

STATE

Scesny guilty of 1996 Fitchburg killing

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Alex F. Scesny didn't flinch.

He stood motionless today in a blue dress shirt and tie as it was announced that a jury had found him guilty of murdering 39-year-old Theresa K. Stone roughly 16 years ago.

A few rows back, Ms. Stone's mother, Marilyn Stone, put her hands over her mouth and trembled. The news settled in and a stream of tears began to flow.

Outside courtroom 10 yesterday, Marilyn Stone found Trooper John Fraioli, an investigator in her daughter's death who took the stand during the trial.

"I am very grateful that my daughter has justice," Marilyn Stone said in a statement released later. "This is a day that she can finally rest in peace."

Trooper Fraioli could be overheard telling her there is justice for Theresa now.

"I stayed in contact with Marilyn especially during the early years," he said in a later interview. "That's why we do these cases; it just means so much for us to see family members like Marilyn get justice."

Mr. Scesny, 42, of Berlin, will be sentenced tomorrow in Worcester Superior Court on charges of first-degree murder and aggravated rape. The murder charge comes with a mandatory sentence of life without parole. The maximum sentence for aggravated rape is life as well.

Defense lawyer Michael S. Hussey had no comment after the 12 member jury — seven women and five men — gave their verdict.

"Ecstatic, justice has been served," Ms. Stone's daughter Nashea Falcon said outside the courtroom.

When the secret indictment for the murder of Ms. Stone was unsealed in 2008, Mr. Scesny was receiving attention for media from across New England. The Telegram & Gazette reported that he was a “person of interest” in the deaths of several prostitutes known in the Main South area of the city. Their bodies were found in Marlboro, Hudson, Maine and Rutland starting in 2003.

The skeletal remains of Betzaida Montalvo, 29, Carmen Rudy, 29 and Dinelia Torres, 33, were discovered in Marlboro and Hudson in 2003 and 2004.

The deaths of two other women — Wendy A. Morello, 40, whose body was found in a trash can in the woods of York, Maine, in 2004, and Lineida Olivera, 34, whose skeletal remains were found on land next to Rutland State Forest in 2007 — also became part of the investigation because of similarities between their deaths and those of the other three victims.

The case was dubbed the “Main South Woodsman” investigation by a New Jersey-based profiling team. System to Apprehend Lethal Killers Inc. released a profile of the suspected killer.

“He remains a person of interest,” District Attorney Joseph D. Early Jr. said today, referring to Mr. Scesny.

Those deaths remain under investigation by state police detectives from his office and the Middlesex district attorney's office. All of the cases continue to be reviewed and all similarities are considered, Mr. Early said.

Authorities have said the lifestyles and physical traits of the women all gave signs a serial killer was at work.

“With regards to other homicide investigations, we are continuing to pursue those cases aggressively,” he said. “We are continuing to look at the evidence that is available. We're working with Middlesex with regards to sharing information between our state police detective unit and their state police detective unit. We're just going to keep pushing forward on those.”

Mr. Early and Marilyn Stone praised the work of prosecutors Thomas E. Landry and Gregory Benoit, along with all the troopers and police involved in the long investigation.

Defense lawyers Mr. Hussey and Jennifer Ginsburg presented a third-party culprit defense.

They entered evidence that two other men, Everett C. Carlson and James Webber Jr., could have killed Ms. Stone, who was found lifeless and partially nude on Kinsman Road in Fitchburg in October 1996.

Mr. Carlson was convicted of attacking a prostitute a week after Ms. Stone was last seen in Fitchburg. Mr. Webber, the father of Ms. Stone's daughter, allegedly attacked her in the past, and the pair had a tumultuous relationship.

“Third-party culprit defense presents a formidable task,” Mr. Landry said after the verdict. “It was advanced by a very competent and experienced counsel. It was a formidable task, one that I think the commonwealth was up to. We're glad the jury was able to sift through it and understand it.”

The DNA of Mr. Scesny was found on Ms. Stone. A profile of semen found in the murder of Ms. Stone matched the genetic profile of Mr. Scesny when he was arrested and charged with a West Boylston rape in 2007. He was acquitted in the rape case.

“It cannot be understated of how important that (the DNA) was in the case and it being in the hands of an experienced prosecutor,” Mr. Early said.