

SUPERIOR COURT, STATE OF WASHINGTON, SPOKANE COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

SHELLYE STARK,

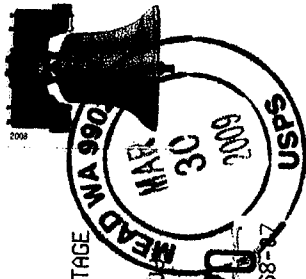
Defendant.

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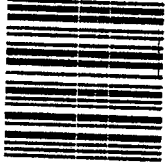
NO. 07-1-04691-8

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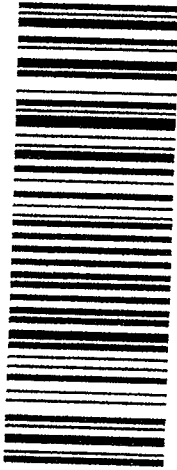
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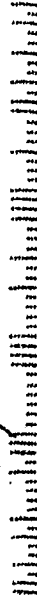
Barb Prokopich
PO Box 62
Mead, WA 99021-0062

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Handwritten: Russell Brackshaw, Post
Dawson Bldg 421 Suite 704
West Riverside Avenue
Spokane, Wash. 99201

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99201/0410



3-18-2009

NORTHWEST

Appeal place Father's role

Prosecutors close case against Stark

Murder defendant controlled combative marriage, they say

BY MEGHANN M. CUNIFF

Staff writer

Shellye L. Stark testified last week about a marriage she described as marred by abuse. Prosecutors used a piece of that testimony Tuesday as a foundation for their closing arguments in her murder trial.

Stark herself told the jury she and her husband "had mastered destroying each other," Spokane County Deputy Prosecutor Larry Haskell said Tuesday.

The question the jurors must answer is who was the aggressor in a relationship both sides acknowledge was unhealthy: Shellye Stark or Dale Robert Stark, whom she shot to death Dec. 9, 2007, in what she says was self-defense.

Describing the Starks' marriage as "mutual combat," Haskell contended that Shellye Stark was the one in control, and that when her control began to slip as the marriage unraveled, she developed a plan after moving to California to be with her boyfriend, Brian Moore.

"Ultimately, that plan ended with

the execution of Mr. Stark," Haskell said.

Defense lawyer Russell Bradshaw told jurors the evidence doesn't support that claim, pointing to Spokane police Detective Kip Hollenbeck as the instigator of an investigation that failed to examine all the facts.

He said there's no evidence that Stark staged the shooting scene at 1620 S. Maple St., as was alleged. Detective Brian Hamond told jurors the .357-caliber revolver used in the shooting appeared to have been placed near Dale Stark's body. He said a knife and onion on the kitchen counter, with no other food around, seemed staged.

Stark has said she was chopping onions two days before the killing when she rushed out of the home to see her sister, Karen Jachetta, in the hospital.

Jachetta had hit a moose while driving to Spokane from her Priest River, Idaho, home to give weapons

to her sister. The gun was set down instead of thrown because Stark waited until a 911 dispatcher instructed her to set it down, Bradshaw said.

"She did what she was told," Bradshaw said. Bradshaw contested the prosecution's argument that Stark shot her husband in the back, although forensics showed the man suffered three bullet wounds to the back.

Stark said last week that she had just started pulling the trigger when Dale Stark reached for a knife and threatened to kill her, but that she hadn't intended to kill him.

"His back was turned as he was advancing," Bradshaw said, emphasizing that Dale Stark was left-handed and would have turned to grab the knife as he charged his wife.

"He wasn't coming over to give her a hug," Bradshaw said.

The defense said the shooting was an overreaction to a death threat by Dale Stark. But they pointed to key details from their client when arguing the overreaction was caused by years of abuse: Dale Stark was angry at

Shellye for the restraining order, his face had reddened and he'd cursed and threatened her just as he had during past beatings.

Those are trauma triggers indicative of battered woman syndrome, which a Florida-based psychologist said provoked Shellye Stark's overreaction.

Haskell noted last week that there was no reference to marital abuse in Stark's interview with Hollenbeck. But Bradshaw urged the jurors to put themselves in Shellye Stark's shoes and imagine the years of abuse she described.

A lack of corroborating evidence to her claims is common in domestic violence cases, experts on both sides have acknowledged.

"Broad corroboration is a luxury Ms. Stark could not afford, because the price of broad corroboration, the price of opening that door, was her life," Bradshaw said.

Jury deliberations begin again this morning.

Get the latest and best info to her
Staff writer Meghann M. Cuniff can be reached at (509) 459-5534 or by e-mail at meghamc@spokesman.com.



Stark

Barbara Licensed in Wash 14 YRS + (1) Certified NAC
Barbara Licensed in Idaho 12 YRS Certified NAC
Barbara Licensed in Mont 3 YRS Certified Home Visits (Nurse NP) 3-30-09
SINGLE M.M since 1993

Dear Lisa Writing in Regards to Shelly S. Stark.

1101 West View Ct Management under Jackie almost 34 years

My Name is Barbara A. Prokopich ^{age 61} Was Employed at Northpoint Retirement Center Nursing Assistant.

