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N.Y. Lawyer Plans Suit in Ramsey Case

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A New York victims' rights lawyer said he'll file a lawsuit today against Boulder County District Attorney Alex Hunter, hoping to force the prosecution of Patsy Ramsey in connection with the nearly year-old unsolved murder of her 6-year-old daughter, JonBenet.

The attorney, Darnay Hoffman, says he collected evidence from four handwriting experts that proves Patsy Ramsey wrote the 2 ½ -page, handwritten ransom note she claimed to have found the morning of Dec. 26. JonBenet was found beaten, sexually assaulted and strangled that afternoon in the family's basement.

Hoffman was the defense lawyer for subway gunman Bernhard Goetz in a New York civil trial.

Claiming the prosecutor's office has enough evidence to prosecute the child's mother but won't move forward, Hoffman plans to use a rarely used Colorado law to sue Hunter for the "unjustified refusal of the district attorney to prosecute any person for the crime," according to the complaint.

"Basically, I have to blow the whistle on Alex Hunter," Hoffman said Monday, adding it is the only way to hold a district attorney accountable.

The district attorney's office declined to comment on the case, spokeswoman Suzanne Laurion said.

If Hoffman is successful in the lawsuit, a judge could order charges to be filed and could appoint a special prosecutor to take over the case, said Colorado Attorney General Gale Norton. A judge also could dismiss the complaint outright, refusing to order a hearing.

“It certainly would be surprising if it goes very far,” Norton said. “The first step is to decide whether the district attorney has refused to prosecute. What everyone has said is there is still an ongoing investigation.

Although Colorado law allows a citizen to file suit in such a case, Boulder legal expert David Harrison questioned whether the law provides for a non-Colorado citizen to file suit. In any event, it is unlikely a judge will decide whether to throw out or hear any case until hearing a formal response from the defendant (Hunter), which could take up to 20 days, Harrison said.

Hunter has said the parents are “a focus” of the investigation, but has stressed the inquiry continues and all angles are being pursued. There have been no arrests and no suspects named in the 6-year-old’s death.

Hoffman said he has tried to submit the handwriting evidence to Hunter’s office several times, but was unsuccessful.

“Quite frankly, I am sick and tired of it,” he said.

Along with the filing of the complaint, Hoffman will submit more than 40 pages of exhibits, magazine and newspaper articles. Hoffman frequently faxes information to the news media, including letters he’s written to Hunter and clips from New York Post gossip columnist Cindy Adams. He also frequently calls Denver talk radio shows to discuss the Ramsey case.

The experts Hoffman cites are Denver lawyer Thomas Miller, National Association of Document Examiners Director David Liebman and court-certified documents examiner Cina Wong.

The handwriting analysis of an unnamed person contracted by the FBI will be withheld because of its potential to damage the investigation if released publicly, Hoffman said.