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Prosecution's final witness finishes testimony in Gateway murder trial

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The News-Press and news-press.com continue to follow the murder trial of Fred Cooper, accused in the 2005 murders of Michelle and Steven Andrews of Gateway. Check back for updates, photos and video.

For previous coverage of this case, go to news-press.com/gatewaymurders.

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5:48 p.m.

Craven has finished her testimony.

She said she wasn't completely sure of which person to pick out of the six-person photo lineup shown to her by detective Sgt. Walter Ryan, but ranked her certainty an 8 out of 10.

The trial is on break until 9 a.m. Monday.

5:27 p.m.

Craven was a real estate agent in the WCI Communities sales office in Gateway.

She said that on Dec. 23, 2005, a man came into her office asking for a gate code to Cypress Pointe, the gated community where Steven and Michelle Andrews lived.

He said he was renting a room from a friend and needed the code.

After telling the man she didn't have the code and couldn't give it to him, she walked him outside. He got on a motorcycle and rode away.

Craven pointed out Cooper in the courtroom as the man she saw that day.

And when Cooper was arrested weeks later, she saw him on television reports and recognized him.

"The hair on the back of my neck stood up," she said. "I told my husband, 'That was the guy in our office looking for the gate code to Cypress Pointe.'"



Robyn Ragsdale, a DNA analyst from FDLE, holds up the nightgown of Michelle Andrews during Fred Cooper's trial today. (Andrew West/news-press.com)

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She said she didn't call police because she figured they had already arrested him and didn't need her testimony. But she told people in her office and eventually sheriff's detective Sgt. Walter Ryan contacted her.

She testified that she pointed him out of a six-person photo lineup.

5:05 p.m.

After more than an hour and a half, Heinig is off the stand.

She testified about whether Cooper and Steven Andrews can or can't be excluded as contributors to stains found on Michelle Andrews' nightgown and to DNA found under Michelle Andrews' fingernails.

In some cases, Cooper was excluded and in others he and Steven shared DNA characteristics.

The state's last witness, Jimmie Lynn Craven will take the stand next. Craven worked for WCI Communities in Gateway. She will testify that on Dec. 23, 2005, Cooper came to her office to get a gate code to Cypress Pointe, the community where Steven and Michelle Andrews lived.

4:14 p.m.

Heinig is using the Powerpoint presentation to compare Steven Andrews' and Fred Cooper's DNA in samples found on Michelle Andrews' nightgown and fingernails.

Heinig testified that Cooper and Andrews can't be excluded and are consistent with stains found on Michelle Andrews' nightgown.

4:06 p.m.

Heinig testified that she tested several items the Lee County Sheriff's Office sent her.

That included fingernail samples from Michelle Andrews' right and left hands as well as her nightgown.

Andrews' left fingernail included a mixture of DNA. Steven Andrews and his paternal family members can't be excluded, she said. Fred Cooper is excluded.

She tested for male DNA.

The previous witness, Sarah Wojslaw, testified that a problem with DNA testing on, for instance, fingernails, is what's called masking. If a female's fingernails are tested, it sometimes covers any male DNA because there is so much female DNA. A separate test can be done to try to find other DNA, but Wojslaw didn't perform it, she testified.

Heinig is testifying about that testing.

She is now referring to a Microsoft Powerpoint presentation the state attorney's office prepared based on her analysis of the items sent to her.

3:31 p.m.

Prosecutors have two more witnesses before they will rest and chief assistant state attorney Randy McGruther said he thinks his witnesses will run until the end of the day, meaning the defense may not begin its case until Monday.

The state's next witness is Dr. Julia Heinig, who works for the DNA Diagnostics Center in Fairfield, Ohio.

3:05 p.m.

Wojslaw's testimony has finished.

The trial will break for 15 minutes.

2:56 p.m.

Taquechel has been asking Wojslaw questions about her analysis of items sent to her from the sheriff's office.

A pink rag tested by Wojslaw did have a positive match for a man's DNA, but it didn't match Cooper's DNA nor Steven Andrews' DNA.

The rag, which appeared ripped or torn from a larger piece of material, Wojslaw testified, was found in the back yard of the Andrews' house.

Taquechel finished her questioning and McGruther is now on re-direct examination.

2:28 p.m.

McGruther finished his direct examination and now Deputy Assistant Public Defender Beatriz Taquechel is cross examining Wojslaw.

2:33 p.m.

Chief assistant state attorney Randy McGruther is using Wojslaw to try to show weaknesses in Cooper's defense to DNA evidence.

Wojslaw testified that no DNA from Michelle Andrews was found on Cooper's gloves, motorcycle parts or motorcycle seat.

A vaginal swab of Michelle Andrews showed DNA from both Steven and Michelle Andrews, but not Cooper.

After he was arrested, Cooper told detectives he and Michelle Andrews had sex the night before her and her husband's bodies were found. He said that would explain his DNA being found at the scene of the killings.

2:09 p.m.

