

FBI fingerprint expert wavers on testimony during Nichols trial

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An FBI fingerprint examiner Tuesday said he mistakenly testified earlier in the week that he had found Terry Nichols' prints on a piece of evidence in the Oklahoma City bombing case.

Under cross-examination, Louis Hupp said that some of the prints were actually from executed killer Timothy McVeigh.

He also testified that fingerprint examiners uncovered more than 1,000 unidentified prints on the evidence but never tested them. He said it was assumed the prints would not be in the FBI's database, which at the time had prints from 35 million people.

Nichols is on trial on state murder charges that could bring the death penalty for his part in the April 19, 1995, blast at the Alfred P. Murrah Federal Building killed 168 people. His lawyers maintain that he was set up to take the fall for the bombing.

On Monday, Hupp testified that Nichols' palm prints were found on a handwritten map that supposedly showed the location of the building. But under cross-examination by the defense Tuesday, Hupp said the prints were McVeigh's.

Hupp also testified Monday that McVeigh's prints were found eight times on a lease agreement for a storage shed where bomb components allegedly were stored. But a sheet prepared by the FBI showed there were only six prints from McVeigh.

"I can't explain what that was. It was an administrative error," Hupp said. "I take full responsibility for the clerical errors."

Nichols was convicted on federal charges in the bombing and is serving a life sentence. McVeigh was executed in 2001.

Also Tuesday, Nichols' former wife, Lana Padilla, testified that she was shocked by a sealed letter he gave her nearly five months before the bombing.

The letter included instructions on how to distribute Nichols' belongings if he died during a 1994 trip to the Philippines, told her how to enter a storage unit in nearby Henderson, Nev., and what to do with its contents. The two divorced in 1988.

She said she followed the instructions and pried off the back of a kitchen drawer, where she found a package containing \$20,000 in cash. She also went to the storage shed and found camping gear, bullion coins and a cigar box containing jade that prosecutors say was stolen from Arkansas gun collector Roger Moore as part of a plan to finance the bombing.

Padilla said she was stunned by the items' \$38,000 value, adding that Nichols never paid child support and she thought he lived in poverty.

Also in the package was a letter addressed to McVeigh, instructing him to clear out two storage units, including one in Council Grove., Kan., that prosecutors have said were used to store components for the bomb that destroyed the Oklahoma City federal building.