

CRIME FEBRUARY 14, 2017 1:35 PM

Susan Van Note found not guilty in Ozarks murder of father, his girlfriend



Defense, prosecutor make their case in closing arguments in Van Note murder trial 5:07



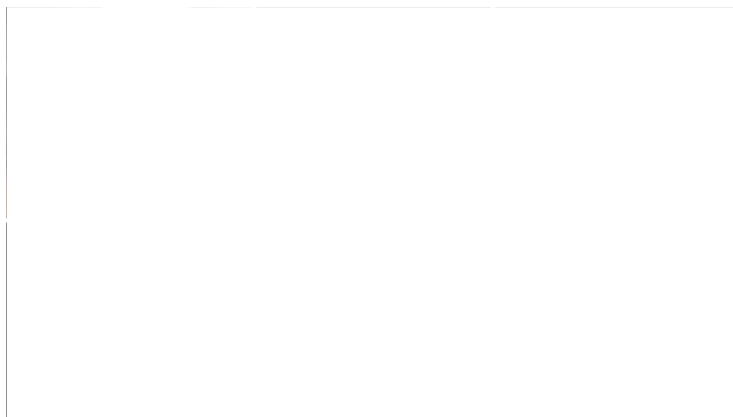
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BY DONALD BRADLEY
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LEBANON, MO. — A jury on Tuesday night found Susan “Liz” Van Note not guilty in the 2010 murders of her millionaire father and his girlfriend. Van Note, a Lee’s Summit attorney, broke down in tears after the verdict was announced; she was comforted by co-defense counsel Tricia Bath. The family of the girlfriend, Sharon Dickson, showed no reaction as the verdict was being read, but one woman wept afterward.

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Van Note declined to comment after the verdict, as did her lawyers.

Jury foreman Merri Hess said the panel did not feel good about their decision: “We felt strongly that she was involved, but we had to decide on the evidence.”

“ ‘Not guilty’ does not mean innocent.”

She said that not a person on the jury felt that Van Note was not involved.

The jury deliberated about six hours before reaching its decision, ending a case that had big money, forgery, a missing person, barking dog, a fight in a hospital and a late-night attack at an exclusive waterfront home at Lake of the Ozarks.

And a lot of talk about a cellphone ping.

After a week of testimony, the defense rested Tuesday morning without presenting more testimony. Van Note did not take the stand.

Authorities say Van Note killed William Van Note and Sharon Dickson because she wanted to get her father's millions and was angry that he had named Dickson to receive the bulk of his estate.

Dickson's son, Andrew Dickson, has a wrongful death suit pending against Susan Van Note.

Susan Van Note's attorneys pointed to another man, who has since disappeared, as the killer. No hair, blood, DNA or fibers linked Van Note to the crime scene.

"Not one piece of physical evidence links Liz to the crime scene," defense attorney Tom Bath said in closing arguments.

Lead prosecutor Kevin Zoellner told the jury that every trial has unexplained questions. In this trial, Zoellner said, it was a call from Van Note's cellphone to her home that pinged a tower near the crime scene at the Lake of the Ozarks minutes after the attack.

Van Note, 44, said she was home in Lee's Summit.

Zoellner said Bath tried to distract the jury by bringing up a cigarette butt and an unidentified palm print.

Prosecutors said Van Note forged her father's signature to a document to have his hospital ventilator shut off four days after the attack.

"Those people weren't up at the hospital trying to kill her father," Zoellner told the jury. "Does it strike anybody strange that she wanted to pull the plug that quick? I would submit she didn't want him to wake up and talk."

The attack occurred Oct. 2, 2010, at the couple's vacation home in Sunrise Beach.

Dickson, 59, who was stabbed and shot, died at the scene. William Van Note, 67, a Liberty businessman, suffered similar injuries and was taken to a hospital in Columbia. He died four days later after his daughter showed up with a durable power of attorney for health care and asked that his ventilator be shut off.

William Van Note's name had been signed at the bottom of the document. Investigators seized his daughter's laptop from her office and determined that the power of attorney document had been created after the attack. Two persons testified earlier that they had signed it as witnesses at Susan Van Note's request.

"She's a terrible killer," Zoellner said in his closing argument. "She couldn't kill him with a gun or a knife. So she used her mouth to tell the hospital to kill him."

Bath told the jury that there were too many unanswered questions for them to convict Van Note.

He pointed to a 911 call that William Van Note made after the attack.

"Don't you think he would have told them who did it?" Bath asked.

He also reminded the jury that evidence showed a brutal fight between Dickson and her attacker.

"There were no injuries to Liz, no cuts, no scratches, no abrasions," Bath said. "There was no blood in her car."

He pointed to a man who in 2005 borrowed \$600,000 from William Van Note. According to testimony, the man put up 11 properties as collateral, including his personal residence. When he fell behind on his payments, William Van Note foreclosed.

In the 10 days before the attack, William Van Note and the man had six phone conversations, including one about 6 p.m. the night of the attack.

A private investigator and law enforcement officials have said the man cannot be found. The Star is not using the man's name.

Did the man commit the crime? Bath asked.

"We have no idea," he said, adding that all of the questions rule out a conviction of his client.

