

75 TO 150 YEARS IN BOY'S SLAYING

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John Mazzie, whose plea bargain **to** a 25- **to** 50- **year** sentence was overturned on a technicality, was given **75 to 150 years** Tuesday for the 1979 murder of a 14- **year** -old Free Press carrier.

Recorder's Court Judge Leonard Townsend also sentenced Mazzie, 31, **to** life **in** prison for kidnapping Curt Cizio.

Mazzie, rocking back and forth as he did throughout his trial, declined **to** say anything before being sentenced.

Mazzie was convicted of kidnapping and second-degree murder last week by a Recorder's Court jury for abducting the youngster and then strangling him when he rejected sexual advances. Cizio's body was found hidden **in** Mazzie's attic.

In 1980, Mazzie pleaded guilty but mentally ill **to** second- degree murder **in** exchange for a 25- **to** 50- **year** sentence and the dropping of the kidnapping charge.

However, the plea was overturned because Judge Robert Evans neglected **to** tell Mazzie that he was ineligible for probation and that the murder charge carried a potential life sentence

Defense attorney O. Lee Molette argued that Mazzie could not be sentenced **to** more than 25 **to** 50 **years** , even after conviction by the jury. But Townsend said all sentence bargains were canceled once the 1980 plea was overturned.

Townsend also said a number of facts about the crime surfaced this time that did not come out when Mazzie entered his guilty plea two **years** ago.

"There were notes from Mr. Mazzie **to** the victim with definite sexual overtones and threats **to** torture the victim," Townsend said. "And there was the testimony by defense psychiatrist Dr. (Ames) Robey that Mr. Mazzie is an extremely dangerous person. . . . Therefore I am not under any legal obligation **to** follow Judge Evans."

Molette said he will file motions **to** have the verdict overturned and a new trial ordered

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