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## **PRESS RELEASE**

From: Keller J. Blackburn, Athens County Prosecuting Attorney

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### **4<sup>th</sup> District Court of Appeals Upholds Life Sentence in Merryman Case**

ATHENS, OHIO—October 25, 2013—Athens County Prosecuting Attorney Keller Blackburn today announced that the 4th District Court of Appeals affirmed the trial court findings in the September 12, 2012 conviction of Richard Merryman on two counts of rape, both a first degree Felony and one count of kidnapping also a first degree Felony. He plead guilty and was sentenced to life with first parole opportunity at 10 years on each count to run concurrent.

Merryman's attorneys appealed the conviction based on the trial court erred when it:

1. Found him to be competent to stand trial.
2. Accepted his guilty plea.
3. Denied his motion to suppress his statement.
4. Imposed separate sentences for the offenses of rape and kidnapping.

The Court of Appeals found:

1. Merryman was competent to stand trial.
2. Merryman's guilty plea was knowingly, voluntarily and intelligently given.
3. Merryman forfeited his right to argue the denial of his motion to suppress when he knowingly, voluntarily and intelligently plead guilty.
4. Kidnapping had a separate purpose of removing the victim from a hallway into a nearby bathroom in order to avoid detection during the sexual assault.

Prosecutor Keller Blackburn says, "I am very happy that the 4<sup>th</sup> District Court of Appeals agreed with the Athens County Prosecutor's office on this case. Merryman will continue to serve the remainder of his life sentence as found by the trial court."