

# Former potential Scott witness indicted in girlfriend's murder

*(Editor's note: This report was prepared in conjunction with Mike Coleman, city editor, The Western Star, another paper in the Brown Publishing chain.)*

By Ronald B. James  
R-H Editor

A former potential prosecution witness in the Guy Billy Lee Scott murder case was indicted Monday, Nov. 22, by the Warren County grand jury on charges he murdered his former girlfriend.

Gary Heath, 36, faces murder charges for the Oct. 22, 1985, strangulation death of Vendy Cox, 33.

Preble County Prosecuting Attorney's Investigator David Lindloff confirmed he interviewed Heath as a possible witness in the Scott case.

He was unable to release any other information without clearance from Warren County Prosecuting Attorney Tim Oliver on how the interview fit into the investigation.

Cox phoned her boss at Four Seasons Garment Co. one morning nine years ago, saying she would be late for work, but the Mason woman never showed up.

She remained missing for nine days until her body was discov-

ered in a field off U.S. 42 in Mason.

The murder remained unresolved until the indictment, nine years and three weeks later.

Her relatives said they are relieved the murder may finally be solved.

"Everybody in the family is very excited that something finally happened, especially after nine years," said Cox's nephew, 23-year-old Brandon Sellars. "It feels like a relief, but it's not like he's in jail for it yet or anything."

For nine years the case has been unresolved. For nine years the family has not forgotten.

"I'm still reeling from the news today. I just want closure on it," Cox's sister, Gina Catanzaro, said.

Action on the indictment will have to wait though, as Heath is currently incarcerated in the Hamilton County Justice Center awaiting trial for allegedly shooting his wife, Deanna Heath, in Butler County in May.

Authorities did not say what information led to the apparent solving of the Cox murder; but the common thread is the May shooting of Deanna Heath, who was shot once in the head, but not killed.

Relatives of Cox said the couple was headed toward a break-up at the time of her disappearance.

Mason Police Chief Arthur Scott said old witnesses in the case offered new information and went on to say new witnesses were located through investigation.

"The Mason police had been involved in looking into the case on several occasions over the last several years.

"There has been new information, but what that is, I will not say at this time," Oliver said.

"We feel very positive we were able to get enough information to get it to the grand jury," Scott said. "It will continue to be a challenge to convince a jury that this was the person involved."

Police in 1985 said Heath and Cox's daughter, then 13, were the last to see Vendy alive at their Four Seasons Apartment.

Cox then called her boss and said she would be at the company before noon, but she was never seen alive again.

City worker Larry Cox, her ex-husband's brother, found the body in a group of trees near a newly harvested cornfield, about one-fourth of a mile from her apartment.

Gary Heath reportedly said at the time, the two were going to shop for a new car the night she disappeared.

AS YOU CAN SEE LINDLOFF GOT MORE THEN A INTERVIEW

## MCGUIRE

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if anyone saw a problem with the concept.

Once both sides were satisfied with the potential group of 32, proceedings concluded for the day.

Tuesday's session was to include questioning of potential jurors for their attitudes on the death penalty.

In some side points concerning the case, Ohio law requires attorneys for the defense be certified to try capital cases. The same is

not required of the prosecution. McGuire's team is led by Dennis Lieberman and assisted by local attorney Jim Thomas. Lieberman is certified and Thomas is in the process of being certified under provisions of the capital trial rules.

In another point of interest, since the defendant is indigent, the costs of defending and prosecuting the case falls chiefly to Preble County. About 71 percent of the costs fall to the local gov-

ernment entity while the State of Ohio picks up approximately 29 percent of the expense.

First day jury fees were \$1,410 (\$10 per day per juror). Expenses of the defense attorneys and other related costs to include an anticipated expert witness on DNA, will add to the final total bill.

Sixteen jurors will hear the case, 12 regular and four alternates. The case is expected to last about three weeks, according to observers.

# 'Charmer' left trail of wrecked lives

## Gary Steven Heath goes on trial in 1985 killing

BY TANYA BRICKING  
The Cincinnati Enquirer

When Gary Steven Heath's girlfriend was strangled and her body dumped in a Mason cornfield in 1985, he told police he didn't know anything about it.

He missed her funeral because he was jailed on a probation violation.

A decade later, he's in prison because he shot his ex-wife in the head. And as it turns out, he knew something about the strangulation of Vendetta "Vendy" Cox. He was there.

"I remember looking into the mirror and just looking into my own eyes and just trying to think of what kind of person I was to get involved in something like this and to let something like that happen," he told investigators in a taped interview in 1991.

