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Bortner defense rests: Mother won't testify

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DOVER — After calling only one witness, the defense rested its case this morning without Amanda Bortner testifying in her own child endangerment trial.

Bortner, 20, of Rochester is facing two misdemeanor counts of endangering the welfare of a child for allegedly failing to protect her 21-month-old daughter, Cassidy, from the abuse that eventually took her life on Nov. 9, 2000.

After a short break in today's proceedings during which Bortner consulted with her attorney, the defense indicated it would rest without calling any additional witnesses. Closing arguments were to begin late this morning, and Strafford County Superior Court Judge Tina Nadeau indicated the jury deliberations are expected to start later today.

Bortner's boyfriend, 31-year-old Chad E. Evans, was convicted in December of second-degree murder and multiple counts of assault in connection with the toddler's death.

The defense's only witness was Travis Hunt, who resided with Bortner and Evans at their Rochester residence at the time of Cassidy's death.

Hunt testified to seeing bruises on Cassidy's face, arm, leg and buttocks. In response to questions from Bortner's court-appointed counsel, Patricia Wiberg, Hunt said he saw a "shiner" on Cassidy's face the night before she died and observed severe bruising on her buttocks a few months earlier when Bortner was changing the toddler's diaper.

He testified that Bortner told him the bruises were inflicted by F. Jeffrey Marshall, her sister's boyfriend.

Under cross-examination by David Ruoff of the New Hampshire attorney general's office, Hunt testified that he had never received an explanation for the bruises on Cassidy's face and that Bortner was not waiting for them to disappear to find day care for the child. Instead, Bortner was actively seeking the care, Hunt added.

Ruoff, who rested his case Friday afternoon after five days of testimony,



Amanda Bortner