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# Judge grants new hearing in Sir Mario Owens death penalty appeal over juror misconduct claim

Hearing will examine whether juror in prior trial knew victim's uncle



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A Colorado judge has granted a new hearing in a death penalty appeal over [allegations of juror misconduct](#) that could throw the capital sentence into doubt.

Christopher Munch, a senior district court judge in Arapahoe County who is presiding over the appeal of death row inmate Sir Mario Owens, ruled on Wednesday that Owens is entitled to a new hearing on one issue raised by his attorneys: Whether a juror in a prior trial against Owens failed to reveal a personal connection to a relative of one of the victims.

Munch denied a new hearing on several other allegations of misconduct, including the defense's claim that the juror lied about her educational background. Munch wrote in his order that there is not enough evidence of those claims to merit new hearings on them.

Owens was convicted of murder in the deaths of three people — [Gregory Vann](#), who was killed in 2004 in Aurora's Lowry Park, and [Javad Marshall-Fields and Vivian Wolfe](#), who were killed a year later. Marshall-Fields was wounded during the Lowry Park shooting and, prior to his death, planned to testify against [another man implicated in that shooting](#). Owens was subsequently charged with all three killings, and his conviction in Vann's murder was used by prosecutors [to obtain a death sentence](#) for Marshall-Fields' and Wolfe's murders.



RJ Sangosti, Denver Post file  
Sir Mario Owens sits, Monday March. 13, 2006, in Arapahoe County Court during the first hearing after being indicted in the June 20 double homicide that killed a witness and his girlfriend.

Attorneys for Owens have accused a juror in the Lowry Park trial of lying on her juror questionnaire and failing to disclose that she knew multiple witnesses who testified at trial. Hearings have already been held on a number of those allegations, but Owens' lawyers asked for additional hearings on several new allegations. The one they were granted will focus on whether the juror knew and was friends with one of Marshall-Fields' uncles prior to serving on the Lowry Park jury.

If the Lowry Park verdict is thrown out, that will at a minimum place Owens' death penalty case on hold. It could also lead to a new death penalty trial for Owens.

The juror has already testified at several hearings, but when she was subpoenaed to appear at more this year and failed to, a warrant was issued for her arrest. Court records show she was arrested on the warrant last week and posted bail, with an order to attend another hearing next week.