peak, who was 15 at the time. He was the prosecution's key witness, and helped convict Poindexter.

Poindexter has requested a voice sample of Peak to compare it to the voice on the 911 tape, and on Tuesday, Judge Richard Spethman granted that request.

"Peak testified that it was he who made the phone call," Bartle said.

Assistant County Attorney Brent Bloom argued against the voice comparison, saying that it would be inadmissible in court. Spethman said, "That determination is reserved for future proceedings."

"We're determining whether there's anything in that order we can appeal," Bloom said.

Bartle said he believes the voice analysis will set his client free.

"The issue here is, did the authorities convict the right person in connection with that crime?" Bartle said.

Further complicating the request is that Peak now lives in Spokane, Wash., and goes by the name Gabriel Peak. Tuesday's court order requires him to give a voice sample to a court reporter in Washington.

Peak has not returned calls seeking comment on whether he plans to cooperate.

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Edward Poindexter

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