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# Alleged Spader conspirator Marks takes the stand

By JOSEPH COTE  
Staff Writer

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NASHUA – Steven Spader was a dim figure standing on the right side of Kimberly Cates' bed. It was a full moon that night, and it sounded like a bat hitting the mattress when he used two hands to bring a machete down on the figures in the bed.

They begged. Someone said it was going to be OK. It wasn't, according to William Marks, who was on the witness stand Tuesday in Spader's first-degree murder trial.

Marks, 19, of Amherst, is the only person scheduled to testify who says he saw what happened inside the bedroom Oct. 4, 2009, when Cates was hacked to death and her daughter, Jaimie Cates, left for dead.

Marks said he turned on the lights once the attack was over and saw Kimberly Cates on the bed. She was moaning. A little girl was on the floor against a sliding glass door. She wasn't moving.

"Steve Spader walked up to her and hit her in the head with a machete and kicked her in the chest," Marks said. Jaimie Cates, who was 11 at the time, didn't move.

Jaimie was eventually able to crawl out of the bedroom, find a phone in the kitchen and call 911.

Afterward, Marks said he and his father, James Marks, talked about the value of his knowledge, and they schemed to sell the story to a national media outlet during jailhouse visits and on the phone. A national outlet would pay more for the information, Marks said under cross-examination by defense lawyer Jonathan Cohen.

He also admitted to a laundry list of lies he told police when he was first

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## Special Topic: Steven Spader Trial

Early on the morning of Oct. 4, 2009, Kimberly Cates of Mont Vernon was murdered in her home and her daughter badly injured. Police say four young men from Brookline and Amherst chose the home at random and broke into it with the idea of burglarizing it and killing anybody they found. The brutal attack, made with knives and machetes, .horrified the region

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interviewed, the day after the murder was discovered.

Marks took the stand during the seventh day of testimony. Spader is charged with first-degree murder, attempted murder, witness tampering, and conspiracy to murder and burglary. He faces life in prison without the chance of parole.

Marks spoke quietly but clearly during his 2½ hours of testimony. The bright, jailhouse orange shirt looked too big on his 5-foot 3-inch, 97-pound frame.

Marks was a senior at Souhegan High School in Amherst last fall. He met Spader at a party about six months before. They hung out together a lot and sometimes talked about killing and hurting people, he said.

Marks said he had friends who lived near Trow Road and he knew the area.

A week or two before the attack, he and Spader were driving past the Cates home and the large house next door and talked about robbing them because they were isolated, he said.

Later, Christopher Gribble joined in on the plan, Marks said, and he learned Quinn Glover would be there the night of the attack, he said.

Throughout much of Saturday, Spader sent Marks increasingly demanding text messages, which were shown in court Tuesday, demanding he come and meet him. At one point, Marks text-messaged Spader that they should wait to rob the house until the family left for church, according to the texts.

Senior Assistant Attorney General Jeff Strelzin had Marks read one of the rules of the "Disciples of Destruction," or D.O.D., which was a gang or brotherhood Spader formed around the time of the attack, according to prosecutors.

"If you get called, you come. No questions asked," Marks read.

Eventually Marks said he told his girlfriend, Tenley Carmen, he was going home but met up with Spader and Gribble. They changed clothes, picked up Glover and drove to Mont Vernon, he said.

Gribble lowered Marks into the basement, because he was the smallest, but Marks thought he was locked in because he was trying to push open a door that opened toward him. Once inside, the men checked a number of rooms, turned off the electricity, and Spader and Gribble went into the master bedroom armed with a machete, knife and an iPod for light, Marks said.

"Spader shined the iPod on the people in the bed. They woke up. They started to talk, and at that point, Steve Spader started hitting them with a machete," Marks said. "They were saying, 'You don't have to do this. Please stop. Everything is



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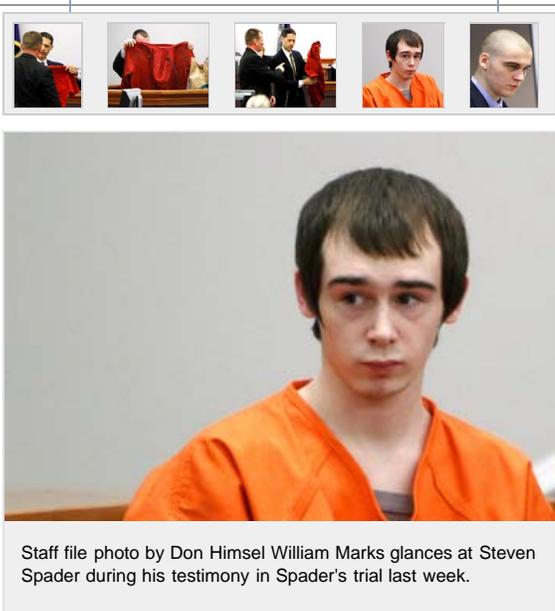
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going to be OK.”

