

Mistrial declared in rehearing of 2004 double homicide case

John Lipinski, 30, was back in court due to Supreme Court rulings

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A jury deadlocked in the case of a now 30-year-old man who was being retried on murder and manslaughter charges in the death of his pregnant girlfriend and unborn child in 2004.

Spokane Superior Court Judge Harold Clarke declared a mistrial Wednesday in the case of John Lipinski, who had been serving a 30-year sentence in prison for the deaths of Melissa Salvidar and a daughter delivered by Caesarean section.

Lipinski had previously been found guilty of murder and manslaughter in 2006. Salvidar was brought to the emergency room with a fractured skull by Lipinski in August 2004. The child was delivered and the mother died. The child died two months later.

Lipinski was sentenced to 30 years in prison following the 2006 verdict.

Wednesday's mistrial further complicates a legal tussle that began in August when opinions handed down by the Washington state Supreme Court caused Lipinski's case to be reopened. When he was first tried, several potential jurors were questioned about their knowledge of the high-profile case separately, in the judge's chambers. This was allowed to keep those with knowledge about the case from "tainting" fellow jurors, according to court records.

Three Supreme Court rulings, the most recent of which came last summer, were cited as reason for a new jury to hear the case again. Justices said questioning jurors in private violated a defendant's right to a public trial.

Defense attorneys offered evidence at trial that Salvidar may have voluntarily stepped out of the vehicle, which was driven by Lipinski and included the couple's one-year-old son as a passenger. But prosecutors contended Lipinski had a long history of physically abusing Salvidar and tried to prove Lipinski had shoved Salvidar in a drunken rage.

The jury had heard closing arguments late last week and began deliberations Friday. A courtroom assistant confirmed the mistrial declaration Wednesday afternoon.

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