Sarah Wojslaw, who analyzed several items for blood and DNA, testified that the pink rag found in the Andrews' backyard was positive for blood.

Also, the right foot peg of Cooper's motorcycle was positive for blood. Other parts of his motorcycle were negative for blood, as was his camouflage jacket, the mesh lining and a pair of motorcycle gloves.

Wojslaw hasn't testified whether she was able to determine whose blood was found on the parts that tested positive for blood.

1:53 p.m.

Dunaske testified briefly that the black Adidas tennis shoes she collected from Cooper's apartment were the ones in evidence.

The state's next witness is Sarah Wojslaw, a DNA analyst with the Hamilton County, Ohio, Coroner's Lab.

She formerly worked at the DNA Diagnostics Center in Fairfield, Ohio.

1:46 p.m.

Ragsdale is now off the stand.

The state is recalling to the stand Sheri Dunaske, a crime scene technician with the sheriff's office.

1:44 p.m. update

Garber finished his cross examination of Ragsdale, ending with a question about the stain on Michelle Andrews' nightgown that could not exclude Cooper as a contributor.

Ragsdale said her statistical analysis showed that the stain could not exclude Cooper or 1 in 10 white males with similar DNA characteristics.

After Garber finished his questioning, assistant state attorney Anthony Kunasek had Ragsdale hold up the nightgown again and show the jury where on the nightgown the stain was found.

She said it was on the bottom right of the nightgown, on the inside.

1:33 p.m. update

The trial is back from a lunch break and the jury is being seated.

Ken Garber's cross examination of Robyn Ragsdale will continue soon.

12:18 p.m. update

After a drawn out cross examination session with Garber asking questions about carpet samples and other items found at the Andrews' house, Lee Circuit Judge Thomas Reese stopped the questioning and declared a break.

The trial will break until 1:30 p.m.

11:57 a.m. update

Garber is asking Ragsdale about samples of carpet taken from the Andrews' master bedroom.

Ragsdale testified the samples exclude Cooper as a possible contributor to the DNA found in those samples.

11:33 a.m. update

Prosecutors have finished their direct examination of Ragsdale and now Cooper's attorney, Deputy Public Defender Ken Garber, is conducting his cross examination.

11:21 a.m. update

A pair of Adidas tennis shoes found at Cooper's Bonita Springs house had blood on them, but Ragsdale was unable to obtain a DNA profile from the shoes.

Ragsdale was able to determine a woman's blood on the right shoe, but she couldn't be more specific.

11:16 a.m. update

A pink rag found in the bushes of the Andrews' backyard was tested for DNA and had one source, but did not match Steven Andrews, Michelle Andrews, Kellie Ballew or Fred Cooper, Ragsdale testified.

11:10 a.m. update

Ragsdale testified that a stain found on Michelle Andrews' nightgown connects Cooper to the scene — the first bit of physical evidence linking him to the couple.

"It demonstrates the presence of a mixture: Michelle Andrews, Steven Andrews and Fred Cooper are listed as possible contributors," Ragsdale testified.

In a second stain, Ragsdale testified, no determination could be made about Cooper, but Michelle Andrews, Steven Andrews and Kellie Ballew were possible contributors.

10:55 a.m. update

Ragsdale is back on the stand as the trial has resumed from the morning break.

She has opened an evidence bag containing Michelle Andrews' nightgown. She will now testify about DNA and blood evidence contained on it.

10:38 a.m. update

An analysis of a pair of Steven Andrews' jeans contains DNA from Steven Andrews, Michelle Andrews and Kellie Ballew.

Ragsdale analyzed the groin area, pockets and pant legs of the jeans.

In all areas, Michelle Andrews' and Kellie Ballew's DNA was found. In many of the areas, Steven Andrews' DNA was present, while Fred Cooper was excluded from every part.

The trial is in recess for 15 minutes.

10:31 a.m. update

Ragsdale has been testifying about her findings from samples or items sent to her from the sheriff's office.

Steven Andrews' mother, Barbara Andrews, began crying as Ragsdale held up Lukasz's small pants.

She bent over in her seat as Ragsdale held up a pair of Steven Andrews' jeans, which was taken from the couple's master bedroom.

None of the items or samples Ragsdale has testified about match Cooper's DNA.

10:20 a.m. update

Ragsdale testified that 2-year-old Lukasz's pants had his mother's blood on them.

The boy's socks also had Michelle Andrews' blood on them. His shirt did not have blood on it, she testified.

10:19 a.m. update

Ragsdale is testifying about several items she tested in this case.

One item, a cordless phone 2-year-old Lukasz Andrews was holding when deputies arrived, had no blood on it, Ragsdale testified.

She tested the speaker, earpiece and keypad for skin cells. She said those parts of the phone had a mixture of skin cells on it, but not enough to do further testing. She said the sample size was too small.

9:46 a.m. update

On cross examination, Ramsey said Cooper was cooperative with detectives who were watching him in Orlando.

He would tell them where he was going when he left the house in which he was staying.