38 PAGES - 8 EVID. USFD IV TRIAL



Mr. Heath, 37, goes to trial today in Warren County on charges that he murdered Ms. Cox. She was a 33-year-old single mother who told her boss at a garment company she'd be late for work one day. She never showed up.

Mr. Heath's version of her death, according to the transcript, was that he and Ms. Cox dealt cocaine and two men killed her over drug money as Mr. Heath stood helplessly in her apartment.

He admits to helping dispose of her body in a box his stereo came in. He says they loaded it into his truck and dumped the box in a field on the side of U.S. 42 in Mason.

While Mr. Heath was a suspect from the beginning, police needed a decade to gather enough evidence to indict him on a

murder charge.

The prosecution usually has the advantage in old cases that are revived for trial, said Christo Lassiter, an associate professor of law at the University of Cincinnati.

"The prosecution wouldn't risk bringing them unless it was open and shut," he said. "Just by law of common sense, there's a good chance of getting a conviction."

That's not to say it's a sure thing. The staleness of evidence is the biggest problem.

"Witnesses have gone, memories have faded, even the lab techs may have moved on," Mr. Lassiter said. "It's very difficult."

Mason Police Chief Arthur Scott realizes the challenges. His department investigated Ms. Cox's death and pulled the case together with old evidence.

While the time element is a drawback, he said, "apparently, the grand jury (Please see HEATH, Page A6)

APRIL 15, 1996

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RACHEL HUTZEL  
ASST PRAS. - WARREN COUNTY

VEINERIT WA - INQUIRY  
ONE OF FIRST WITNESSES  
(NAME NOT SHOWN)

# Heath: Violent relationships with women

CONTINUED FROM PAGE A1

thought there was enough evidence." Mr. Heath was what his ex-wives call a smooth operator — an attractive guy who would buy dinner and drinks and show everybody a good time.

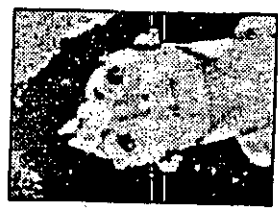
## A charmer

"He was just a charmer," said Cathy Fogle, 47, who was Ms. Cox's best friend. "Never would we have left her alone with him if we thought he was mean. It just turned out to be a nightmare."

The charm worked on Tonetta "Toni" Bean. They married in 1978 in Newport, Ky., had two children and divorced in 1981 — the same year a judge ordered him to "refrain from threatening the safety" of his ex-wife and children.

By December 1980, he was living with Bridget Proffitt in Hamilton. They had a child, but he strayed — sometimes ending up in jail. In between, he met Ms. Cox and lived with her in Mason. His divorce from Ms. Proffitt wasn't final until 1986.

Two years later, he married



Vendetta "Vendy" Cox ... strangled in 1985



Deanna Janelle Louderback ... shot in head in 1994

said. "Butter would melt in his mouth," said her mother, Sharon Scarborough of Fairfield, who has taken care of her daughter since Mr. Heath shot her in the head in 1994.

## A dark side

Gary and Deanna Heath married because they were in love. But he began hitting her on their wedding day because he didn't want to go to the reception.

She wouldn't find out until later about his past. When she tried to end the relationship, he'd find a way to patch it. But he seemed to have two personalities, she said — a perfect one and an evil one.

"He's slicker than snot," Mrs. Scarborough said. "He hates women. He can't stand rejection."

Some days, he'd be upbeat and ready to do carpentry work or go fishing. Other days, he'd do nothing but watch Court TV.

Ms. Louderback remembers times before the shooting when he would choke her until she would pass out, telling her she'd end up like Ms. Cox.

"I put up with it," Ms. Louderback said. "I knew if I didn't want to get put through a wall, I didn't say anything."

But on her 28th birthday — May 23, 1994 — she was cleaning up at the bar she owned when he came in with a gun. He pinned her to the floor with a chair, put the gun to her head and pulled the trigger.

"He threw an orchid on me," she said. "He thought I was dead. Then he bolted out the door."

He also surrendered to authorities the same day and was convicted last fall. He's eligible for parole in July 2008.

"I hate his guts," said Ms. Louderback, who uses a wheelchair and is paralyzed on the right side. "The only thing that would ever rectify that would be his death."

## 'I don't keep up with him'

It's hard to find people who have much good to say about a man who's already in prison for trying to kill a woman.

His mother, who once had a restraining order against him, de-

clined to be interviewed. So did two of his parole officers.

