
THE ROAD TO THE ERIC MUI PLEA AGREEMENT

Eric Mui, Alex Mui, Jason Williamson and Efren Paredes, Jr. were arrested March 15, 1989. Eric Mui, Alex Mui and Jason Williamson provided verbal and written statements to police the day of their arrest. Efren made no statements to police other than asking why he was arrested.

Eric Mui, Alex Mui and Efren were arraigned on March 16, 1989. All three entered not guilty pleas at their arraignment hearing before District Court Judge David Peterson. April 17, 1989 the Muis and Efren each entered not guilty pleas to murder and armed robbery in the Circuit Court. The pleas were entered by mail.

Efren would later go to trial beginning June 20, 1989. The trial would last seven days and conclude June 28, 1989. A guilty verdict was delivered in less than four hours. Efren would later be sentenced August 14, 1989. He was, as noted in *The South Bend Tribune*, Thursday, June 29, 1989:

"[T]he first juvenile in Berrien County to be sentenced for murder under a new state law which allows a prosecutor to try a 15- or 16-year-old as an adult."

Eric Mui was scheduled to go on trial July 27, 1989. July 17, 1989 Eric Mui had a hearing to suppress statements he made to police when he was arrested, during which time he stated that Efren committed the Vineland Foods crime and he (Eric Mui) provided Efren with the murder weapon. Eric Mui claimed that he and his brother Alex were threatened by Lt. Detective Gary Ruhl who allegedly told them they would be "locked up forever" unless they cooperated.

Gary Ruhl and William Tucker made the same threats to Efren as well when they attempted to interrogate him. Efren refused to cooperate with them or provide a statement without first speaking to a lawyer despite their threats.

July 19, 1989 Eric Mui's motion to suppress his statement was denied by Circuit Court Judge Casper O. Grathwohl. The Judge stated it appeared Eric Mui was "eager" to explain his involvement in the incident to police. ("Statements won't be suppressed" by Scott Aiken, *The Herald-Palladium*, Thursday, July 20, 1989.)

Eric Mui's attorney, Harry J. Creager, subsequently filed a motion to adjourn his July 27, 1989 trial date to be set after September 27, 1989. The reason for the request was that "newspaper, television and radio publicity [had] reduced the chances of empaneling an impartial jury." This, according to Asst. Prosecutor Michael Sepic and attorney Harry J. Creager. (*The Herald-Palladium*, Saturday, July 22, 1989.)

The importance of the request for adjournment is significant because no adjournment request was made by Michael Sepic or Efren's attorney, Andrew Burch, before Efren's trial was scheduled to begin. Efren's trial was held only three months after his arrest. The media coverage leading up to, and during, Efren's trial included intense print, radio and television news broadcasts. Media coverage

of the Vineland Foods crime was of a much greater magnitude prior to Efen's trial than when Eric Mui was scheduled to stand trial.

Eric Mui was later scheduled for a new trial to begin November 7, 1989. However, shortly before his trial was to begin he entered a guilty plea to second-degree murder and armed robbery on November 3, 1989—four days before he was scheduled to stand trial.

This information is important because Eric Mui maintained his innocence repeatedly and fought to have statements suppressed which he claimed he was coerced into making to police after his arrest. The prosecutor's theory of the crime was that a sole gunman and robber committed the homicide and robbery.

This begs the question: If Efen was the sole person alleged to have committed the crime, and he was convicted of that crime in June 1989, why would Eric Mui then plead guilty to the same murder and armed robbery five months later?

If Eric Mui was truly innocent he would have called Efen to his trial to testify and asked him if he (Eric Mui) ever gave him a gun or discussed committing the Vineland Foods crime. Eric Mui knew Efen's answer would be "no" to both questions because Efen testified to this at his June 1989 trial. Eric Mui's lawyer knew this as well.

Eric Mui never attempted any of this because of his guilt. He knew he could not risk taking such a chance because he too could have been subjected to having life sentences imposed on him. He owned the murder weapon, his car was used during the commission of the crime, he was found in possession of newspaper articles of the crime, and he admitted to having money from the crime. ■