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Marks said he was in the doorway during the attack and was focused on Spader. He said he didn't see what Gribble was doing.

Marks said he joked with the others after the attack. He testified that before the attack, he said he wanted to “plant” a hatchet he had in Gribble's car into someone's head. Earlier, he told Carmen he wanted to “kill a pig” with a knife he had just purchased at a Milford shop.

Marks said he was just going along with the crowd and trying to look tough in front of his girlfriend. The day after the attack, Marks told Carmen he was having flashbacks about what happened.

Strelzin repeatedly had Marks look at the jury and tell them exactly what he had and had not done in connection with the attack. Marks admitted he helped plan it, picking the house and even giving Gribble directions to it, but said he never touched Kimberly or Jaimie Cates and never took anything from the house.

Cohen went through a long stretch of Marks' first interview with police before court recessed for the day around 4 p.m.

Marks admitted to telling police he did not know why they were in Mont Vernon, that he was never in the bedroom or the basement and that he did not know who did what inside the house until someone told him right before they left. All were lies.

He admitted to changing his story, but still not telling the truth. His story changed to include the house was very dark, that he kept his knife in his pocket and that he didn't hear a struggle inside the bedroom. Those were different details than he told the jury Tuesday.

He also admitted to Cohen that he lied to protect himself and only admitted certain things unless he thought police could prove him wrong. Most of his answers to Cohen were one word, yes or no.

Cohen started the cross-examination asking Marks about conversations he had with his father on the phone and during visiting hours. He said they talked about the monetary value of his knowledge and how selling it to a national outlet would make good money.

Marks maintained that was not behind his testimony on Tuesday.

Marks is charged with conspiracy to murder, an accomplice to first-degree assault, and burglary. He has agreed to plead guilty and testify against Spader and Gribble for a 30- to 60-year prison sentence and prosecutors dropped a charge of accomplice to first-degree murder charge.

The case's lead investigator, State Police Detective Sgt. James Geraghty, was the day's first witness.

Cohen continued to try to sow doubt about who committed the murder when he cross-examined Geraghty.

Geraghty said police knew Quinn Glover was interested in Charles Manson, the Zodiac killer, John Wayne Gacy, as well as a horror-core rap group Insane Clown Posse.

Police also knew that Glover said his favorite weapon was an ax, that his favorite song is “Pass the axe,” and that police recovered a knife Glover had hidden inside a teddy bear at his house, Geraghty said.

Police also knew about William Marks making a comment about wanting to “plant” a hatchet in someone's head and that Marks and Glover had access to a hatchet and sword, respectively. Neither was tested for blood or DNA, Geraghty said.

During his redirect, Strelzin questioned Geraghty about whether any witnesses, at any point, including Spader, through letters he wrote after his arrest, suggested Glover or Marks attacked the women or that anything other than a machete or knife were used in the attack.

While Strelzin stood in front of the defense table in a staring contest with Spader, Geraghty told him he read letters Spader wrote “detailing” what he did to Kimberly and Jaimie Cates and never mentioned or suggested that anyone else had a hatchet, ax, sword or anything else that could have caused the wounds to the Cateses. Neither did any of the other witnesses, he said.

“Everyone admits it was the machete and the knife,” Geraghty said.

During his opening argument, Assistant Attorney General Peter Hinckley told jurors they would hear from Spader in his own words through letters he wrote to another inmate after his arrest.

Larry Amos, a computer expert from the State Police Forensic Laboratory, also testified before Marks. He examined Spader's Apple computer and Marks' cell phone, he said.

The phone had a picture of an emblem with “Disciples of Destruction” around it.

On the computer, Amos found evidence that someone searched for ingredients and instructions to make chloroform the day before the murder, as well as a document listing the laws, principals and members of the Disciples of Destruction, he said.

Amos told defense attorney Andrew Winters there was no way to say who had created the document or made the searches for chloroform.

The only other witness of the day was John Hebert, a former police officer and now a telecommunications expert who consults with police and attorneys.

He detailed the hundreds of text messages and phone calls among Spader's, Gribble's, Glover's, Marks' and Autumn Savoy's cell phones in the days leading up to the murder, as well as the content of some of the text messages between Spader and Gribble.

Joseph G. Cote can be reached at 594-6415 or [jcote@nashuatelegraph.com](mailto:jcote@nashuatelegraph.com).

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