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PSP hope to interview man involved in Montgomery Township fight

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MERCERSBURG, PA.— Pennsylvania State Police hope to interview the surviving participant of a Montgomery Township, Pa., fight next week, then forward their case materials to Franklin County (Pa.) District Attorney Jack Nelson's office for review.

Bryan Edward Kendall, 40, has returned to his home at 9377 Blue Spring Road after being treated at Altoona (Pa.) Regional Health System for injuries from a July 28 fight with his neighbor. Kendall's apparent ongoing property dispute with Donald H. Berkebile, of 9399 Blue Spring Road, left the 81-year-old man dead from head and neck injuries.

State police Cpl. Paul McMullen said that investigators ruled out the possibility that a knife caused the blunt force trauma that killed Berkebile. However, they are unsure if the injuries came from an object or just force.

"That's a lot of the stuff we have to determine through the interview," McMullen said.

Waynesboro, Pa., attorney Stephen Kulla, who is representing Kendall, said his client acted in self-defense after being shot in the chest with birdshot. The attorney said Kendall did not have a weapon in his possession.

"He never touched a weapon," Kulla said.

Kulla said he and his client offered a police interview immediately following the incident, but vacation schedules have delayed that from happening.

"Hopefully, arrangements can be made for him to be interviewed next week," Kulla said.

All information from the case will be presented to the district attorney after the interview, McMullen said. The review by Nelson's office could take a month or longer, he said.

"With that kind of case, we usually have the district attorney decide whether they want any charges," McMullen said.

He said that Kendall was interviewed briefly before being flown to the Altoona hospital and again by telephone for a few minutes as he recovered.