

**Christina Proctor**

December 19, 2001

## Accused rapist has alibi

took the stand Tuesday and told the court there was no way he could have raped a 16-year-old Meyers girl.

41, testified that on Feb. 12 - one of the days in question - he was traveling back from Santa Barbara with a load of avocados and didn't return to South Lake Tahoe until the early morning hours of Feb. 13.

is accused of raping the girl, a close relative, in her home in Meyers on Feb. 10 and 12. Tuesday was the third day of trial testimony in El Dorado Superior Court.

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"I was not there. I did not do it. It was impossible for any evidence to be there," said, when questioned as to why he wasn't concerned the police would find any physical evidence at the alleged crime scene.

The prosecution was quick to point out that the girl testified that used a condom during both alleged rapes.

During defense questioning, retraced his steps on Feb. 11. After meeting with friends in Markleeville and having dinner, said he departed for Santa Barbara between 8:45 and 9 p.m. said he remembered arriving in the Santa Barbara area around 9 a.m.

stated he contacted the owner of the avocado ranch and purchased 1,000 pounds of avocados and then left Santa Barbara for South Lake Tahoe around noon on Feb. 12.

The owner of the ranch also testified for the defense Tuesday. He stated he remembered buying avocados from him that week, but couldn't remember the exact date.

told the court he didn't get back into South Lake Tahoe until around 3 a.m. on Feb. 13.

is accused of being at the girl's home in Meyers on the afternoon of Feb. 12.

Today, the prosecution will continue its cross-examination of

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