

# Nicaraguan Court Voids American's Conviction

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MEXICO CITY, Dec. 17 -- A Nicaraguan court on Monday ordered the release of an American magazine editor who became an international cause celebre after being convicted in the grisly murder of his ex-girlfriend.

The appeals court in Granada, a colonial-era magnet for expatriates, upheld an alleged conspirator's conviction but overturned Eric Volz's 30-year sentence after determining the trial judge was biased, Attorney General Julio Centeno Gómez said in a phone interview from Managua.

Centeno Gómez called the ruling an "atrocious" and said he would appeal the decision to Nicaragua's Supreme Court.

Despite the court order Monday, Volz's release was delayed because the judge responsible for signing documents to free him could not be located, Centeno Gómez said. Volz's supporters feared for his safety late Monday after hearing that Nicaraguan radio shows may have aired commentaries calling on citizens to "take justice into their own hands," according to Volz's spokeswoman, Melissa Campbell.

"He's kind of being held hostage," Volz's friend and alibi witness Nick Purdy said from California. "It certainly tells us that the rule of law is not the primary concern."

Some legal experts have said Volz's conviction highlighted the problems with Nicaragua's judicial system. The February verdict, they said, may have been influenced by a campaign against Volz in the *El Nuevo Diario* newspaper and by large demonstrations led by Xiomara Gutiérrez, the mother of Volz's ex-girlfriend, Doris Jiménez.

Centeno Gómez said Monday that Nicaragua's justice system is "the most modern in Latin America" because it holds public trials with live witness testimony. [Mexico](#), for instance, has been criticized internationally for conducting trials almost exclusively through documents and for not holding public hearings.

The Nicaraguan appeals court ordered Volz's passport returned, clearing him to leave the country. Centeno Gómez said it is doubtful he could win extradition if the conviction is reinstated.

Jiménez was hogtied, raped and suffocated in a clothing store she ran in San Juan del Sur, a beach town. Gutiérrez said Volz, who moved to Nicaragua to start a magazine and was 27 at the time of the murder, was obsessed with her daughter.

Volz, a Californian whose brash demeanor offended some Nicaraguans, was convicted largely on the testimony of a former suspect who was granted immunity. The judge threw out testimony from a Nicaraguan journalist, Ricardo Castillo, who said he was

with Volz on the afternoon of the killing. The judge said Castillo, a former news aide and intern at The Washington Post who occasionally works as a stringer for the newspaper, was not credible.