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Controversial Witness The Focus In Retrial The Homicide Case Is Based On Ralph Gumba's Testimony. The Defense Claims Gumba Lied.



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MEDIA — The key figure to emerge during opening statements in Victor Maturio's murder retrial yesterday was neither the defendant nor the victim, but a prosecution witness who has yet to testify.

Assistant District Attorney Peter Callahan told a jury in Delaware County Court that Ralph Gumba would testify that he was at Maturio's South Philadelphia home on the night in 1987 when Maturio and Thomas S. Vile planned to kill Vile's former girlfriend.

According to Callahan, as Gumba, who is married to Vile's sister, looked on, Vile promised Maturio, 30, a 1987 Harley-Davidson motorcycle in exchange for a shotgun and a ride to Irene Darley Pierce's Ridley Park apartment.

"That's the evidence," Callahan said. "That's what testimony is going to tell you."

But Maturio's attorney, A. Charles Peruto Jr., said Gumba told police "many, many lies" to protect himself. Peruto said that Gumba told detectives that he had called Philadelphia police via 911 when he found out about the shooting, but that Philadelphia police had no record of such a call.

In addition, Peruto said, it was Gumba who planted the murder weapon found by police in the trunk of Maturio's mother's car.

When police first spoke to Gumba on the night of the shooting, Peruto said, they took him to Maturio's house in handcuffs. But Gumba "hasn't been in handcuffs since," Peruto said, ". . . because he hasn't been charged with any crime in relation to this case. Why? Because they need a witness."

Maturio is facing a first-degree murder charge that accuses him of supplying Vile with the shotgun, driving him to Pierce's apartment, then giving him his 1965 Plymouth Fury, in which Vile fled to Canada, where he was later arrested.

The trial continues today before Judge Frank T. Hazel.

In March 1989, Vile was convicted of first-degree murder for shooting Pierce, 35, twice in the face outside her apartment on Dec. 4, 1987. He was sentenced to life in prison.

Maturio was convicted of first-degree murder in June 1988 and also given a life term. But the Pennsylvania Superior Court granted him a new trial in October 1992 after ruling that statements he made to police, confessing to his role in the shooting, were inadmissible.

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