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2011 brings high-profile cases to Hennepin County courts

January 1, 2011 11:21

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In Hennepin County District Court, the new year promises a bundle of high-profile trials involving very serious crimes, including a triple murder, sex abuse and blackmail.

Prosecutors say that a year ago Mahdi Ali walked into the Seward Market and Halal store with a gun to rob the business on E. Franklin Avenue in Minneapolis.

Within minutes, Abdifatah Warfa, 28; his cousin, Mohamed Warfa, 30, and Anwar Mohammed, 31, were dead.

An appeal in a dispute over the age of the accused triggerman has pushed the trial date from next week back to March 14.

Ali's co-defendant, Ahmed Ali, pleaded guilty and is expected to testify against Mahdi Ali. Frederick Goetz, Mahdi Ali's lawyer, argues that his client was 15 when the shootings occurred, so he shouldn't automatically stand trial as an adult for first-degree murder as a 16-year-old would.

District Judge Peter Cahill and the state Court of Appeals, however, ruled against Mahdi Ali, saying he was at least 16 on Jan. 6, 2010. Goetz is asking the state Supreme Court to hear the arguments.

Similarly, pretrial issues and an appeal are pending in the sexual misconduct cases against former Minneapolis Parks Police Chief William Jacobs and businessman William Wanner of Wayzata. The men are charged in separate incidents, but both are represented by the legal duo of Paul Engh and Joe Friedberg. It's unclear which case will go to trial first, but Jacobs appears to be the better bet.

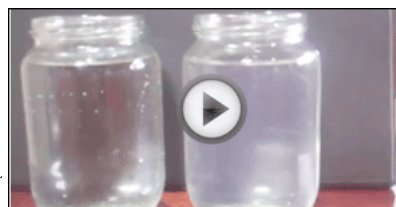
In the Jacobs case, Engh and Friedberg are aggressively challenging whether Judge Daniel Moreno should continue to preside over the proceedings. They say Moreno failed to disclose that he is married to an assistant county attorney. The district court and the court of appeals rejected the argument that the relationship creates an appearance of bias. Engh and Friedberg are asking the state Supreme Court to take up that issue.

Jacobs, 66, of Deephaven, faces two counts of first-degree criminal sexual conduct and 15 felony counts of possessing child pornography stemming from a Jan. 21 search of his home. The child pornography case is slated for trial first. Jacobs is accused of molesting a Twin Cities youth from 2007 until January 2010, when the boy, 15, went to authorities. Jacobs pleaded not guilty and is free on bail. He led the Minneapolis park police from 1987 to 2001 and also worked at Twin Cities private schools Blake and Breck.

The case against Wanner could be tied up on appeals for a while.

He is accused of molesting a 10-year-old friend at the Minneapolis Club in December 2009. Friedberg and Engh are fighting the admission of security video recordings of the hot tub at the downtown club. Prosecutors argue the videos show evidence of a crime. Engh and Friedberg say the video equipment was antiquated and the quality of the recording is too poor to be used against Wanner.

Judge Frank Magill heard arguments on that issue in December. He is expected to rule in February. His decision is likely to be appealed. Prosecutors already plan to appeal another judicial ruling in the case.



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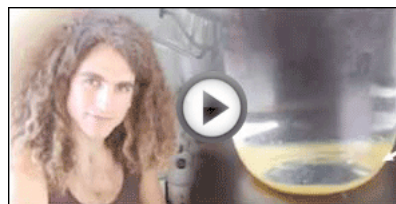
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Two judges already have said only the first interview with the alleged victim can be seen by the jury.

Extortion triggered suicide

A former teacher at St. Paul's Cretin-Derham Hall is scheduled to go on trial Feb. 7 on two counts of third-degree sexual misconduct. Gail Gagne is accused of having sex with a 16-year-old student she supervised in the weight room during the summer of 2008 when she was 25.

Gagne is represented by Earl Gray, who also represents Rickey Pouncil, the only remaining defendant and allegedly the prime mover in an unusual coercion case that resulted in a man's suicide in a Bloomington park.

Two women, alleged prostitutes, already have pleaded guilty to coercion, detailing how they worked with Pouncil to blackmail Daniel L. Kreye, 57, by threatening to reveal explicit photos to his wife of 31 years. Both are expected to testify against Pouncil, a man whose bald head and face are covered in tattoos.

Kreye shot himself May 10 at a wildlife refuge, leaving a note that said "I am being extorted over \$500,000. Best for my family and friends."

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