

St. Paul man not guilty of ditching gun used in slaying

Article by: , Star Tribune

Updated: February 10, 2011 - 10:40 PM

Minutes after the two not-guilty verdicts were read in Lance J. Hartwig's trial on Thursday, members of the jury burst into a conference room to laugh, cry, celebrate and embrace the defendant.

Hartwig, 28, was accused of ditching a .38-caliber Taurus revolver that his best buddy, Anton Burnes, allegedly used to shoot Kevin Dunn in an alleyway in St. Paul's Frogtown neighborhood on May 31, 2008. Hartwig maintained all along that he never had the gun.

"I believe you, I really believe you," juror Nick Stueber, 20, said as he hugged Hartwig. "Until closing arguments, I wasn't sure. Then it just came. It just came."

The facts just didn't add up. There were too many inconsistencies, jurors said.

"It's such a good feeling to be able to show that if things are improbable, a jury will listen," Hartwig's attorney, Ryan Pacyga said.

Hartwig was reluctant to comment, but did say, "Mr.

Pacyga definitely seeks justice and he found it for me and I'm forever grateful, forever."

This was Hartwig's second trial on charges of accomplice after the fact to second-degree intentional murder and possession of a firearm by an ineligible person. The jury in his trial in May deadlocked, and District Judge Rosanne Nathanson declared a mistrial.

Hartwig, Burnes and others had been drinking the night of May 30-31, 2008, at Willard's Bar at Grotto Street and Thomas Avenue. Dunn was there, too, celebrating his 28th birthday.

According to testimony, Dunn left the bar first. Gunshots were heard, and Hartwig, Burnes and others went outside. More shots were fired, and Dunn was hit.

St. Paul police officers Andy Heroux and Matt Webb arrived two minutes after the shooting. The original police report said they saw one man running about four blocks from the bar. Heroux testified at the trial that the dispatcher had said there were two men involved.

Heroux did yell to Webb that he saw a man, later identified as Hartwig, try to throw a gun wrapped in a towel onto the roof of a house. The gun and towel were found in the grass near where Hartwig was caught. But there were no fingerprints or DNA found on it.

There were inconsistencies and contradictions in

Advertisement



the officers' chronology of events and between their report, their testimony in the first trial and their testimony last week, all of which Pacyga pointed out in a computer-generated presentation during his closing argument Wednesday.

Prosecutor Tom Lockhart said the fact that everything happened so quickly could account for some of the inconsistencies. The officers were focused on catching a man they believed was armed and dangerous, he said.

Burnes, the alleged shooter, has not yet stood trial in Dunn's death. He is serving a nine-year federal sentence for an unrelated gun charge.

Pacyga said Hartwig will probably leave town.

"Guaranteed," Hartwig said.

Juror Jack Lucking told Hartwig, "You've been given a new chance to do something. Do something with it."

Pat Pheifer • 612-741-4992

Advertisement

Get a **FREE ADT-Monitored Home Security System.***

(With \$99 customer installation and purchase of ADT alarm monitoring services. See important terms and conditions below.)

*\$99.00 Customer Installation Charge. 36-Month Monitoring Agreement required at \$35.99 per month (\$1,295.64). Form of payment must be by credit card or electronic charge to your checking or savings account. Offer applies to homeowners only. Local permit fees may be required. Satisfactory credit history required. Certain restrictions apply. Offer valid for new Security Choice - An ADT Authorized Dealer customers only and not on purchases from ADT Security Services, Inc. Other rate plans available. Cannot be combined with any other offer. **\$100 VISA® Gift Card Offer: \$100 VISA Gift Card is provided by Security Choice and is not sponsored by ADT Security Services. Requires mail-in redemption. Call 1-888-407-2338 for complete restrictions and redemption requirements.

Call Now!
1-877-835-8373

