

Hale sues attorney for malpractice - White supremacist serving 40-year term

Chicago Tribune (IL) - August 4, 2006

Author: Gerry Doyle, Tribune staff reporter

White supremacist Matthew Hale, serving 40 years in a Colorado prison for plotting to kill a federal judge in Chicago, is suing his former attorney for malpractice.

The lawsuit, filed Wednesday in Cook County Circuit Court, alleges that Thomas Durkin, the lead defense attorney in the murder-for-hire trial, "committed numerous acts and omissions that fell beneath a reasonable standard of care."

Hale was convicted in 2005 after a month's long trial. He is seeking \$30 million in damages, according to the suit.

Durkin said he had not yet seen the lawsuit.

"I don't believe it's worthy of a comment," he said. "I don't intend to dignify it."

The 19-page document lays out 62 points that Hale says illustrate how Durkin failed him as an attorney. Hale also alleges that Durkin defrauded Hale's father by charging him legal fees for services he never provided.

Hale, who has a law degree but was denied a law license, says that Durkin's actions led him to be convicted of a crime he didn't commit and caused him "extreme emotional anguish."

Central to his complaint is the allegation that a witness whom Durkin did not call, attorney Glenn Greenwald, would have shown the jury that Hale was not referring to Judge Joan Lefkow when he told an informant he wanted the "Jew rat" killed.

Greenwald would have told the jury that term actually referred to an unrelated lawyer, Hale said, and therefore he could not have legally been found guilty of plotting to kill Lefkow.

Hale also alleges that Durkin discriminated against the inclusion of white jurors at the trial and worked to get blacks on the jury. The jury was made up of six blacks, five whites and a Hispanic. That breakdown worked against his case, Hale said.

Overall, Hale alleges, Durkin did nothing to burnish Hale's reputation in the eyes of the jury.

Durkin "referred to me as a `jerk' in closing argument," Hale wrote in the lawsuit.

The lawsuit requests that the case be settled by jury trial. No court date has been set.

gxdoyle@tribune.com

Edition: Near West Final

Section: Metro

Page: 4

Index Terms: CHICAGO; MURDER; LAWSUIT; TERRORISM; GROUP

Record Number: CTR0608040172

Copyright (c) 2006, Chicago Tribune Company. All rights reserved.