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# hearing could save Marcellus ns from execution. The evider

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ST. LOUIS COUNTY — Marcellus Williams could be dead in four weeks.

He was found guilty two decades ago of stabbing Lisha Gayle 43 times, and was sentenced to death.

St. Louis County prosecutors now say he's innocent.

The Missouri Attorney General disagrees.

On Wednesday, both sides will argue the facts of a case whose evidence does not clearly point to either guilt or innocence:

The DNA has been compromised, bloody fingerprints destroyed, and two main witnesses in the original trial had questionable motives — and are now dead.

Wednesday's evidence hearing comes a week after Williams made a surprise deal with the office of St. Louis County Prosecutor Wesley Bell to plead no contest to the murder charge against him. Williams, who continues to maintain his innocence, agreed to the deal in exchange for life in prison without the possibility of parole.

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Attorney General Andrew Bailey immediately appealed, and the state Supreme Court nullified the deal and ordered this latest evidentiary hearing.

“I don’t think this is going to be kind of a strictly legal argument,” said Peter Joy, a Washington University School of Law professor who is unaffiliated with the case. “It is going to depend on how the evidence comes out at the hearing itself.”

Here’s how the case against Williams unfolded.

## The crime

Felicia “Lisha” Gayle Picus was found murdered in her University City home on Aug. 11, 1998.

Her husband of almost 20 years, Dr. Daniel Picus, came home just before 8 p.m. and found their kitchen in disarray.

The freezer door was open with its contents rummaged through. The empty dishwasher was also open. And a drawer full of Chicago Cutlery brand knives was open and he saw a cardboard knife cover on the floor — where police would later say they found one of multiple bloody shoeprints.

Picus, a Barnes-Jewish Hospital radiologist, found his wife’s body on the ground in a hallway. Gayle was wearing only a purple shirt and had one of their kitchen knives lodged in her neck.

“He learned later that his wife had been stabbed 43 times and ultimately died from 16 stab wounds to her head, neck, chest, and abdomen,” prosecutors wrote. Several defensive wounds indicated Gayle fought her attacker.

Investigators noted an empty Bud Light bottle on the kitchen counter, near some empty plastic shopping bags and a pile of papers. The wooden kitchen table had four chairs, two of which were pulled out.

Police found blood throughout the first floor of the home and up three steps on the staircase to the second floor, which appeared undisturbed.

Picus told police most of the house seemed untouched and the only missing things were his old Apple laptop, Gayle’s purse and one of her four canvas bags used for grocery shopping.

The break-in was the fourth burglary on that street in a month, the Post-Dispatch reported at the time.

## The investigation

In the days following the murder, police investigators interviewed several of the couple’s neighbors on Kingsbury Drive, a private gated street, as well as other witnesses in the area on that day.

Most told police they hadn’t noticed anything suspicious or weren’t around at the time of the murder. A neighbor and a babysitter working at a nearby home mentioned one unusual thing: a white man driving a dark-colored

minivan in the area around 4:30 p.m.

Police believed the killer had entered through the front because the pane of glass on the front door had been broken. But no neighbors reported seeing anyone at Gayle's door that day.

As far as Picus could tell, his wife's daily routine was undisturbed. Gayle, 42, a former Post-Dispatch reporter, usually went for a run after he went to work in the morning, and a neighbor reported she stopped by to give them some extra bananas on her jog around 10 a.m.

The street's longtime mailman told police he saw Gayle at around 1 p.m. that day in front of her door. They had a brief conversation.

The mailman noted one unusual thing. He said the couple's front door was open the day of the murder and the day prior, even though it was usually closed when he dropped off their mail.

Another strange thing: 24 days before Gayle's murder, another woman had been stabbed over 20 times in her home, also with her own kitchen knife that was left at the scene, the Post-Dispatch reported in 1998. In a 2017 writ filed by Williams' attorneys, they said then St. Louis County Medical Examiner Dr. Mary Case believed the murders were connected.

Debra McClain, a 40-year-old drugstore clerk, was found dead in her home on July 18, just three miles from Gayle's University City home. Both women were "slim, short, with brown hair." There were no signs that

McClain's house had been broken into, police said, nor was anything taken.

