

Kurt Hildebrand
khildebrand@recordcourier.com

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Kingsbury elder abuse trial begins

A jury of 10 women and four men is hearing the case against a Stateline man accused of knocking down his elderly neighbor on a snowy December evening.

Jeffrey Spencer, 50, is facing charges of elder abuse in connection with the case being tried in Minden.

The trial is expected to take eight days, with closing arguments extending into October, if estimates on the length of testimony are accurate.

Douglas County Sheriff's Deputy Jesse McKone testified Wednesday he responded Dec. 18, 2012, when Spencer called in a burglary report from his home at 321 Charles Ave. on Kingsbury Grade.

When McKone arrived, he testified that he saw two men in the street, one was lying down while the other was standing over him.

He identified the man lying in the street as Helmut Klementi, with his brother Egon standing over him asking the deputy to help him.

McKone said Helmut told him his name, and that his back and knee were hurt.

"He said he was in a lot of pain," McKone said. "You could tell because his jaw was clenched."

Klementi, 78, told McKone he had been taking pictures of his brother's fence when he heard Spencer yell at him.

"He said he began walking on Charles, and Spencer came up behind him and struck him."

McKone said it was dark, and there are no streetlights. He put his spotlight on Klementi in the hopes no one would hit him if they drove around the corner.

After turning Klementi over to the paramedics, McKone said he spoke with Spencer, who said he heard someone in his driveway from his upper deck, which is on the other side of the house.

When he went out the door, Spencer told McKone he saw a figure walking away from his property.

“I ran down the street and pushed him down,” the deputy testified Spencer said. “I would have tackled him but we both would have gotten hurt.”

McKone testified that Spencer told him he thought it was a teenager because he was wearing a hooded sweatshirt, and that Spencer didn't know it was Klementi.

Prosecutor Maria Pence showed a picture McKone took of Klementi lying in the street. The deputy said there was no sign of a hat or hood when he arrived.

According to McKone there were 3-4 inches of snow on the ground.

Helmut Klementi told deputies he was taking pictures of the snow berm in front of his brother's home.

On Thursday Egon Klementi testified that Spencer would block his driveway with a snow berm to the point where he couldn't get out of his driveway. Klementi said he'd been at the Kingsbury General Improvement District meeting that night to complain about the plowing.

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