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TOP STORY EDITOR'S PICK

Appeals court affirms decision to vacate convictions in Meindl murder case

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A State Supreme Court judge in Erie County acted within his discretion last year when he vacated the 1994 murder convictions of two men and ordered new trials for the pair imprisoned for decades, a state appeals court ruled Friday.

The District Attorney's Office appealed Justice Paul B. **Wojtaszek's August 2023 decision** wiping out the convictions of Brian Scott Lorenz and James Pugh, who were convicted by a jury of murdering Deborah Meindl, 33, in her home on Franklin Street in the City of Tonawanda in February 1993.



James Pugh looks back at his family while his co-defendant, Brian Scott Lorenz, right, and Lorenz's attorney, Joseph J. Terranova, listen to the judge during their sentencing on May 6, 1994. DNA testing and withheld evidence prompted a judge to overturn the convictions, a ruling that has been affirmed by a state appeals court.

Buffalo News file photo



Convictions in 1993 Deborah Meindl murder vacated; new trials ordered for 2 defendants

The Appellate Division, Fourth Department, unanimously affirmed Wojtaszek's decision, which was based on DNA evidence discovered after their trial that excluded both defendants from the crime scene and a finding that prosecutors failed to disclose information to the defense about a key piece of physical evidence.

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Both the DNA and the withheld information could have led to reasonable doubt among one or more jurors, the judges ruled.

"No one should spend over 30 years in prison without receiving a fair trial, and Scott has suffered beyond measure," said Ilann M. Maazel, Lorenz's attorney.



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A spokesperson for the District Attorney's Office could not be reached for comment late Friday.

The key physical evidence related to a silver dollar found in Lorenz's bag at the time of his arrest in Iowa three months after Meindl was killed. Prosecutors failed to alert defense attorneys about a prosecutor's note saying that the victim's father-in-law could not confirm to police that the coin found with Lorenz was the one he had given to his son and daughter-in-law as a Christmas present.

The coin was the only piece of physical evidence that connected Lorenz to the murder scene.

"We reject the People's further contention that there was no reasonable probability that disclosing the evidence would have changed the verdict," the court ruled.

DNA testing ordered in 2018 on crime scene evidence, including the necktie and knife that were the murder weapons, excluded both Lorenz and Pugh.



Tonawanda detective attacks credibility of convicted killers blaming him for murder

"Although we agree with the People that the DNA evidence does not conclusively exclude defendants as participants in the crime inasmuch as they may have worn gloves during the commission of the crime, the discovery of unidentified DNA on several items that were tested allows for the possibility that another unidentified person committed the crime and could raise reasonable doubt among the jury," a five-justice panel wrote **in its decision**.

Had the jury heard about the DNA analysis or the statement to police about the coin, that information "would have absolutely changed the tenor of the trial," Maazel argued to the appellate court on Sept. 5.

In their decision, the judges also referenced testimony before Wojtaszek about the lead investigator in the case, the now long-retired City of Tonawanda detective, David Bentley.

"Although not a ground for Supreme Court's granting of the motions, we also note that there was considerable evidence at the hearing that the lead investigator had pressured many witnesses to incriminate and testify against defendants," the judges said in their decision.

Lorenz, 55, has been released from state prison, but remains in custody as a pre-trial detainee at the Erie County Correctional Facility.



Man whose murder conviction was vacated asks appeals court to order his release

Pugh, 62, was paroled after 28 years of incarceration, and his parole obligations were lifted after his conviction was vacated.

"The death of Ms. Meindl was a terrible tragedy," Maazel said. "The imprisonment of these two men for so many years is another tragedy. I'm just hopeful that sooner than later this nightmare can finally end."

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