



*'The demise of a family' Asbury Park Press October 17, 2002*

FREEHOLD - A Neptune City woman accused of conspiring with her boyfriend to hire a hitman to throw her husband into the path of a train is facing both indictment and divorce.

Lynn Kelsey, 38, and Michael Malone, 42, have been indicted by a Monmouth County grand jury on charges of attempted murder, conspiracy and terroristic threats five months after Kelsey allegedly talked to an undercover detective in her home about having her estranged husband, William, killed.

As the criminal case works through the courts, so too does a divorce action filed by William Kelsey within days of his wife's May 9 arrest.

Although the couple had been scheduled for a hearing on an uncontested divorce on Oct. 30, William Kelsey's lawyer, Susan R. Zaback, said Lynn Kelsey has asked a judge for more time to respond to her husband's complaint, and the judge has given her until Nov. 3.

Whether it be in the criminal case or the divorce proceedings, most paths seem to lead back to Lynn Kelsey's admitted use of crack cocaine:

Lynn Kelsey's lawyer seemed to suggest yesterday that his client may have been high on crack when she allegedly talked to the undercover detective.

William Kelsey's divorce complaint cites his wife's crack abuse and the financial and emotional fallout as constituting "extreme cruelty," justifying the divorce.

Lynne Kelsey's lawyer, Vincent J. Sanzone Jr., also implied yesterday that authorities targeted his client after she filed a police brutality complaint following her drug arrest last November in Neptune City.

William Kelsey had to get permission from a judge to clean up the couple's Rowland Place home after his wife was arrested again last month on drug charges. The home, according to Zaback, was left "a mess." Police said that Kelsey admitted she was renting out rooms in the four-bedroom house in exchange for crack and money.

Superior Court Judge Louis F. Locascio had ruled, even after Kelsey's attempted murder arrest, that she could remain in the marital home because a restraining order he'd entered against William Kelsey in April remained in effect, Zaback said. It was during that hearing in April that Lynn Kelsey admitted using crack, according to a tape of that proceeding.

After Kelsey was released on bail in June, William Kelsey secured his own restraining order against her, Zaback said.

William Kelsey is working to get custody of the couple's 5-year-old daughter, who now is with her paternal grandmother, according to Zaback.

Superior Court Judge E. Benn Micheletti, who is presiding over the divorce case, has ordered that William Kelsey undergo "risk assessment and drug and alcohol evaluation" before he is considered for custody of his daughter. Zaback said her client is cooperating with the court.

"It's a very sad story, the demise of a family," Zaback said. "It can happen to anybody."

She added, "The fact that a family falls apart and someone gets involved in drugs is one thing." Having one person accused of trying to kill the other, is something else entirely, she said.

The couple's tenth anniversary fell on May 16, a week after Lynn Kelsey's arrest and four days before the divorce was filed.

In the divorce complaint, filed on May 20, William Kelsey asserts that his wife became addicted to crack in 1995, two years before their daughter was born.

Sanzone said his client was incapable of trying to have her husband killed.

"She did not have the state of mind," he said. "She had no intentions of entering into any contract or doing any harm to her husband. That's what all the facts of this case will show."

In discussing the facts, Sanzone alluded to "the condition she was in" when the detective went to her home. Asked if he was referring to drugs, he said, "I believe so." But when asked directly if he was saying she was high on crack, Sanzone refused to say.

Sanzone added, "If she was under that condition on that particular night, when this alleged contract occurred, then she did not have the state of mind to do anything, and they (the authorities) know that."

Monmouth County Prosecutor John Kaye scoffed at Sanzone's assertions, saying that Detective Douglas Johnson of his office visited Lynn Kelsey's home twice before her arrest and that the conversations he had with Kelsey were taped.

Kaye would not describe the contents of the tape or say exactly how the tape was made, but he said, "Apparently the grand jury was confident enough (to indict), and we're going to proceed."

Lynn Kelsey, who made bail on the attempted murder charge, is being held on the drug charges in Monmouth County Jail, Freehold Township, in lieu of \$25,000 bail, while Malone remains in the same jail on the attempted murder charge in lieu of \$100,000 bail.