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By JAMES W. WADE III

Staff Reporter

The defense in the Anthony Sowell murder trial rested Tuesday without calling a single witness. This comes one day after prosecutors wrapped up their case against the accused serial killer.

Chipping away at the charges, defense attorneys for accused serial killer Sowell managed to get two of the 85 counts dismissed Monday. Lawyers argued that there is no way to prove how LeShanda Long, 25, died since only her skull was recovered from inside the house on Imperial Avenue in 2009.

One count of kidnapping and one count of aggravated murder were dismissed.

Cuyahoga County Common Pleas Judge Dick Ambrose ruled that, without Long's body, there isn't enough evidence to prove she was held against her will.

Ropes and ligatures were found with the rest of the 11 victims. Sowell will still face one count of aggravated murder for LeShanda's death but her family does not think that is enough.

This past Monday, the remaining portion of the 12-hour interrogation video was presented to the jury. The final 35 minutes of the tape were from a recording of a second interrogation session from Nov. 2, 2009, two days after the initial questioning.

As Cleveland Homicide Detectives interviewed Sowell, for 12 hours, the 51-year-old seemed to become agitated. He also denied remembering any of the victims. When asked about one of the victims, Sowell replied, "I don't have any recollection of her at all."

A detective asked, "You don't know where you met her, had sex with her?" Sowell replied, "I don't have no recollection of that at all."

"But you said you had sex with all of them," the detective said.

Sowell, responded, "I said I think I did."

As for a possible motive, the interview video seemed to suggest Sowell attacked the 11 women because they reminded him of his ex-girlfriend, a former addict who "got clean" and dumped him. A detective asked, "How come you didn't kill her?"

"I loved her," Sowell explained. "She's the one that put you through all what she put you through, not these girls," a detective tried to reason.

Sowell repeated, “You hear me? I loved her... I love her more than anything.”

The video was the final piece of prosecution evidence, ending the state’s 13-day case

Judge Dick Ambrose spent Tuesday afternoon giving the jury instructions. The explanation of aggravated murder is lengthy because each of the 11 counts carries 13 course of conduct specifications.

“However, if you find that the state failed to prove beyond a reasonable doubt in any one of all of the specifications three through 16, then you will find the defendant not guilty,” Ambrose said.

It is anticipated that closing arguments will begin at 9 a.m., today.

Court Administrator Gregory M. Popovich says that upon conclusion of closing arguments, the judge will provide final instructions to the jury. It is anticipated that deliberations will begin this afternoon.

The standard that must be met by the prosecution’s evidence in a criminal prosecution is that no other logical explanation can be derived from the facts except that the defendant committed the crime, thereby overcoming the presumption that a person is innocent until proven guilty.

Beyond a reasonable doubt is the highest standard of proof that must be met in any trial. In civil litigation, the standard of proof is either proof by a preponderance of the evidence or proof by clear and convincing evidence. These are lower burdens of proof.

A preponderance of the evidence simply means that one side has more evidence in its favor than the other, even by the smallest degree.

Sowell, 51, is charged with killing a total of 11 women and dumping their remains in and around his Imperial Avenue house. He has pleaded not guilty and could face the death penalty if convicted.