No one has been charged in McClain's killing.

As the weeks went on, Gayle's murder remained a focus in the news media. It would take 10 months for police to get their "first real lead," prosecutors wrote.

## A break in the case

During those 10 months, Gayle's family grew increasingly frustrated with the lack of progress in the investigation, prosecutors wrote. Police suggested the family offer a reward, so they began advertising a \$10,000 incentive for any leads.

News coverage of the stalled investigation — and the reward — was prominent.

Investigators finally got a tip on June 4, 1999. A man named Henry Cole was released from the Workhouse, a city jail now shuttered, and immediately called the police to tell them he had information about who killed Gayle.

Cole had an extensive criminal history dating back to the 1960s. He had felony convictions and prison sentences for crimes ranging from stealing to robberies to weapons possession all over the country. He also had long

struggled with drug addiction — he regularly used crack cocaine, marijuana and heroin — and with mental illness. Prosecutors also said he was HIV-positive.

Prosecutors said that before he told police anything, Cole asked them, “Ain’t no way I can get any kind of money at all upfront?”

Cole told police Williams confessed to killing Gayle while the two were in lock-up together. Cole said that Williams explained he needed money, so he took a bus to University City to find a house to rob.

About three months after Cole’s interview with police, a woman named Laura Asaro was arrested for sex work. Asaro told officers that she had information related to “the murder of the woman in U. City.”

But when detectives arrived to question her, she would not talk to them, stating she was “just trying to get out of the arrest.”

Police questioned her for two hours to no avail. They tried a different tack four days later: Detectives told her the charges would be dropped if she cooperated. They noted the reward for information.

“She was not receptive, so detectives then told her that Ms. Gayle’s husband had posted a \$10,000 reward in the case involving the death of his wife, and she would be eligible for some or all of the money if she helped out,” prosecutors wrote.

Asaro then told police she was living in Williams' car with him at the time of the murder. On the day Gayle was killed, Asaro said Williams left her at her mother's house and returned with blood on his clothes and scratches on his neck. According to Asaro, he threw the clothing down a sewer and promptly went to a neighbor to trade Picus' laptop for crack cocaine.

Asaro at one point told police she saw the laptop in Williams' car. But her story on the computer, and when it was sold, changed several times.

Williams' cousin testified that in August 1998 he saw Asaro get off a bus near his grandfather's home carrying the laptop and a purse, prosecutors said.

The neighbor had the computer 10 months later but denied in court that any drugs exchanged hands. In November 2022 he said in a sworn affidavit that he bought the laptop for his school-aged daughter and said Williams told him someone had given Williams the computer.

Asaro said the day after Williams returned covered in blood, she found Gayle's purse in the trunk of Williams' car and thought he was cheating on her. When confronted about it, Asaro said Williams told her it belonged to "a journalist at the Post-Dispatch whom he had just killed," prosecutors wrote.

Police never found the purse.



Williams' attorneys said the two witnesses' stories changed throughout the investigation and often contradicted their versions of events.

## The trial

Williams was charged with the murder on Nov. 29, 1999. Asaro testified at trial that she found Gayle's ID in Williams' car and that he told her that he killed Gayle.

Cole, too, testified that Williams confessed to the murder while the two were cellmates.

A jury, made up of 11 white people and one Black person, convicted Williams in June 2001 after five hours of deliberation. The conviction came as Williams was already serving 50 years for two unrelated robberies, the Post-Dispatch reported at the time.

Williams' innocence claims also include allegations that the prosecutor at the time rejected two potential jurors based on their race.

In the days following his conviction, the jury then deliberated for 90 minutes before deciding Williams should be executed by lethal injection.

