

INCEST, MURDER AND A MIRACLE – SAMPLE – INTRO AND CHAPTER 1

IN 1986 NEWSPAPERS ACROSS THE COUNTRY carried stories like this one from the *New York Post*, featuring sensationalized headlines like “Abused Girl Charged With Hiring Student to Kill Dad.” There was even a story on the front page of the *New York Times*, and the name Cheryl Pierson was all over the media.

They couldn’t get enough of it.

I met my husband Rob Cuccio when I was that abused fifteen-year-old and he has been the “rock” in my life ever since. We are finally ready to tell our side of the story—what our life was then and has been like since.

CHAPTER 1

Cheryl

Going Back to the Courthouse

ON THE MORNING OF JULY 13, 2015, my family and I were on our way to the courthouse in Riverhead, New York. White clouds floated in a clear blue sky. A slight breeze rustled the leaves on the trees. Twenty-seven years before, media people had flocked around the same courthouse in a frenzy trying for a “money shot” of me, a sound bite, or a headline. I was the teenager who paid to have her father murdered. I was front page news for several years.

Time had not dulled the feeling of dread that spread through me. As Rob continued along the road, visions of finding my father’s bloodied body lying on our concrete driveway, the horror of the hearing, and being led off to jail in handcuffs immediately after I was sentenced flashed through my mind like images in a slide show.

I sat huddled in the passenger seat with my teeth clenched and my stomach twisted in knots, desperately trying not to yell, “Stop!” I would have given anything to never have to enter that building again.

This time I wasn’t the one accused of doing something wrong. After waiting three years, our malpractice case against cardiologist Dr. Vito Mercurio was finally about to be heard. We felt in our hearts justice would be served.

When Rob had experienced a numb left arm, chest pains, shortness of breath, and so many more signals that he was a walking time bomb ripe for a heart attack three years before, Dr. Mercurio wrote it off to anxiety and spicy food. During the six months he treated Rob, instead

of ordering more tests like an angiogram and possibly admitting him to the hospital, the doctor told him, "Don't worry. Just stay away from the spicy food and cut down your smoking, and you'll be fine."

He even teased Rob and made light of his condition, saying it was all in his head.

Although Rob was concerned the symptoms he was experiencing could be very serious warning signs, he also trusted his doctor and believed what he was told. He even questioned if he was really imagining all of it. Unfortunately, his concerns turned out to be valid. The doctor had missed genuine signals that his heart was in dire trouble. Rob saw Dr. Mercurio again with complaints that the symptoms were more severe and that he'd had a frightening episode just two weeks before a massive heart attack. Once again he had been told he was okay during that visit.

I'd given my deposition two years earlier and was listed as a witness. Then, just one week before the trial, Dr. Mercurio's attorney challenged me as a witness by stating, "She was convicted of a crime and therefore not a good citizen. She shouldn't be able to testify on her husband's behalf."

That came as a real surprise. Even when I gave my deposition, Dr. Mercurio's attorney had tried to impeach my testimony by asking, "Have you ever been convicted of a felony?"

Prior to the deposition my attorney, Paul Gianelli, coached me and gave me this advice: "If anyone ever asks you if you have been convicted of a felony, say 'no.' As a youthful offender your records are sealed and nobody should ever be able to access them. You will always be allowed to answer no to that question."

But, when your life has been all over the newspapers, magazines, and television for months on end, what good are sealed records? When a book has been written by an author who only spoke to you once, but claims that the book's speculation and fabrications are your innermost feelings and thoughts, what good are sealed records? When a movie was made from the book and gave the same false impression of who you were, sealed records mean nothing.

So, in my case, sealed records were almost a joke.

It was obvious the doctor's attorney had researched my name and hoped I would say no so he could catch me lying. If he could prove I lied, I wouldn't have been able to testify on Rob's behalf. An internet search for Cheryl Pierson still turns up pages and pages of information about my life—some true, some pure fantasy or the invention of a writer's or reporter's concept of me.

