

Fatal 'heart attack' was a gunshot

By BRIAN FLANIGAN
Free Press Staff Writer

A Detroit man who died last week and was listed by Wayne County medical officials as a heart attack victim actually died of a gunshot wound of the head, a discovery made two days after the man's body was sent to a funeral home.

Police say Ernest Franklin, 57, of Snowden Avenue, was the victim of an apparent holdup last Thursday. Franklin was paroled last year after serving 18 months of a sentence for receiving and concealing stolen property.

His wound, to the back of the head, was discovered Saturday by an independent pathologist, who performed an autopsy arranged by the funeral home, a funeral home spokesman said.

SHORTLY AFTER 8 a.m. Thursday, police said, Franklin was found lying on the floor of his office at Dexter Auto Glass, 12231 Dexter at Cortland. Franklin, the owner of the business, was discovered by his son and another employe.

Officers from the 10th (Li-

S. GUNSHOT, Page 13A

GUNSHOT, from Page 1A

vernois) Precinct, EMS technicians and morgue personnel didn't notice a small spot of blood on the soiled office carpet where Franklin's head had been, police said. There was no indication at the time of foul play.

"He still had on several pieces of expensive jewelry, and the office didn't appear to be ransacked and disrupted," said Squad 7 homicide investigator Timothy Dowd. Homicide detectives had been notified of the death, but were told Franklin's death was from natural causes.

Police said because the wound wasn't discovered immediately, the investigation into Franklin's slaying has been seriously impaired. "The scene was two days old, making even pulling (finger) prints next to impossible," said another homicide investigator.

The wound wasn't discovered during a "visual inspection" at the morgue, said Wayne County Medical Examiner Dr. Werner Spitz, because Franklin's "dense hair pushed back into the wound like a plug" and caused little

bleeding and no noticeable injury.

The victim's widow said Spitz called her Saturday after the bullet was discovered, apologized for the error and offered to refund the \$500 she paid to the funeral home for the independent pathologist.

HAROLD DAVIS, an insurance consultant for Thompson Funeral Homes, which received Franklin's body, said Monday, "At the family's request, I begged them (the medical examiner's staff) to do an autopsy, but they ignored me."

Davis said the independent pathologist discovered the wound. Spitz said he and assistant Dr. John Smialek performed the autopsy at the funeral home.

"The bullet wound was discovered by the pathologist we had retained for the family," Davis said, "and if Dr. Spitz came, it was after the discovery."

AFTER FRANKLIN'S body was taken to the morgue Thursday, Smialek conducted a "visual inspection" of Franklin and listed his cause of death as heart disease.

"Autopsies," Spitz said Monday, "are not routinely performed ... unless there is evidence of injury or foul play. And, at that time, Dr. Smialek saw no such evidence of such an injury."

"They told me it was heart disease based on a visual inspection," said Mrs. Franklin, 42, "but I knew his wallet was missing, and I'd seen that blood, so I told them I wanted an autopsy."

After that was refused, she was told to contact the Wayne County Medical Society to find an independent pathologist who might perform an autopsy.

She could not find a pathologist and went to the funeral home to talk to Davis, who said he would make arrangements to have an autopsy performed.

DAVIS CONTRACTED the services of Dr. Leonard Ginnebaugh, an associate pathologist at Wyandotte General Hospital, who went to the funeral home Saturday and discovered the bullet wound.

"He found the wound, I was right there when he did so,"

Davis said Monday. "Spitz may have arrived after he was called by Dr. Ginnebaugh, but it was Dr. Ginnebaugh who discovered the wound" and actually performed the autopsy.

Ginnebaugh declined comment Monday, saying, "I've been requested to refer all inquiries to Dr. Spitz."

SGT. DOWD said police investigators believe robbery was the motive for Franklin's slaying.

In May of 1978, Franklin was one of 22 persons arrested as part of a major fencing operation for stolen goods.

On Aug. 10, according to court records, he was sentenced by Recorder's Court Judge Samuel Gardner to four concurrent prison terms of two to five years in Jackson Prison.

On March 21, 1979, according to prison records, Franklin was sent to a Department of Corrections halfway house in Detroit and, on Feb. 1, 1980, he was placed on parole for 18 months, police said.