

Trial move denied for Rand

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A four-judge appeals court has denied Andre Rand's request to move his trial on charges he murdered Jennifer Schweiger.

The Appellate Division, however, gave Rand permission to renew his application for a change of venue, but only after an attempt has been made to select a jury on Staten Island and the results of questioning prospective jurors as to their ability to judge the case impartially are known.

The decision on the motion was made by Supreme Court Justices Guy J. Mangano, William C. Thompson, Charles B. Lawrence and Geraldine T. Eiber.

No date has been set for a trial. Unofficially, it is believed the case may come to trial in the spring, possibly in April.

Rand, a 43-year-old drifter, is charged in an indictment with the murder-kidnapping of 12-year-old Jennifer, a Westerleigh resident. Her body was discovered in a

shallow grave Aug. 12 on the grounds of the former Staten Island Developmental Center, Willowbrook, a short distance from where police said Rand had maintained a campsite.

The girl, who had Down's syndrome, was last seen alive July 9 as she walked with Rand. Witnesses traced the path of the two as they walked together from near the girl's home to the grounds of the center, a distance of more than a mile, authorities say.

Rand's lawyer, Jerome V. Giovinazzo, in submitting the motion cited prejudicial pretrial publicity as the reason for the defendant's request to have the case tried elsewhere.

Giovinazzo attached to his motion papers the results of a poll which he had commissioned and which he said showed that an overwhelming number of those polled had not only a knowledge of the case but also had formed an opinion as to Rand's guilt.