

Lawyer, wife found slain in Ventura home

Son finds beaten pair in Clearpoint bedroom

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By Skip Rimer
and Rita Beasish

A prominent attorney and his wife were found slain Sunday in the bedroom of their expensive Ventura hillside home, where they had apparently been bludgeoned to death more than two days earlier.

Lyman R. Smith, 43, believed to be a leading candidate for appointment to one of two vacancies on the Superior Court, and his wife, Charlene, 33, were found just after 2 p.m. Sunday by Smith's 13-year-old son, Gary, who had come over to the house to mow his father's lawn, according to Smith's ex-wife, Marjorie.

The boy, who lives with his mother about one-half mile from Smith's Clearpoint home, went into the bedroom and found his father lying face down in bed, she said. The boy's stepmother was lying face up next to Smith, though she was covered with a sheet or blanket, sources said. Both had been beaten about the head with a club-type instrument, police said.

A log, possibly used to kill the couple, was found lying on the bed, sources said. Investigators, however, would confirm only that a log was found in the bedroom, and said they did not know if it is the murder weapon.

Smith, whose legal practice was headquartered in Santa Paula, where he was active in civic affairs, was long a prominent figure in the county's Democratic Party leadership.

Marjorie Smith told the Star-Free Press that her ex-husband's house had been ransacked and a bedroom alarm clock, set for early morning, was still ringing when Gary entered the unlocked house.

Ventura police Sgt. Gary Adkinson, however, ~~said the home had~~ been ransacked and said there apparently was no burglary. He said there were no signs that either a struggle had taken place or that someone had broken into the home.

Adkinson said investigators do not believe the home was burglarized. He said they are investigating the deaths as a double slaying.

The scene was apparently bloody and Gary tried to call his mother. When she did not answer, he called police, who arrived at the home, 573 High Point Drive, about 2:15 p.m.

The area was quickly sealed off by police until a search warrant could be obtained from Superior Court Judge Marvin H. Lewis, a friend of the Smiths, who lives just up the street from the couple.

There were no suspects in custody as of this morning, and police would not speculate on a possible motive for the slayings.

Two gardeners, who were working at the house when Gary arrived, were questioned by police, but are not considered suspects, investigators said.

According to neighbors and friends, Mrs. Smith was last seen alive Thursday night in front of her house. Smith, a member of the Santa Paula firm of Romney, Smith & Drescher, was at work Thursday, but did not call in the next day. Phil Drescher, one of his law partners, said.

Smith missed an appointment Friday, but others in the office covered for him, Drescher said. They figured he had taken on another assignment

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Attorney, wife found murdered

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without telling them.

"We didn't think that much of it because it was just one appointment Friday," he said. "He was out of the office a lot recently."

Smith's former wife, who also has custody of their other two children, Jenny, 16, and Jay, 15, said Smith usually talked to the boys and his daughter at least once a week.

"He didn't call on the weekend and we figured maybe he was on a trip or something," Ms. Smith said.

Neighbors said they thought it was strange that both of the Smiths' cars were in front of their home Friday, but said they did not hear or see anything unusual late Thursday or early Friday, when the couple is believed to have been killed.

Lewis said he went over to Smith's house Friday evening to talk to him about the pending Superior Court appointments, but got no answer when he knocked on the door. He said he called on the phone when he got home, but again got no answer.

An autopsy was scheduled for today to determine the cause and probable time of death.

Ms. Smith learned of the slayings when she drove to Smith's house to see if Gary was mowing the lawn and saw dozens of police cars outside the residence.

"I kind of feared the worst, and, of

course, it was pretty true," she said.

While police were waiting for the search warrant, Smith's daughter rode up to the home on a Moped. She was crying and had to be comforted by officers.

Police went into the home about 9:25 p.m. after receiving the warrant. District Attorney Michael D. Bradbury was at the home when officers went inside, but he did not enter the house.

Friends and colleagues expressed shock when told of the killings. They praised Smith as one of the county's outstanding attorneys.

"He was a highly competent attorney," said Drescher. "He was uniformly respected by his peers, and he was uniformly liked. He was a terrific and capable guy."

Smith, a former deputy district attorney, was one of four attorneys whose names have been submitted by the governor to the State Bar for evaluation in connection with a possible appointment to one of two vacancies on the Superior Court.

The other three attorneys whose names have been submitted are Assistant Public Defender Ken Cleaver, Bill Peck of Ventura and Ventura City Councilman Ronald Harrington.

Drescher, who knew Smith for 17 years, said his partner had an excellent chance at being appointed to the bench.

"Any way you cut it, Lyman had to get one of them," Drescher said.

Lewis, who learned of the killings when he and his wife, Claire, drove by the Smith house on a shopping trip shortly after police arrived, said he was stunned.

"He was an excellent attorney," Lewis said of Smith. "He was someone who never lost his temper. He had good judgment and an ability to get along with people."

Mrs. Lewis, who used to work with Mrs. Smith when both of them were legal secretaries in the Municipal Court, said she had lunch Thursday with Mrs. Smith, who was in good spirits.

"She was really enjoying her new job," Mrs. Lewis said. "She was really up and everything was going (well) for her."

Mrs. Smith had just begun a new job in home decorating, Mrs. Lewis said.

Superior Court Judge Steven Stone, a former law partner and one of Smith's closest friends, could not believe Smith was dead.

"I am really stunned and shocked," Stone said. "Although I've seen a

number of horrible crimes in my courtroom, it hits you harder when you're close to the victim, and I was very close to him."

Stone said he last talked with Smith about Wednesday of last week. He said the pending judicial appointment was discussed.

"He was very pleased and happy that his name had been submitted by the governor," Stone said.

"Lyman was highly thought of by the bench, Bar and clients," he added. "He was a genuine credit to his profession. He was a remarkably able lawyer. It's a real loss to the legal community."

Edwin F. Beach, a former law partner of Smith's and now an appellate court justice, said today he was shocked by news of Smith's death.

"I'm stunned," Beach said. "It's a tragic loss to the profession. He was an excellent attorney who could handle many different kinds of things."

Smith was born in Pocatello, Idaho, on April 7, 1936. He received his law degree from Boalt Hall, University of California, and joined the Ventura County District Attorney's Office as a law clerk in October 1961.

After passing the State Bar exam, Smith became a deputy district attorney in January 1962. He stayed with the office until October 1963, when he joined Stone and Beach to form the Santa Paula law firm of Beach, Stone & Smith. Drescher joined them about two years later.

Eventually, Beach and Stone left to go on the bench, and Blaine Romney joined the firm, forming what is today known as Romney, Smith & Drescher.

He was a past secretary of the Ventura County Bar Association.

Smith was married to Marjorie Smith for 17 years before they separated in 1972. He and Charlene celebrated their fourth wedding anniversary in December.

They lived alone in their Clearpoint home. Charlene Smith had no children.

Smith was a former chairman of the Ventura County Democratic Central Committee and former trustee of the Santa Paula High School District. He was president of the Santa Paula Boys' Club and the Santa Paula Rotary Club.

He was also a former owner of Maverick International Airlines, which was formed to fly cattle to Iran. The company went out of business during the recent crisis in that country.

He had been a member of the Saticoy Country Club since 1971.

Services for the couple are pending.