

*** NEWS RELEASE ***

SEASIDE TEACHER WILL SERVE 6 YEARS FOR DEATH OF PACIFIC GROVE COHABITANT

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Monterey County District Attorney Dean D. Flippo announced today that Judge Larry E. Hayes sentenced Lynne Nicole Feurer to the middle term of six years in the Department of Corrections for voluntary manslaughter of her cohabitant, Joseph Cupita.

On May 28, 2007, Pacific Grove Police Officers found Mr. Cupita deceased when they were requested by the Monterey Police Department to conduct a welfare check at the 8th Street home. It was determined that cause of death was mechanical asphyxia and smothering. Feurer was later arrested by the Monterey Police Department for being drunk in public at the London Bridge Pub where she told patrons that they would read about her in the newspapers the next day because she killed her husband.

Judge Hayes announced that based on the defensive wounds found on Mr. Cupita that this was not a domestic violence case. Ms. Feurer had claimed that she was battered in the past by Cupita and was justified to use lethal force. However, the court ruled there was no evidence in the volumes of medical records to substantiate her claim. Citing her prior criminal record of three driving under the influence convictions and a petty theft that included alcohol use, her poor performance on probation and the facts surrounding Mr. Cupita's death, the court found Feurer was a danger to society. However, in selecting the middle term of six years, the court also indicated she acted under the duress of caring for an Alzheimer's patient and had been a positive influence in her community prior to the death.

Many friends of Ms. Feurer were present in court to speak on her behalf. The defendant's son stated that he missed Mr. Cupita and that his mother's alcoholism was out of control. But that since his mother had been incarcerated for the last two and a half years, she is off alcohol and prescription medication and can be a productive member of society. Ms. Feurer and her attorney requested the court sentence her to three years for which she already had accumulated as pre-sentence credits. The People asked the court to consider the vulnerability of Mr. Cupita who was 81 years old and suffering from heart, kidney and Alzheimer's Disease, as well as the gruesome manner in which he died at the hands of someone he trusted. Mr. Cupita's nephew, Joe Skupa from Glennwood, Iowa was present and asked for the maximum punishment.

The investigation and autopsy results indicated that the defendant attacked Mr. Cupita by smothering him with a pillow while he lay in bed fully clothed. Evidence further indicted that when Mr. Cupita tried to remove the pillow from his face, the defendant bit him on the right forearm and the left hand. His body was found wedged between the bed and the wall, after Feurer fled to the Monterey Harbor without calling for medical assistance.

The case was investigated by Det. Adam Sepagan of the Pacific Grove Police Department and DA Investigator Ryan McGuirk.