



493 days later: No decision in death Donald Berkebile of Mercersburg

By VICKY TAYLOR Staff writer

Almost a year and a half after an 81-year-old Mercersburg area man died in a fight with his neighbor, the Franklin County District Attorney's office still hasn't decided what charges, if any, will be filed against the neighbor.

Donald H. Berkebile was dead after an early morning fight July 28, 2008, at the side of an access road to his Blue Spring Road home. That was 493 days ago.

Assistant District Attorney Jeremiah Zook said that until the evidence is processed, his office will not decide whether to file charges against Berkebile's neighbor, Bryan Kendall, who called 911 following the fight.

Berkebile was dead when police arrived on the scene.

Franklin County Coroner Jeff Conner ruled the death a homicide, or death at the hands of another person. Conner said the elderly man died of head and neck injuries.

Investigators said immediately that evidence gathered at the scene had been sent to the state police forensics lab for testing. A decision about charges in the case would be determined after

that lab work was completed and the results returned to the district attorney's office.

Zook had no comment on the case this week except to say that he still does not have the lab results back on the evidence. He has repeatedly refused to discuss what was sent off as evidence.

According to an initial police report, Berkebile and Kendall got into an argument as Kendall was leaving his home to go to work that morning. He had to use the access road to get to the highway from his home.

He allegedly got out of his truck to argue with Berkebile, who was burning brush at the side of the access road.

Kendall told a Public Opinion reporter who interviewed him over the telephone that day that the argument and fight took place at the side of the access road after he stopped and got out of his truck when Berkebile began yelling at him.

He alleged during that interview that during the argument Berkebile drew a pistol loaded with birdshot from a holster on his belt and fired at him.

Months later, Kendall would claim in a civil lawsuit against Berkebile's estate that Berkebile was standing in the middle of the road with the pistol already out of the holster and hidden behind his back, blocking his way to the highway.

Advertisement

TARGET WEB COUPON **EXPIRES 2/27/10**

25¢ each
with purchase of twenty-five
4x6" Kodak instant prints



This coupon is intended for use by the original recipient only and is void if copied, altered, transferred, purchased, sold or prohibited by law. Limit one offer per Visa/Discover, MC/Amex and the will not be included in cashback or rebate offers. For each value. Offer available at Target One Hour Photo Labs. Go to Target.com/photo for the number nearest you. One hour service limited to machine capacity.



3855-0113-1852-4674-0306-4005-84

Print Powered By FormatDynamics™



Investigators have not released information from their interviews with Kendall or anything gleaned from evidence they gathered at the scene.

Berkebile's only survivors were several cousins who have created a Web site, Justice for Don, in an effort to find answers to questions surrounding his death.

That Web site can be viewed at <http://www.justicefordon.info/> .

Vicky Taylor covers Franklin County court and community issues. She can be reached at vtaylor@publicopinionnews.com or 262-4753.

Advertisement

TARGET WEB COUPON **EXPIRES 2/27/10**

25¢ each
with purchase of twenty-five
4x6" Kodak instant prints



This coupon is intended for use by the original recipient only and is void if copied, altered, transferred, purchased, sold or prohibited by law. Limit one offer per transaction. GiftCards and tax will not be included in determining purchase total for cash value. Offer available at Target Drive Thru Photo Labs. Go to Target.com/photo for the location nearest you. One hour service limited to machine capacity.

3855-0113-1852-4674-0306-4006-04

Print Powered By  FormatDynamics™