

Parole pondered for killer of California man buried alive

By DON THOMPSON Associated Press

Gov. Jerry Brown was deciding Friday whether to block parole for the killer of a developmentally disabled California man who was buried alive.

Brown has until midnight to decide whether to release 52-year-old David Weidert, or block the parole already granted by a state panel because he believes Weidert is too dangerous.

FILE -- In this April 8, 2015, file photo, Vikki Van Duyne, the sister of murder victim Michael Morganti, displays a photo of her late brother as she calls for Gov. Jerry Brown to reject the parole of his killer, in Sacramento, Calif. David Weidert was sentenced to life in prison for beating, stabbing and strangling 20-year-old Fresno-area resident Michael Morganti in 1980 to hide a \$500 burglary. Brown is expected to make a decision on Morganti's parole on Friday, June 26, 2015. | Rich Pedroncelli AP Photo

Weidert was sentenced to life in prison for killing 20-year-old Fresno-area resident Michael Morganti in 1980 to hide a \$500 burglary.

The victim's family and five state lawmakers are calling on Brown to reverse the parole board decision in what they say is a particularly heinous crime.

Fresno County Sheriff Margaret Mims and the California State Sheriffs' Association also urged revocation of the parole.

Weidert's father, John Weidert of Chowchilla, said his son has changed in prison and could safely be released.

Prosecutors said Weidert, who was 17 at the time, feared Morganti would testify against him because Morganti had been a lookout during the burglary of a doctor's office and was cooperating with police.

Weidert and a juvenile accomplice lured Morganti from his Clovis apartment, forced him to dig his own grave, beat him with a baseball bat and shovel, and stabbed him. They also choked him with a telephone wire and buried him alive, where he suffocated.

Amador County Sheriff Martin Ryan, president of the state sheriffs' association, called it "a 45-minute scene of torture and hideous cruelty."

Weidert is incarcerated at the Correctional Training Facility in Soledad. State parole commissioners concluded in January that he is no longer dangerous, leaving the final decision to Brown.

Morganti's sister, Vikki Van Duyne, has called Weidert "an extra-special brand of psychopath."

Weidert was initially sentenced to life without the possibility of parole. However, an appeals court reduced his sentence in 1984 to 25 years to life, with the chance of parole, when it struck down two special circumstances.

