

Accused killer asked to pay funeral expenses

Posted by [TBN Charles](#) On 12/17/2014

La Plata, MD - There are no surprises in Charles County Circuit Court these days.

Consider the troubling case of Janet Lynn Cabezas, convicted in Charles County in 2010 for the 2009 murder of her husband, Steven Christobal Cabezas Sr.

She was sentenced to 30 years in prison with all but five years suspended after shooting her husband with a shotgun.

During the 2010 trial, the defense claimed her actions occurred following a severe beating.

Former Charles County States Attorney Leonard Collins argued that the victim was walking away from the defendant when he was shot.

Charles County Circuit Court Judge Robert C. Nalley took into account the abusive nature of the relationship when he sentenced the defendant to five years, despite calls for at least 12 years by Collins.

Cabezas was released from the Maryland Department of Corrections Feb. 14.

On Tuesday, Dec. 16, Cabezas was back in court as John Stackhouse, assistant state's attorney for Charles County, sought to obtain \$12,394.96 in restitution for her late husband's funeral.

Stackhouse pointed out that the deceased man's mother paid for the funeral and was reimbursed from the estate for her expenses.

"Just so the court knows, the defendant did render a plea to second-degree murder in this case before Judge Nalley," Stackhouse said. "She was placed on five years of supervised probation upon her release, and part of that probation was to pay restitution."

Edie Cimino, Charles County public defender, argued that the defendant, who suffers from multiple sclerosis, is financially strapped and unable to pay.

"I think it's clear that she was the victim of serious abuse," Cimino told the court. "Clearly that was what Judge Nalley had in mind when he sentenced her to five years. She served her five years. She is now on probation and parole."

Cimino argued that the law defines the purpose of restitution is to rehabilitate the offender.

"The defendant is rehabilitated," she said. "This is a very significant dollar amount to the terms of her probation."

The public defender fought valiantly to introduce into evidence documents she thought were crucial to her client's case and put the defendant on the witness stand to testify that before the 2009 shooting, she and her husband had jointly purchased and paid for burial plots.

Cimino argued her client shouldn't have to pay for a funeral when that had already been paid for.

Stackhouse asked Cabezas if she had told the trustee of the estate about the burial plot and she said that by the time she was released on bail her husband was already buried.

Cabezas also testified that while she was in prison, fellow inmates broke her fingers and extremities in an effort to get at morphine Cabezas was being given for pain. Despite their efforts, they did not get her medication, she said.

The assistant state's attorney was clearly exasperated throughout Cimino's laborious attempts to prove her client's inability to pay because of her disability, but the defense marched on. She said Cabezas had contributed to the estate and lost all of her property during the settling of the estate.

"If my client is forced to pay this restitution, she won't be able to do that and then she will be looking at 25 years of backup time," she asserted. "Her body is deteriorating. She is still suffering from immense guilt from the loss of her husband."

"I object to this entire process," Stackhouse said. "This is totally irrelevant. We have no evidence she paid anything, and it's irrelevant anyway."

Stackhouse also said Cabezas had filed a \$1 million lawsuit against the estate which was denied.

Cabezas said she has credit card debt she is trying to find a way to pay off.

"How are you going to do that?" Charles County Circuit Court Judge James H. West asked.

"I don't know," Cabezas responded. "I'm trying to figure out a way. I'm trying to make it right, but it's never going to be right."

"She killed her husband, and we're asking her to pay his funeral expenses, that's all," Stackhouse said. "She is trying to pay off two credit cards, but can't pay for expenses for a funeral she caused."

Cimino became furious when she thought Stackhouse laughed at a comment she made.

Stackhouse denied it.

"Believe me, I don't think anything you said is even remotely funny," he said.

West said he will rule on the case Jan. 27.

