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MURDER TRIAL BEGINS

Man charged with murder told family he had cancer

BY LISA QUEEN
Staff Writer

A Richmond Hill man charged with the first degree murder of his high school buddy portrayed himself as a wealthy businessman suffering from cancer to the victim's family, court has been told.

James Martin, 38, was found murdered April 8, 1998 in a wooded area near 19th Avenue between Leslie Street and Bayview Avenue with two bullet holes in the back of his head.

Crown attorney Robert McCreary said the married father of three boys was killed March 25, 1998, when he didn't show up for his night shift at Casino Rama in Orillia where he worked as a dishwasher.

Martin's abandoned pick-up truck was found that night by a York Regional Police officer in the back parking lot of Hillcrest Mall in Richmond Hill.

Martin also failed to appear the following morning for a meeting with a lawyer to complete a real estate transaction.

Martin had been carrying \$120,000 in \$100 and \$1,000 bills in plastic bags to purchase a house near the casino when he went missing.

According to McCreary, Martin and Stephen Allan Rogers agreed to buy a house together.

Although Rogers put up \$120,000 in cash toward the purchase of the \$150,000 house, McCreary said the home was to be registered in Martin's name.

McCreary said Rogers was supposed to live in the basement, being cared for by Martin and his family.

Rogers has pleaded not guilty to the first degree murder of Martin.

The men had first met in high school and were reacquainted some time before Martin was killed.

McCreary said Martin had told his brothers about a drug deal he and Rogers were involved in that was to have taken place the week Martin was murdered.

However, Rogers told police he knew nothing about the drug deal.

Rogers also told officers he trusted Martin to hand over the \$120,000, which he

claimed to have secured through selling assets and gambling winnings, to the lawyer to close the real estate transaction.

In his opening address to the nine-man, three-woman jury Tuesday, McCreary said Martin's murder was planned and deliberate.

According to McCreary, a teenaged boy living with Rogers originally told detectives Rogers had been home with him the entire night of March 25.

But the youth later confessed Rogers had gone out for some time and showed the teen a Ruger semi-automatic handgun when he returned.

Tests conducted at the Centre for Forensic Sciences in Toronto determined Martin was shot with a Ruger semi-automatic handgun.

'This is a murder no one saw, no one has confessed to. (But) what you will be able to see... is a picture of who killed Jim Martin.'

On April 2, six days before Martin's body was found, workers from the Keele Valley landfill in Maple discovered a Ruger semi-automatic handgun in a plastic bag near Dufferin Street.

According to McCreary, police also discovered Ruger shell casings on an island cottage Rogers had purchased with a friend.

McCreary said the ballistics expert concluded the gun found by the workers was the same one used to shoot Martin, while the shell casings from the cottage came from the same weapon.

However, McCreary acknowledged his case is based largely on circumstantial evidence.

He said he will produce financial and health records to indicate Rogers was not the man he portrayed himself to be to the Martin family.

"This is a murder no one saw, no one has confessed to," McCreary added. "(But) what you will be able to see, in my submission, is a

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