

**CENTRE DAILY TIMES****17 / 48 - Saturday, January 3, 2009****Section:** CITY**Page:** 1**Source:** By Sara **Ganim** sganim@centredaily.com**MARSHALL RESIGNED AMID ALLEGATION**

BELLEFONTE -- When Centre County Assistant District Attorney **Lance Marshall** resigned Tuesday from the District Attorney's Office after 10 years of service, it was amid an allegation that he sent sexually explicit text messages to a victim of domestic violence in a case he was assigned to prosecute. District Attorney Michael Madeira will only say that **Marshall** gave his resignation after "a discussion of the handling of certain cases." Beyond that, Madeira said it's a personnel matter that he won't talk about.

On Wednesday, the Centre Daily Times obtained copies of text messages allegedly sent from **Marshall's** county-issued cell phone to a victim who said after weeks of receiving 15 to 20 messages a day from **Marshall's** phone, she complained to Madeira.

The woman, who the CDT will not identify in keeping with its policy not to identify victims of assault, said after speaking with Madeira and a State College police detective -- who she said verified the messages came from **Marshall's** phone -- she received a call from the detective saying **Marshall** had resigned after a discussion of what happened.

Madeira wouldn't say if the resignation had anything to do with any misconduct of **Marshall** toward a victim. And he wouldn't acknowledge if any misconduct had happened within his office, because that is a personnel matter.

If there is any criminal investigation into his actions, Madeira said he would not comment because it would be an ongoing investigation.

Reached twice by phone Wednesday, **Marshall** said he didn't want to comment, but in response to a statement from a reporter that the content of the text messages might appear in the newspaper, he said: "I don't know why you are going to put them in the paper, but that's up to you. All you're going to do is embarrass me, and I don't know why that is news."

The content of the messages range from the details of the case the woman was involved in to discussions of sex.

On Dec. 13 at 9:27 p.m. she received a message stating: "We actually have not had sex ... What am I missing ;)" One message contained a photo of a shirtless man. At least one was received as early as 1 a.m.

The woman said several of the messages tried to dissuade her from talking to or being with her fiancé.

One of those messages said that man doesn't treat her like the "exotic goddess" that she is, another said it made him mad when she visited her fiancé in prison.

The woman said **Marshall** later told her that he was listening to her phone conversations with her fiancé that were recorded in prison.

A message sent Dec. 17 at 9:30 p.m. said: "I'd like to know if I've made a difference in ur life. I'd like to know why u didn't c me on Sun."

On Dec. 17, 10:57 a.m. a message said: "I know I would have treated this case differently if I knew then what I know now."

On Dec. 9 at 7:55 p.m. a message read: "My phone is always in my pocket now and every free moment I want to sneak a text to you."

The woman said the text messages started after she met with **Marshall** Dec. 4 to discuss a possible plea in her fiancé's case and didn't stop until she resorted to shutting off her phone last week. She saved 140 messages over a three-week period, and said there were more that had been deleted.

The woman said Madeira told her that photos of her from her driver's license and some that **Marshall** had printed from her Myspace.com page were missing from her file.

One message, sent Dec. 19, 6:12 p.m. says: "One thing u should know is I can't push too hard for (defendant)'s release or else ppl will wonder why. I already know more about u and ur case than any case I've prosecuted."

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