

PHILADELPHIA

Documents lead to vet's new trial

By **ED FOUNTAINE**

Daily Racing Form reporter

Dr. Leonard Patrick, a Philadelphia Park-based equine veterinarian convicted last March in federal court for his alleged involvement in an insurance scam, has been granted a new trial.

Patrick was found guilty of conspiracy to commit mail fraud and perjury in a scheme to kill the racehorse Oblige in 1994 and collect \$75,000 in insurance. Following the conviction, Patrick hired a new attorney, Glenn Zeitz of Philadelphia, to handle his appeal.

"We filed a series of motions before the federal judge before whom (Patrick) was convicted," Zeitz said Thursday. "The judge granted him a new trial and wrote a 49-page opinion in which he found there was prosecutorial misconduct, denying Patrick his right to a fair trial."

Zeitz said the judge ruled the pros-

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ecution had documents in its possession that were not turned over to Patrick. "Had they been," Zeitz said, "they would have had the capacity to change the outcome of the case."

The documents deal with the prior relationship between Patrick and one of the chief witnesses to testify against him, equine veterinarian Deborah Mood.

"The documents would have affected the credibility of Dr. Mood," Zeitz said. "They show she might have had a motive to put him out of business as a competitor in the field of veterinary medicine."

In the first trial, the government argued that after several attempts to kill Oblige, who was lame, his owner, Robert Deo, turned the horse over to Patrick. Deo and Patrick then allegedly conspired to have Mood inject Oblige in the foreleg to treat his lameness, and afterward injected E. coli bacteria into the horse's knee, causing an infection that led to Oblige's being destroyed.

Deo pleaded guilty to mail fraud, testified against Patrick and was sentenced to four months in jail and 300 hours of community service.

Patrick faced up to 15 years in prison, but his sentencing was postponed pending appeal.

The new trial could begin by late this year.

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