

THE BULLETIN

77th Year

Twenty Four Pages

Bend, Deschutes County, Oregon, Tuesday, January 8, 1980

Copyright © 1979 The Bulletin

Twenty Cents

No. 28

Summers won't fight extradition

Roy Summers, who is scheduled to be tried next week for attempted murder, declined to fight extradition to California Monday in Deschutes County Court. He wants to stand trial in San Bernadino, Calif., on charges of murdering his former wife and kidnapping her two children in 1977 before being tried in Oregon.

But Judge Thomas Mosgrove denied a motion filed by Redmond attorney Craig Emerson to send Summers to California immediately.

Emerson said Summers couldn't get a fair trial in Bend because because Oregon jurors might learn of his California charges during his trial or from newspaper accounts.

Emerson argued the California charges should be resolved before Summers is tried in Oregon because they could leave doubts in jurors' minds.

Jim Harvey, a deputy with the Deschutes County district attorney's office, said the matter could have been resolved if Emerson had requested that the case be moved to another county or if jurors were selected who had not heard about the case.

Mosgrove said that newspaper publicity in *The Bulletin* had not been excessive and that he would not have granted a change of venue.

In Deschutes County, Summers, 39, of Redmond, is charged with attempting to kill Ella Mae "Connie" Summers last October. She suffered a broken arm, cuts and bruises during the incident. He is scheduled to be tried on those charges Monday.

Summers also is charged in Deschutes County with attempting to kill Mrs. Summers and his mother, Loycylle M. Herman of San Jose, Calif., during an alleged assault with a knife Nov. 9. He'll be tried on charges of attempted murder and kidnapping in connection with that incident at a later date.