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DeLuna guilty, could be given death sentence

By LINDA CARRICO
Staff Writer

Carlos DeLuna yesterday was found guilty of capital murder in the knife-slaying of a service station cashier who was killed while describing her assailant to a Corpus Christi police dispatcher on the telephone.

Wanda Jean Lopez had called police and asked for help minutes before she was stabbed to death while begging her assailant not to kill her as he robbed her.

After deliberating 4½ hours yesterday afternoon, a Nueces County jury found DeLuna guilty of capital murder in the Feb. 4 killing of Ms. Lopez, 24, during a robbery of the Sigmore Service Station at 2602 S. Padre Island Drive.

Only after the seven-man, five-woman jury was dismissed for the night did DeLuna display any emotion over the jury's decision. Tears welled in his eyes after several sobbing family members ran to him embracing him and comforting him.

As a result of the capital murder conviction, DeLuna, 21, of 2046 Rockford Drive, faces either life in the state penitentiary or death by lethal injection.

The punishing phase of the trial is scheduled to begin at 9 a.m. today before visiting District Judge Wallace Moore in the spare courtroom at the Nueces County

Courthouse.

Assistant District Attorney Steve Schiwetz, the prosecutor in the case, said yesterday he will seek the death penalty for DeLuna.

In final arguments yesterday, Schiwetz described DeLuna as a "cold-blooded murderer" who killed Ms. Lopez because he realized she was suspicious of him and had called police.

Schiwetz played a portion of a tape recording of the telephone call Ms. Lopez made to police only minutes before her death.

Schiwetz described Ms. Lopez's voice as "scared and terrified" when she screamed her last words — "You want it, I'll give it to you. I'll give it to you. I'm not going to do nothing to you. Please!"

Noting that the policy of the service station was not to resist robbers and to give them what they want, Schiwetz said, "That's exactly what she did. But the person didn't give her a chance."

Stopping the tape recording just short of Ms. Lopez's final seconds, Schiwetz described what happened next: "We hear the struggling and then she let's out that one horrible scream, that's when he pushed the knife into her."

The prosecutor attacked the existence of what he called "the

See DeLuna, page 12A



AP Wirephoto

Samantha's coming home

Maine schoolgirl Samantha Smith and her parents begin their return trip to the United States this afternoon without having met Soviet leader Yuri V. Andropov, who issued the girl her invitation to visit.

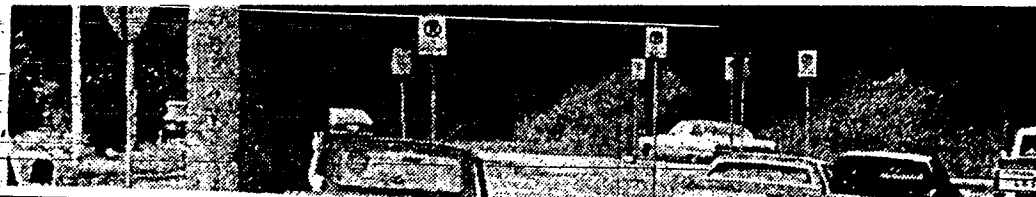
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Tuesday evening. The group stayed atop the overpass until the rush hour traffic had let up.

UPI Photo



DeLuna

From 1A

Volcker

From 1A

phantom" Carlos Hernandez, who DeLuna claimed killed Ms. Lopez.

Upon seeing Hernandez inside the Sigmore station wrestling with the female attendant, DeLuna testified earlier, he ran for fear he would be implicated since he had a criminal record.

DeLuna told the jury he was paroled recently from the Texas Department of Corrections for a 1980 conviction of attempted rape and unauthorized use of a vehicle in Dallas County.

Also in his arguments, Schiweitz reminded the jury of at least four witnesses who placed DeLuna at the service station at the time that Ms. Lopez was killed.

But defense attorney James Lawrence said the testimony of the witnesses was unreliable because it came from individuals who were in a high-stress situation when they said they saw DeLuna.

"Eyewitness testimony is not the best testimony in the world because eyes can play tricks," Lawrence said. "In a high-stress situation, people can't really remember what they saw."

He also accused police of re-en-

forcing the impression that DeLuna was the murderer the night Ms. Lopez was killed by bringing DeLuna back to the scene in handcuffs for witnesses to identify.

Lawrence also said no physical evidence found at the scene placed DeLuna at the service station the night Ms. Lopez was killed. Lawrence said DeLuna's fingerprints were not found inside the store or on the knife believed to be the murder weapon. He also said no blood was found on DeLuna's clothing.

Lawrence also attacked the testimony of a woman who denied she was with DeLuna at a Corpus Christi skating rink when Ms. Lopez was killed. DeLuna had named the woman as an alibi witness.

The woman, Mary Ann Perales, told the jury that she was seven months pregnant and attending a baby shower in her honor the night DeLuna said they were together.

Lawrence also charged the prosecution with "relying on flimsy eyewitness evidence and innuendo" in the prosecution of his client.

forecast for the economy, which, like the Reagan administration's and those of most private forecasters, has been revised to account for a stronger recovery than expected early in the year.

The Fed now expects growth in the gross national product this year to fall between 4 1/2 percent and 6 percent and 3 percent to 5 percent next year. Earlier, the Fed had projected growth this year of 3 percent to 5 1/2 percent. It also projects an inflation rate this year of 4 percent to 5 1/2 percent, about the same as its earlier figure, and a slightly lower range for the unemployment rate of 9 percent to 9 1/2 percent.

Volcker told his sometimes hostile questioners that the Federal Open Market Committee, which met here behind closed doors last week, had lifted its target range for the basic measure of the nation's money supply — known as M1 — from a range of 4 percent to 8 percent to one of 3 percent to 9 percent. All year, the M1 has been growing well above the Fed's earlier target.

Once again, as he has in virtually all other public appearances, Volcker attacked what he

sees as the greatest obstacle to lower interest rates and sustained growth — a federal budget deficit that will total about \$200 billion in the current fiscal year. "It's the most important single hazard to recovery," he said.

It's a hazard, he explained, because it makes the federal government a gluttonous competitor for loans to support the national debt, thus forcing up the cost of money for everyone, from home buyers to big business.

In one of the few moments of levity during the committee's questioning of Volcker, Frank Annunzio, D-Ill., invoked both Vice President George Bush's "voodoo economics" epithet for supply-side theories and Humphrey Bogart in charging Volcker with excessive spending by the Fed.

"Spend it again, Paul," he said, in charging Volcker with practicing "You-do economics." Volcker agreed with Annunzio that the Fed had spent \$1 billion in conducting its affairs last year. But the Fed, unlike most public institutions, returns profits to the Treasury of many times what it spends.

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