

The Wayback Machine - <https://web.archive.org/web/20120719145326/http://tahlequahdailypress.com/local/x519338834/Mother-says-no-deal-made-to-kill-baby>

TAHLEQUAH DAILY PRESS

Mother says no deal made to kill baby

(<https://web.archive.org/web/20120719145326/http://tahlequahdailypress.com/local/x519338834/says-no-deal-made-to-kill-baby>)

By BOB GIBBINS

[\(https://web.archive.org/web/20120719145326/http://tahlequahdailypress.com/\)](https://web.archive.org/web/20120719145326/http://tahlequahdailypress.com/)

TAHLEQUAH DAILY PRESS — The mother of a 2-month-old girl allegedly killed by her father testified Wednesday the couple had no agreement to kill the infant.

Brandy Hurta testified at length about the events of Sept. 15, 2006 -- the day Cameron Guthrie was killed. The state medical examiner initially listed the cause of death as SIDS, Sudden Infant Death Syndrome. That finding was later changed to homicide, based on Mathew Guthrie's admission to law enforcement that he killed the child.

During the hearing, public defenders Joe Paul Robertson and Gretchen Moseley called no witnesses, but argued the state had not presented probable cause and asked that the charge be dismissed.

But Associate District Judge Mark Dobbins ruled First Assistant District Attorney John David Luton presented sufficient probable cause to hold Guthrie for jury trial on the first-degree murder charge. Dobbins ordered Guthrie, 27, to reappear in court Feb. 21 at 1:30 p.m. for a district court arraignment before Chief District Judge Bruce Sewell.

Guthrie, who sat between defense attorneys in an orange jail jumpsuit and wearing a belly chain, communicated with his attorneys and his grandfather, who watched the hearing from the gallery.

Hurta testified Guthrie got jealous because she was spending too much time with the infant. She said Guthrie put the baby in a playpen and placed a couch cushion on her. At one point during her testimony, she said she removed the cushion and Cameron was still breathing, but stopped breathing a short time later. She said Mathew tried CPR and they called 911.

Hurta testified she didn't ask Guthrie to kill the infant, and they had no agreement for him to do so. Hurta said she later started telling people what happened, but no one believed her.

She testified Guthrie kept her away from the infant for a brief period after he put the cushion on her chest by holding his arm out. He allegedly told Hurta, "Get the [expletive deleted] away. She's just fine."

Hurta testified she never told anyone she and Guthrie had decided to "send the baby to heaven."

David Hiler, Cherokee Nation EMS, told Dobbins the ambulance he was riding in arrived at the Guthrie house seven minutes after receiving the 911 call in September 2006. He testified Guthrie had Cameron in a chair and was doing chest compressions on her when he arrived.

"She had fluid coming from her nose and mouth," Hiler said. "The fluid had not been disturbed."

He said the fact that the fluid was undisturbed indicated CPR had not been performed. He said there would be fluid discharge when chest compressions are done.

"We tried everything we could to save that baby's life," Hiler said of EMS efforts. "There was no oxygen getting to her brain for a period of time."

Hiler said all cushions were on the couch when he arrived.

Oklahoma State Bureau of Investigation Special Agent Vicki Lyons testified she spoke with Guthrie Sept. 6 and Oct. 1, 2007, about his daughter's death. The OSBI was requested to enter the investigation by the sheriff's office. Lyons said there was never any indication Guthrie was under the influence of drugs or alcohol during their meetings.

The first time Lyons and Undersheriff Jason Chennault met with Guthrie, he said he was leaving to go to the store when Hurta rushed outside and told him Cameron was not breathing. He said he went back inside and attempted CPR, and they called 911.

"He denied having anything to do with the baby's death," Lyons testified.

The first interview was at the sheriff's office, but the second and a polygraph examination were in Tulsa. Lyons said Guthrie admitted he may have held his daughter too tightly, and later said Hurta told him she didn't want him or Cameron around anymore. That's when he put the cushion on her until she stopped breathing.

Moseley asked Lyons about statements she allegedly made to Guthrie during the interview. Lyons repeatedly answered she didn't recall making the statement or saying it the way it was asked. She said the interview was taped, and the tape is accurate.

Lyons said she did tell Guthrie he had failed the polygraph and that he needed to tell the truth.

Moseley contended Guthrie has cognitive thinking problems and only had an hour of sleep the night before he met Lyons in Tulsa. Lyons said Guthrie didn't tell her he was tired and didn't want to do the interview or polygraph that day.

Guthrie ultimately told Lyons he killed his daughter. He was charged Oct. 31 with first-degree murder.

Tahlequah Daily Press 106 West 2nd Street Tahlequah, OK 74464

|