

### Hollister Seeks New Trial

A Sabetha man convicted of capital murder in the death of a rural Horton woman is seeking a new trial after asking for several months' worth of appeal extensions.

Sarah Johnson, the appellate attorney for 60-year-old Roger Hollister says he deserves a new trial because Atchison County Judge Martin Asher did not properly instruct jurors.

Hollister is serving life in prison with no chance of parole for the November 2009 death of 58-year-old Patricia Kimmi.

Hollister's attorney argued in a court motion filed last week that evidence presented in the trial was insufficient, errors were made in closing arguments and other errors in the court process deprived Hollister of a fair trial.

Atchison County Attorney Gerald Kuckleman tells KAIR Radio he was expecting and awaiting the appeal, and he says he plans to file a response to the 24 page appeal, just like he would for any other appeal he would receive.

The case would then await a hearing in the Kansas Supreme Court, bypassing other appellate courts since it's a capital murder case.