

# Ex-Carson City doc out of jail until trial begins

By AP

CONWAY, Ark. – A former Carson City emergency room doctor charged in a double murder will be allowed to leave jail – and the state – pending his trial in Arkansas after a judge agreed Friday that prosecutors failed to quickly take the case to trial.

Richard Conte, 62, will have to wear an electronic monitor and remain under house arrest at his mother's home in Wisconsin, according to a ruling from Judge Charles E. Clawson Jr.

Conte's attorney, Jack Lassiter, had argued that the former emergency room doctor should be released pending his January trial because the law requires that defendants be freed if they are not tried within nine months of being charged. The judge agreed and granted Lassiter's request.

Conte was charged in 2011 for the shooting deaths of businessman Carter Elliott, 49, and his associate Timothy Wayne Robertson, 25, in Conway, Ark.

The charges were filed shortly before Conte was released from prison in Carson City where he was serving a sentence for kidnapping his ex-wife, Lark Gathright-Elliott, who was once married to Elliott. Conte held her captive in his Douglas County home.

Conte has pleaded not guilty to the murder charges. His trial is scheduled to begin Jan. 8.

Prosecutor Cody Hiland, who is not seeking the death penalty in the case, said he doesn't plan to challenge the judge's decision. He noted that Conte is in a wheelchair and not in

good health.

“We’re completely comfortable with his decision, that it’s within the law,” Hiland said.