"It's not enough to say 'She could have done it' or 'Maybe she did it,'" Bath said. "That's not what this country was founded on. That's reasonable doubt."

In a brief comment after Tuesday night's verdict, prosecutor Zoellner said that when a crime is committed, police bring prosecutors evidence.

"We don't get to decide whether a defendant is guilty or not guilty," he said. "The jury makes that decision."

"Our system is the best in the world."

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Jonathan Tucker · Lees Summit, Missouri

Hey guys, let's all make assumptions based on facts we don't know and then fight about it!!

Regardless of what you think, a jury found her not guilty. Do you think you have more information than the jury? Do you think your interpretation of the law is better than the judge presiding over the case? Think what you will, no one can make you change your mind, but do consider that you could be reacting improperly to something that you have very little critical knowledge of. Food for thought...

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Eblen Carol

The facts that were brought out in the trial and the testimony at the trial and the articles written by the Kansas City Star about this trial indicate very clearly that the Prosecution helped the Defense to prove to the jury that the forged POA was not used like a "gun or a knife" to murder Bill Van Note but rather the "big mouth" of the defendant, Susan VanNote, as "next of kin" and her demand to remove life support from her father was the authority that the state-owned hospital used to pull life support and end the life of Bill Van Note before a prognosis was made.

This was a b... See More

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Steve Johnston · Senior Associate at Reece and Nichols Realtors

" 'Not guilty' does not mean innocent."

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Mike Pugh

Justice was not served today and she is guilty and should be spending the rest of her life in prison. Paying someone else to commit murder and being close by to monitor the situation and using your cell phone to announce it as you believe at the time completed. You bet she was in a rush because of the impending nuptials the next week in Florida and yes she knew about the loophole in the inheritance tax in 2010. The line from Jerry Maguire, "Show Me The Money" I believe is fitting here. Miss Valductorian made a dumb decision in using her cellphone to ping off the tower 7 miles from the murder scene and simultaneously as her father was calling 911. That puts her there people and guilty!!!

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Eblen Carol

If you listen carefully and read the articles about this trial, you cannot help but believe that this trial, itself, was a farce and a fraud because the Prosecutor helped the defense to make their case and weakened the Prosecution's case with his own witness, an official of the University of Missouri Hospital Trauma Center, who testified that it was NOT the proven "forged" POA for healthcare that was the hospital's authority for removing life support but rather as Prosecutor Zoellner said in his closing argument ... "She's a teltible killer. She couldn't kill him with a gun or a k... See More

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Jay Riemenshneider

The forged power of attorney was not given any authority by the hospital. They relied on her word as next of kin.

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Eblen Carol

Jay Riemenshneider Exactly!! But this reliance on the "next of kin" as demonstrated in this trial , is a violation by the state-owned University of Missouri Hospital of Missouri Statute 459. Life Support and the Missouri Law on Power of Attorney for Health Care Decisions and the federal 1994 Patient Self-Determination Act

Missouri Statute 459, Life Support, and the Missouri Law on Power of Attorney for Health Care Decisions and the federal 1991 Patient Self-Determination Act, which was the precursor to Living Wills and Advanced Directives. ONLY, if further treatment would have been deemed to be FUTILE by the hospital AFTER a prognosis had been obtained and in the absence of a POA or Advance Directive or Living Will would the authority of the "next of kin" be lawful authority sought by the hospital to remove a patient from life support.

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Jay Riemenshneider

Eblen Carol How do you know that prognosis had not been made?

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Steve Johnston · Senior Associate at Reece and Nichols Realtors

No "smoking gun"? What about the forged document she hurriedly used to direct the hospital to end Dad's life?

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Jay Riemenshneider

Assume for arguments sake that she did not commit the attack. If her father had told her that he did not want to ever be on a ventilator, did she do right by him?

Don't get me wrong, she is guilty of forgery and probably is behind the murders, but probably is not proof beyond a reasonable doubt.

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Eblen Carol

Jay Riemenshneider No. she didn't do right by him. She could have waited for a prognosis but she didn't want to wait. It's obvious that she wanted him dead ---- maybe because she knew she would inherit everything with no inheritance tax if he died before the end of 2010 when the law would be changing ----and how can it be explained that she was thinking about forging this POA for healthcare decisions and a Will two weeks before the deadly attack and actually forged the POA and took it to the hospital just a few days after he was admitted to this excellent Trauma Center Hospital in Columbia, Missouri, owned and operated by the State of Missouri.? Bill Van Note lived four days after ALL Life Support was removed but he might be alive today if it weren't for the mistake of the state -owned University of Missouri hospital who illegally acceded to the demand of his next of kin to remove the life support.

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Jay Riemenshneider

Eblen Carol Again, I assumed she did not commit the attack. If this missing man who lost everything in the real estate deal (or some other random killer) is the attacker, and if the woman did not have any part in that attack, then answer my question.

If my father told me to never let them put him on a ventilator, I might do what I could to honor his wishes. I personally would not do this, but I could see that a person might. Would that make them guilty of murder? Or were they just honoring their father's wishes?

Again, I think it looks like she is behind this and probably committed the attack, but there is reasonable doubt in this case.

As to your conflict of interest issue, the Attorney General was asked by the local county prosecutor to take the case.

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