"I have my own life," said one of his three sisters. "I don't keep up with him. What he does is his business."

If Mr. Heath testifies, it will give prosecutors a chance to establish his pattern of behavior with women.

If he doesn't, his victims hope his charm doesn't work with a jury.

"Her spirit is calling out for justice," Mrs. Scarborough said of Ms. Cox, a woman she never met. "Why has he been slipping through the cracks of the justice system all these years?"

No one seems to know how to answer that. Ms. Cox's family and friends just hope dredging up the past can help them finally put it behind them.

"It's not been a closure to date for me," Mrs. Fogle said of her best friend's death. "We've been wanting this for 10 years. No matter what the outcome will be, at least we haven't forgotten about her."

THANKS TO PREBLE

# Jury is told Heath strangled woman who rejected him

## Trial opens a decade after victim's death

BY TANYA BRICKING  
The Cincinnati Enquirer

LEBANON — Gary Steven Heath couldn't stand rejection, so he strangled the woman who tried to dump him, prosecutors said Monday. It was the first day of Mr. Heath's Warren County murder trial.

The decade-old case pits those who say Mr. Heath was a charmer who turned violent, against those who say he was merely a man who told outlandish stories to cop a lighter prison sentence.

It's a case that, for some, stirs painful memories of how Vendetta "Vendy" Cox died in 1985.

*DAUGHTER*  
Cresta Cox Eshelman's hands trembled as she recalled the last time she saw her mother alive.

Mrs. Eshelman, now 24, spun her thoughts back to eighth grade, when Mr. Heath lived in their Mason apartment.

She remembers waking up to their fighting one night in October 1985. Her mom wanted Mr. Heath to move out.

Cresta cried when she heard them yelling and spent the night with her mother in a locked bedroom. The next day, she kissed her mother goodbye — and never saw her again.

Across a Warren County courtroom Monday, Mr. Heath sat at a defense table taking notes. A decade after Ms. Cox was strangled, Mr. Heath, 37, is on trial in her murder.

It's a case of a man who could not stand rejection, Rachel Hutzel, an assistant prosecutor, told a seven-man, five-woman jury.

Ms. Cox, a 33-year-old single mother, wanted to end her relationship, but Mr. Heath couldn't take it. So he strangled her and dumped her body in a Mason corn-



Gary Heath

field, Ms. Hutzel said.

After the killing, he fled to Bridget Proffitt's apartment and moved in with her, Ms. Proffitt testified. The Hamilton woman, now 33, was

Mr. Heath's common-law wife until a 1986 divorce. Her mother also testified against Mr. Heath.

But the jury likely will not hear from his other ex-wives. Mr. Heath is in prison for shooting one of them in the head and served time before that for stabbing another in the neck with scissors. They survived, but prosecutors are not allowed to bring up Mr. Heath's past unless he testifies.

Mr. Heath gave up his prison garb for khaki pants, a striped long-sleeve shirt and gym shoes Monday, and was silent except for whispers to his lawyer.

In opening statements, defense attorney Andrew Hasselbach said decade-old evidence will not link Mr. Heath to Ms. Cox's death.

"This case should be called 'Let's Make a Deal' or 'A Tale of Two Snitches,'" he said.

It's a case of two felons — Mr. Heath and a 1995 cellmate — who told stories to investigators in hopes of getting lighter sentences, Mr. Hasselbach said.

Mr. Heath's attitude was, "You play ball with me, and I will help you solve this case," but his inconsistent stories snowballed, Mr. Hasselbach said.

The defense lawyer calls the cellmate, Jeremy Kordelewski, a liar.

So, too, is his client, Mr. Hasselbach said.

"Yeah, he's guilty of something," he said. "He's guilty of being a terrible liar. He's not charged with being a liar. He's charged with murder."

## Shooting testimony: 'He was looking me . . . in the face'



The Cincinnati Enquirer/Gary Landers

Deanna Louderbeck testifies Wednesday about how her former husband shot her in the head. "He was kneeling next to me with the gun to my head," she said. "He was looking me straight dead in the face with his finger on the trigger." Her ex, Gary Heath, has said the shooting was accidental. He is charged with attempted murder.

# Ex-wife recounts violence

BY KRISTEN DELGUZZI  
The Cincinnati Enquirer

Deanna Janelle Louderbeck remembers the day she was shot. Remembers the gun going off. The bullet slamming into her head.

And she remembers blood exploding from the wound, splattering onto the face and chest of her estranged husband, who was kneeling over her with a gun in his hand.