"There were several occasions in which he did that," Ramsey testified.

Ramsey is off the stand and Robyn Ragsdale, a DNA analyst from FDLE is on the stand.

9:25 a.m. update

Lt. Shawn Ramsey assisted with the investigation by taking a statement from Cooper on Dec. 29, 2005.

On Jan. 7, 2006, he and others from the sheriff's office followed Cooper up to the Orlando suburbs to watch him. It was an open surveillance, meaning Cooper knew they were watching him.

In Winter Park that week, Cooper was arrested by sheriff's deputies and Florida Department of Law Enforcement officers.

Ramsey sat in an SUV with Cooper on the drive down to Fort Myers.

"He had told me that when we get the evidence against him, he would cooperate and he wouldn't run," Ramsey said, causing Cooper to shake his head at the defense table. "I told him DNA doesn't lie."

Ramsey said Cooper explained why DNA would be found on Michelle Andrews.

"The defendant told me that the DNA would have been on the scene because he had consensual sex with

Michelle Andrews the night before the bodies were found," Ramsey testified. "Michelle Andrews had initiated contact with him a few weeks prior and informed him that her husband was having an affair with Mr. Cooper's girlfriend."

That contradicts Cooper's previous statements, in which Cooper denied knowing of an affair between his girlfriend Kellie Ballew and Steven Andrews.

After getting to the sheriff's office from Orlando, Cooper called Ballew and told her he knew of the affair and had sex with Michelle Andrews the night before the bodies were found.

9:07 a.m. update

Prosecutors will present sheriff's detective Shawn Ramsey, another witness and then DNA experts.

"I would guess that sometime after lunch we would be resting," chief assistant state attorney Randy McGruther said.

Assistant deputy public defender Beatriz Taquechel said the defense is ready to call several witnesses this afternoon to start its case.

Ramsey is now taking the stand.

9 a.m. update

Officials are setting up this morning to end out the week's testimony and evidence.

The jury is waiting in the jury room and Cooper was just escorted into the courtroom.

The state is expected to call a few more witnesses and may rest by the end of the day.


8:20 a.m. update

After taking a break for the Jewish holiday Yom Kippur on Thursday, court will resume at 9 a.m. this morning.

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 **Splendidchink** wrote:

EVEN IF he did it, the prosecution has failed to show BEYOND A REASONABLE DOUBT that he did it. That being the case, he must be found NOT GUILTY. If he IS found guilty from the evidence presented, THAT is a travesty of justice. Face facts...the LCSO has way too many inept deputies, detectives, etc., working there. They make the LAPD at the Simpson trial look good.

10/10/2008 8:26:54 PM


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 **JumpShot** wrote:

It is just amazing how people spout off with all their wacky comments. This is not complicated and will all work out; the DNA testing was done perfectly; no one dropped the ball so chill on that thought. Bad people lie, particularly when they are guilty.....remember that..

10/10/2008 5:53:51 PM

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 **ShellSea2** wrote:

Replying to sefootballfan:

Unfortunately it appears the state is botching this case. This guy has a great chance to walk. The only DNA they supposedly have on him is a mixture of the husband, wife and fast Freddie.

Excerpt:

"It demonstrates the presence of a mixture: Michelle Andrews, Steven Andrews and Fred Cooper are listed as possible contributors," Ragsdale testified.

I like how it says "possible contributors". The state has left this open for doubt. That's what he needs is reasonable doubt and he might just get it, and walk. If this does happen I feel for the cheating girlfriend he had. He might want revenge on her.

LOL POSSIBLE contributors is not enough for you huh ? hmmm ok Have you ever mentioned how yah feel for the Andrews ? or the little guy with NO parents ? Glad somebody has feelings for her.....

10/10/2008 4:55:29 PM

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molehole wrote:

So the rag found in the yard did not match anyone. Did someone hurt themselves and it is pure accident the rag ended up there? There was blood on Fred 's motorcycle peg. If he had nothing to do with this, why is there womans' blood at all on some of his items (shoes, bike). Did he go hunting somewhere for a dear? He has got to have some good answers for how and where some of this got there for me to believe he is innocent. I am sadly disappointed in this DNA processing. I thought it was supposed to be better than that. Today they can did up bones from years ago and tell what killed them. This case has fresh blood, prints, and DNA galore and they can't identify anyone very well evidently. The killer would not have left a lot of DNA at the scene anyway. If he shot them he would probably only have gotten a small amount of splatter depending on where he was standing. I wouldnt think they had a group hug before or after for gosh sake! He got in, did the deed and got out!

10/10/2008 4:54:03 PM

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ShellSea2 wrote:

Replying to sefootballfan:

"The only thing that has really hurt Fast Freddie at this time is the statements he made to the cops. So far the DNA they have can be doubted. Nobody has eyewitnessed him. If he gets convicted it could have been from his own stupidity.

and that statement is ?????? what statement ? please share ;)

10/10/2008 4:52:47 PM

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