

# Nichols defense takes a pounding

**Prosecutors challenge testimony that differs from earlier statements**

**By Sandy Shore**  
Associated Press

DENVER — Prosecutors hammered away Wednesday at several defense witnesses who said they saw Timothy McVeigh with others just before the Oklahoma City bombing but admitted that their testimony differed from earlier statements to the FBI.

John Davis described for Terry Nichols' jurors the features of a man — not McVeigh — who accepted a delivery of Chinese food at a room at the Dreamland Motel in Junction City, Kan., that was registered to

McVeigh five days before the blast.

He described the man as having unkempt, dark blond hair, and added that "his nose was not a prominent feature of his face."

But Davis acknowledged telling FBI agents he couldn't recall the features of his customers because he makes so many deliveries.

In court, Davis also identified a composite sketch of the man at the hotel that an artist drew in April 1996. It does not match FBI sketches of John Doe 1, later identified as McVeigh, or John Doe 2, a man who two witnesses said accompanied McVeigh when he rented the truck.

Prosecutor Larry Mackey asked Davis if he could reconcile why he came up with a composite sketch a year after telling FBI agents he couldn't recall his customers' faces. After a pause, Davis said, "My ini-

tial answer would be no."

Since opening their case, defense attorneys have called at least 16 witnesses in an effort to distance Nichols from McVeigh, and to suggest that someone other than Nichols helped McVeigh plot the April 19, 1995, bombing that killed 168 people. McVeigh has already been convicted and sentenced to die.

None of the witnesses saw Nichols with McVeigh, and only one has placed Nichols anywhere in the critical week before the bombing — an employee of a Herington, Kan., surplus store who said Nichols asked to trade picks and axes for shingles.

Nichols, 42, could face the death penalty if convicted of murder, conspiracy and weapons counts. His former Army buddy, McVeigh, has appealed his conviction on identical charges.