Maybe he waited until a week before the trial to challenge me again as a strategy to get me thrown out as a witness. When he entered his objection, Dr. Mercurio's attorney had only referenced the felony part. He didn't mention he was referring to the nearly thirty-year-old sealed case of a youthful offender, or that I'd been a good citizen ever since. I paid my debt to society, but have never been truly free of the control over my life.

As Rob drove along the road to the courthouse in Riverhead I thought about the latest ploy by the defense to keep me from testifying. The week before the trial I had to force myself to drive there alone to get proof that the records were sealed and I'd been a youthful offender.

As we got closer to the courthouse, it took everything in me not to turn back—not to run

away so I wouldn't have to face my past. But, of course, I couldn't do that. Visions of the trial all those years before swirled in my mind like demons, teasing and tormenting me. My breath came in short bursts. My heart pounded like a crazy drum solo, accompanied by the ringing in my ears. I knew the signs and had tried to fight off what always came next when PTSD kicked in with a major panic attack. I couldn't let that happen. I had to get the documents. I needed to be able to testify. I had to be there for Rob.

Bombarded with visions of how I'd struggled to keep our family's dirty secret for so many years until it suddenly became front page news—the case on everyone's lips—I fought the rising panic with everything in me. In my mind I was once again a scared sixteen-year-old badgered by reporters who demanded I answer their questions.

"Did you love your father, Cheryl?" one would shout.

"How long was the sex going on?" another would ask.

Throughout the trial my father's sister and mother sat in the spectator section giving me what I called the stink eye. Cheryl Pierson—the main attraction in a show of the damned.

In a matter of minutes, all the years of trying to smash everything down so tight it could never penetrate my waking consciousness was gone. I couldn't even hear the music playing on the radio. All I heard in my mind were echoes of the past. Reporters and crowds shouting at me.

"Cheryl, over here! Look this way, Cheryl."

I imagined the harsh glare of the neon lights in Room 100 in Suffolk Criminal Court—a long windowless room. The sound of the incessant whir of the ceiling fans that had cooled the room pounded in my head while the sound of every footstep crashed and echoed off the bare floors.

By the time I pulled into a parking space, my face burned like it was on fire while my body was chilled. When I adjusted the rearview mirror to check my makeup before going into the building, wild eyes filled with fear stared back at me from a red-tinged face.

Breathe deep. It's okay! You can do this—you're safe. That was a long time ago. Get out of the car. You need to do this.

I opened the door with shaking hands and a hammering heart, then walked into the building that held only nightmares for me.

Once inside the Criminal Records Department, bile rose in my throat. Barely glancing up, the woman behind the desk handed me a slip and said, "Here, fill this in with your name and the date of the case."

When I handed it back, she looked at it and said, "Uh, this case was almost thirty years ago."

I said, "I hope you have..."

She cut me off in mid-sentence. Her eyes narrowed to slits. Her voice dripped icicles. "I know who you are," she said sharply as she locked eyes with me. I guess people have long memories.

I managed a tentative half-smile. "Okay, then can you get the file?"

Twenty minutes passed while I waited, hoping no one had heard our conversation.

I'd lived my life with honesty and integrity—tried to be a good role model to my girls and lived up to the person my dead mother would have been proud of. And now I'd been reduced to

standing there telling a stranger I was a criminal.

The woman finally came back. "Sorry, I couldn't find your file anywhere."

What? Droplets of cold sweat beaded on my forehead. I needed her to find that file. I had to be able to support my husband's case.

"Is that because the case is so old?"

"No. I found your co-defendant's file and his case was the same date as yours." She held out a piece of paper with a court stamp on it. "This says you were a youthful offender. That's all you'll really need. If I do find the file, I'll get back to you."

I never heard from her.

Back in the safety of my car, I shut the door and stared at the paper clutched in my hand. First my body shook violently, then the tears came—slowly at first, then building until I sat there sobbing uncontrollably. *Is this really all there is of my horrible childhood? This one piece of paper?*

I had to pull myself together as I've done so many times before so I could drive back to work to finish my day.