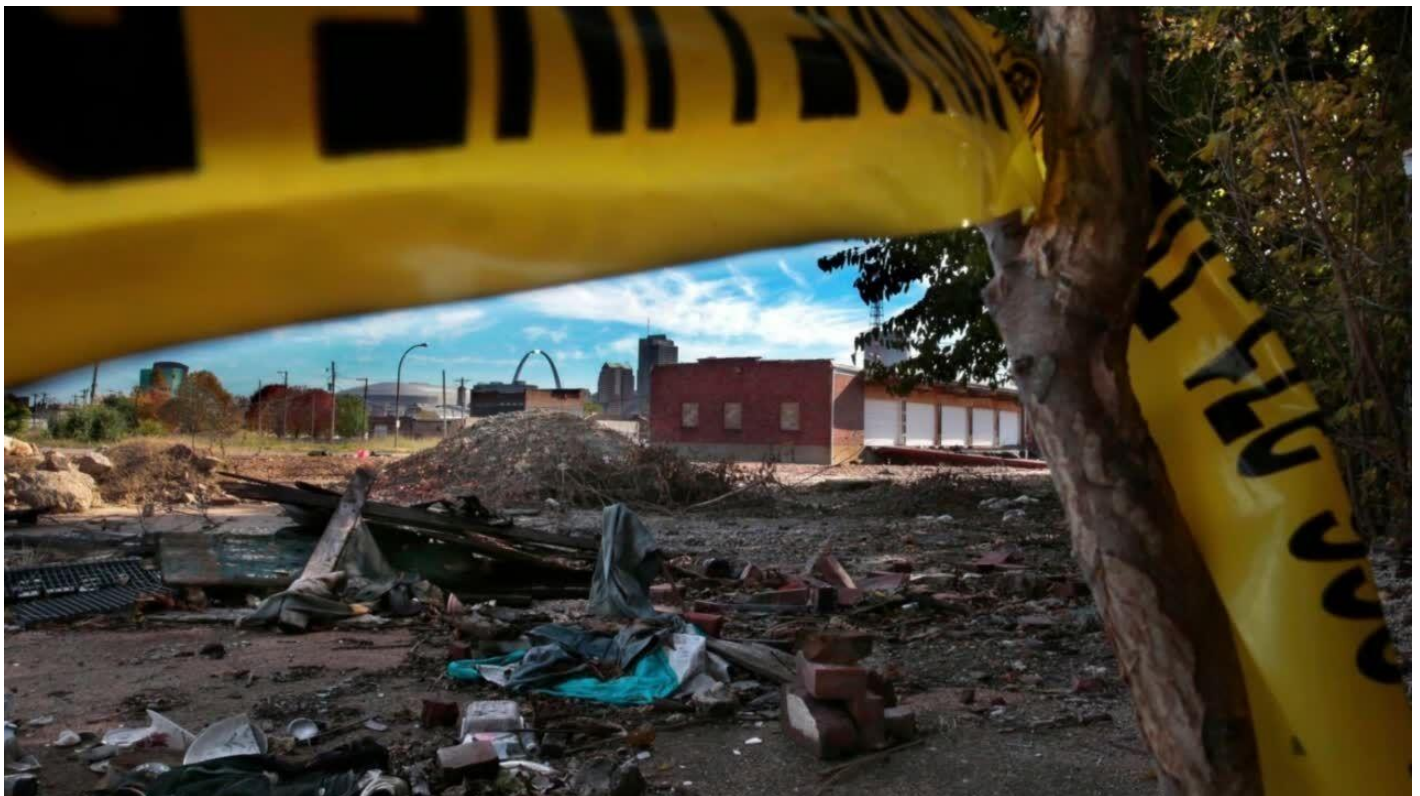
Asaro and Cole both died several years ago, according to Williams' defense team. Their families have provided statements under oath that said the two were known for providing police false information for their own benefit.

Ed Hopson, a man who dated Asaro's mother and had known Asaro since she was a child, told authorities she "was a known police informant and had engaged in a pattern of lying to the police to get herself out of trouble in the past."

Cole's nephew, Durwin Cole, said "everyone in the family knew that Henry made up the story about Marcellus committing the Felicia Gayle homicide."