North was in March 2005 around the 13th of the Month. Working Nights one Paces alert of Seasons, Day late time Road Conditions which were improving But some icy spots. ^{beginning of Spring}

My position - (training) New Nursing Assistant For Nights Day positions.

Spelling! I Remember Shelly Because of outstanding letters she always wore her Reading Glasses about Ready to slide off her Nose, she seemed to be Very Warm and Congenial. But yet when she spoke of her Husband her Knees would Bounce, she'd Wring her Hands in Circular Motions, and eyes became Misty, sometimes Tearful and Tricky.

We Chatted because there was little time and the Bldg was quiet After 2 AM Rounds. So we Got Comfortable on a Couch and talked like 2 old Friends, But had never met before!

Bldg (Building)

Since 93

→ I was divorced, she was Reflecting Marriage problems that were becoming physical confrontations I seen some Bruising on her Fore Arms One spot Large oval in Blue coloring. she said she'd been slapped and pounded on By her portener (Husband) Because of disagreements about the Kids. ^{D.L.C.}

Her Friends Bringing in their Friends with different Types of Drugs.

Barbara Prokopich P.O.
PO Box 62
Mead WA 99021-0062

Home E13615 Frolinger Rd
ELK, Wash 99009

14 years (here)

That she didn't want the kids to get started on Weed
Marijuana and so on. She said the house was
kept spotless, but he kept bringing in friends
who left a mess, never a kind word and stated
she was lazy 'tut she'd make a good here!

eyes
Thatching
Wringing
Her hands

In her conversation she broke down 3 or
4 times stating she won't raised that way, and wanted
to change things or leave with the kids for parts
unknown. I agreed the scene was unhealthy.
I asked her if any of his friends were decent and could
take her side and talk to ^{her} ~~him~~ ^{husband} since they'd know her.

She said that wouldn't work. His friends
are Manipulative, Liers and couldn't be trusted
with anything including her kids there, if she
was away at work. She had a sister North
of Spokane, she said she went to quite often
because she was afraid. Talk to Bob or a
lawyer. I told her, she disagreed because of her
kids being alone with his friends, they'd do something
to them. And apparently from impressions I got, the
friends stated they'd take his side against her ^{every time!}

Her voice would break, some sobs, tears
wringing of her hands, eye movements very fast, and would
get up and walk toward the chair. She stated
please Don't tell him I told you anything! He
Honestly I believe would kill me, He's said so on
many occasions. I probably won't work here long
because he threatens me every day, follows me to
jobs, wants me to be a hooker, so he wouldn't have to

(I told her I'd say nothing
but she had a friend if she
wanted one)

(she said)

Caring
From
Shelly

Work, I wouldn't want to live. He was so nice at first, and I trusted him. He's always taking my pay checks has me sign them and take off to the Bar, Friends, maybe Girl Friends I don't know.

Her
Voice Tone
changed

I've gotten fat, I got to get away from him. I asked if she had friends other places she said yes. But he always finds me and beats on me. He's had my nose broke, glasses crushed, hair pulled. My arm pulled out of the socket, But every body thinks he's the good guy. My life's a living Hell, a living Hell. Don't be surprised if you read about me in some muddy ditch dead.

I consoled her, I explained Jesus knows your sorrows, Pray once in a while quietly. Told her he can't stop you from thinking good thoughts.

She laughed sheepishly and became a little more content. She followed me around that night & I went home, and this I was leaving wished her well, to see a priest maybe, and things will probably improve. CoSM was changing of shifts (I never seen her again till reading about her in the Spokesman paper)

When I returned next night Jackie my Manager asked me how things went - I told her she was a very proficient and good worker, But stated her family was very unsettled. Jackie said Shelly came in about 9:30 AM after working all night teary eyed loved it there, But things at home were unraveling and she might be leaving town. Jackie said her hair was on messy pattern, still had her dunks on.

30-09

all know
at Bank open

This is Honest and True Information. All that I can furnish you, Kind Sir!

I personally feel this Lady Shelley Stark defended herself against Dob. He is Very Guilty as well. He killed her spirit, forced her into a very small corner of the world. ^{He} Was asking for help from everyone blindly, feeling no one would help, or care.

The Aspects of Human Behavior Should not be overlooked. Has America become so Caloused we know longer are allowed Emotions of Kindness, Love, and Violence if Must Be ^{short of murder} 1??

People in history King David Love Life

Jesus of Nazareth Love Thy Neighbor Be Kind.

Moses became violent and murdered the head builder. We are all guilty of something.

Please Examine the signs of Body Language.

2005 Emotions, Eyes, Twitching, Wrigging of Head, Couldn't sit very long, Tears, Judgment, Fears.

2006 O I am only a stranger, but put yourself in her shoes! Perhaps the Incumbent deserves

2007 O contact 25 years instead, Forgive me

2008 O / Mis Trial My thoughts

2009 O Thank you.

2009 Seen Her in paper, TV



Barb Prokopich
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Do not know what Her Husband Looks like even!?