

ST . AUBIN STREET SUSPECT ALLEGES DAD RAPED HER

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Tamarra Marie Marshall, the 18-year-old charged with the **St . Aubin Street** executions of six people, was **raped** by **her** father "four or five times a week" since the age of 6 or 7, according to court testimony she gave.

Hubert Marshall Sr., 43, faces an April 26 jury trial in Detroit Recorder's Court. He's charged with rape in the family's home on June 24, 1987, the day before his daughter's 16th birthday.

In a preliminary examination Dec. 21, Marie, as she is known, indicated that the assault was one of many.

She said **her** father began fondling **her** at age 5 and starting having sexual intercourse with **her** at age 6 or 7, according to court records.

But Kimberley Reed, Hubert Marshall's attorney, argued that the daughter's story was concocted in retaliation for armed robbery charges **her** parents had brought against **her** .

"Why didn't you complain after all those years?" Reed asked **her** at the exam.

She responded: "Because my mother told me . . . that he wasn't going to do it anymore. She used to ask . . . 'You don't want your father in any trouble,' do you?"

"She said that she would take care of it."

The younger Marshall testified that about 10 p.m. on June 24, 1987, in the home in the 10600 block of Foley, Hubert Marshall told **her** to go upstairs to **her** bedroom.

Two hours later, after his wife and another daughter had fallen asleep, he came to the bedroom and said: "Take your clothes off. I am not going to hurt you," the daughter testified.

"Where did he touch you?" Reed asked.

"Everywhere," she responded.

He then had sexual intercourse with **her** , she said.

Reed asked **her** what finally made **her** complain to police.

"I have a 7-year-old sister at home, and I am thinking that one day he might do this to my sister," she said.

Reed on Thursday questioned the validity of Marie Marshall's testimony because **her** complaint was filed shortly after she was charged with robbing **her** parents at their home.

Reed said: "Just look at the timing. . . . The date of the complaint was Nov. 26. The charges against **her** . . . were about Nov. 4."

But at the preliminary examination, 36th District Judge William Hathaway ordered Hubert Marshall to stand trial, saying, "I don't see any inconsistencies in the story and I don't see any lack of credibility."

Hubert Marshall is free on \$15,000 bond.

The armed robbery charge against Marie Marshall was dismissed on Nov. 22, after **her** father refused to testify.

Reed, of the public defender's office, said the daughter had tried to drop the sexual assault charges in December but the prosecutor's office insisted that they go forward.

"The trial is set and we'll be there," Reed said. If convicted of the charge, third-degree criminal sexual conduct, Hubert Marshall faces up to 15 years in prison.

Marie Marshall and three men face an April 20 preliminary examination on charges that they killed six people in a crack house robbery last week on **St . Aubin .**

"I can't speak to the charges pending against **her** now and I can't bring them up" if **her** father's case goes to trial, Reed said. "The only way the jury would know about the murder charges is if they recognize **her** name. But will she want to testify? I'm not sure what **her** state of mind will be when we get to court."

Caption: Photo PAULINE LUBENS, JOHN COLLIER

: Tamarra Marie Marshall, 18, says **her** father **raped her** four times a week since she was 6 or 7. Tamarra Marie Marshall, front row left, stands at **her** April 9 arraignment in the killings of six people on **St . Aubin Street .**

In court testimony in a separate case in December, she testified that **her** father **raped her** . Hubert Marshall Sr., 43, faces an April 26 jury trial in Detroit Recorder's Court.

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