"Blood was all over," Louderbeck testified Wednesday in the attempted-murder trial of her now ex-husband Gary Steven Heath. "He had as much blood on him as I did on me."

As she calmly spoke in chilling detail, Heath hung his head. He covered his face with a hand and took several deep breaths. He did not look at his former wife, who is paralyzed on the right side and uses a wheelchair.

Heath, 36, has said the shooting was accidental. He could testify later this week or next, when the defense begins presenting its case.

Louderbeck, who resumed using her maiden name when she was divorced last year, testified Wednesday amid heightened security. She will return to the Hamilton County Common Pleas Court today for more cross-examination, before Judge Robert Kraft.

During her daylong testimony, Loud-



Gary Heath, left, speaks with his lawyer, Lucian Bernard. Heath could testify later this week or next.

The Cincinnati Enquirer/Gary Landers

erbeck recounted almost two years of an abusive marriage. She said Heath first hit her Aug. 3, 1992 — the day after their wedding. She said he smacked her because he didn't want to attend their reception.

The abuse continued daily, she said.

"My relationship with Gary was a nightmare," Louderbeck said, her voice cracking. She did not cry during her testimony — she has been unable to shed tears since the shooting.

"Whether it was volatile or not, it was a nightmare. He makes Freddy Krueger look like a dream date."

The violence — which Louderbeck admitted sometimes came from her — culminated on her 28th birthday: May 23, 1994.

That morning, almost a week after she had filed for divorce, Heath appeared at Janelle's Pub, the bar Loud-

beck owns in Colerain Township.

"He pulled a gun on me and told me I was going to talk to him, whether I liked it or not," she said.

Louderbeck said Heath started punching and kicking her, then eventually knocked her to the ground.

"He's got a chair over my chest and neck so I couldn't get up," she said. "He was kneeling next to me with the gun to my head. He was looking me straight dead in the face with his finger on the trigger."

Louderbeck said Heath kicked her several times as she lay bleeding on the floor. He also stepped on her as he headed for the door, she testified.

She lay on the floor, slipping in and out of consciousness, for two hours, Louderbeck said. Doctors said she was within minutes of death when a delivery man found her shortly after noon.

WSD. APRIL 17, 1996

# Witness: CINC. ENQU.

## I wasn't involved

### Man that Heath says killed woman calls story a lie

BY TANYA BRICKING

The Cincinnati Enquirer

LEBANON — The gruesome images haunt Larry Cox Jr. like a bad dream.

It was 11 years ago when he found his former sister-in-law, Vendetta "Vendy" Cox, strangled and left dead in an overgrown cornfield off U.S. 42 in Mason.

As Mr. Cox testified Tuesday in the trial of Gary Steven Heath — the man accused of killing Ms. Cox — he choked back tears while looking at the black-and-white photographs of the crime scene.

The pictures showed Ms. Cox, 33, in a fetal position with her head facing the ground, her jeans and underwear pulled down and her shirt pulled up. Authorities found no evidence of sexual assault, but whoever dumped her body made it appear that way.

The man prosecutors tie to the decade-old crime did not look witnesses in the eye. He spent the second day of testimony taking notes as prosecutors filed in 10 witnesses, ranging from a deputy coroner to Ms. Cox's sister.

Those who know Mr. Heath, now 37, describe him as Ms. Cox's outgoing boyfriend who changed his story about what happened the day she disappeared.

He told a Preble County investigator in 1991 that he stood helplessly in Ms. Cox's apartment as two men killed her over drug money. Their conversation, which lasted nearly an hour and a half, took place when Mr. Heath was in court in Preble County.

But the reasons Mr. Heath has been in court before are not being disclosed to the five-woman, seven-man jury. All they know is that he has spent much of his past in and out of prison.

Unless Mr. Heath testifies, prosecutors are not allowed to tell jurors he is serving time for shooting an ex-wife in the head in 1994, or that he stabbed another ex-wife in the neck with scissors in 1991. Both survived.

"It's very frustrating for me because I can't say what a jerk this guy is," Preble County investigator David Lindloff, who testified Tuesday, said on his way out of the courthouse. "He hates women."

One of the men Mr. Heath accused of killing Ms. Cox didn't find out about the accusation until 1994. Don Collucci, a musician, testified that Mr. Heath's story was a total fabrication. "I had absolutely nothing to do with this," he said.

The prosecution will continue today with testimony from Jeremy Kordelewski, one of Mr. Heath's former prison cellmates. He is expected to say that Mr. Heath confessed to him about killing Ms. Cox.



Gary Heath



Vendetta Cox

Lindloff