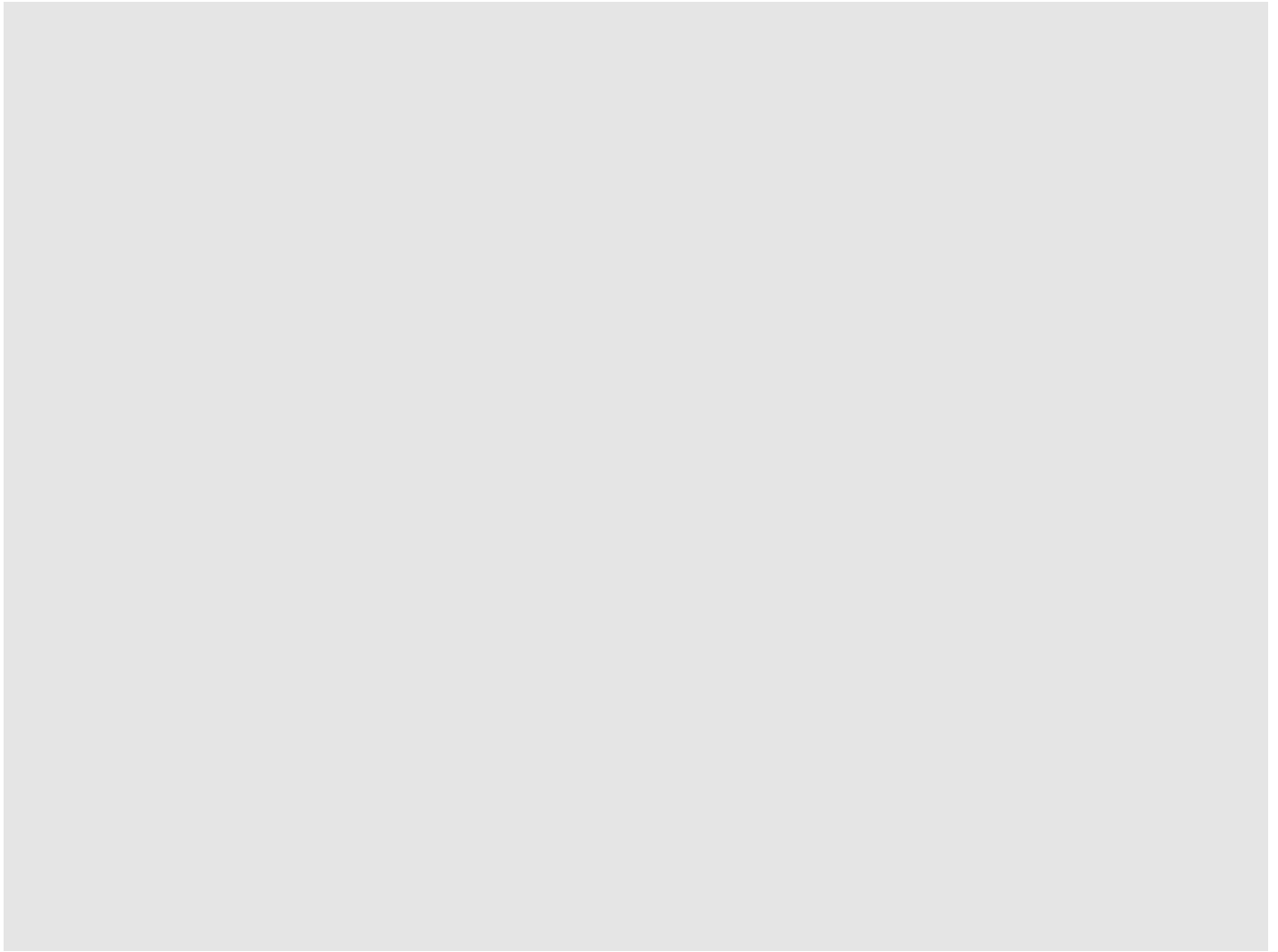
Williams is scheduled to be executed on Sept. 24.

St. Louis County Judge Bruce Hilton will have less than three weeks to review the case and decide whether to vacate Williams' conviction.



The St. Louis Post-Dispatch tracks the data behind reported homicides on an interactive map that allows readers to explore information in various ways.

## Explore the homicide tracker.



Marcellus Williams and Lisha Gayle

Post-Dispatch file photos

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**By Dana Rieck**

**Courts Reporter**

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