I looked over at Rob, confident at the wheel and filled with so much anticipation. He was breathing heavily, clearly in deep thought. This was going to be our time to shine. It was our family against them and we would win this battle! We were right and the doctor was wrong. Or so we thought.

I aimed the rearview mirror toward my girls sitting in the backseat, then pictured myself as I'd sat in the backseat of Birdie and Big Mike Kosser's car, on the way to my trial in 1986. They were the neighbors who had taken me under their wing, and although everything had been very stressful for them too, they never gave up on me. I loved them dearly. My girls were a lot older now than I was at that time, Sam twenty-three and Casey twenty, but they still looked like babies to me. I could tell how nervous they were, just like I was—and I still am.

In an effort to calm myself, I looked out the car window taking in the trees and grass, such a rich shade of green. Somewhere birds were chirping, filling the air with their sound. When we walked into the courthouse all polished up, we looked like the perfect family. Rob cleanly shaven with his hair slicked back, wearing black dress slacks and a nice button-down dress shirt, me in a black skirt, starched white blouse, and black high-heeled dress shoes. Sam and Casey, so professional looking in stylish pants topped by conservative blouses.

We had been alerted that there might be reporters hoping to cover our story and were worried about how our daughters would react. To our relief no reporters were to be seen.

When you first walk into a courthouse, you have to pass through a metal detector just like the ones at an airport. Although that never really bothered me in an airport, this was different. We were across the street from the jail where I'd served my time and I was close to freaking out.

I inched up to the metal detector and froze. Although I tried to keep walking, I couldn't move. Instead I began to shake. *Don't touch me, please don't touch me.*

The only way I was able to force myself through the detector was to keep repeating in my

mind, *That was then. This is now. You aren't in jail and won't be patted down by a guard. You can do this.*

When I was in jail, every day after my visit from Rob and my brother Jimmy the officer in charge made me strip down and patted down my body everywhere that something might be hidden. I remembered praying to God to make it stop. *God, my father terrorized me for years. He raped me, he hit me. How can you let this strange man make me undress? He's touching my private parts. Please make it stop!*

But it went on day after day and I've never been able to get past that feeling.

The only reason I managed to get through those terrifying pat downs without complaining out loud was that it meant I could enjoy seeing Rob and my brother Jimmy, who came together to visit me every day I was in Riverhead County Jail.

As we approached the courtroom, I steeled myself to enter a courtroom very similar to the one in my nightmares. Our attorney and Rob's sister Liz were waiting for us. At last we would be able to confront the doctor who almost cost Rob his life. I'd never actually seen him, and until now we just called him names like Dr. Death because as we found out in the worst way possible, he should have taken the combination of Rob's symptoms as the warning of something very serious.

Dr. Vito Mercurio appeared to be about our age, kind of short and stocky, dark hair, and he had a mustache. His suit was nice. He wore a tie. The man walked with his head down and shoulders up in a hunched manner.

At first I wanted to race up to him and shout in his face "How could you?"

During the three long years we waited for our day in court, I'd dreamed over and over about how I would react when I finally saw him. To my surprise, I just faced him and stared directly into his eyes. It was something I never had the courage to do to my father—confront the person who hurt and changed my family forever. I made him look at me while I fixed him with a cold stare.

No longer the victim, I gave him no choice but to look at me and see what was reflected in my eyes. I hoped somewhere deep down he would feel the impact of what he'd done.

In the past I'd been the one who woke up screaming almost every night, tormented by a nightmare. Now, thanks to Dr. Mercurio, Rob woke up almost every night, too, haunted by nightmares about coming out of his coma and not being able to breathe or scream for help.

In my nightmares, I always have a pillow over my face so I don't have to see my father or have his awful smelling nicotine breath in my face. He lies on top of me pushing his three hundred pound body back and forth and ramming into me—his sick way of satisfying himself. The sight of Rob and me screaming throughout the night could almost be material for a black comedy routine if it wasn't so terrifying.

Before the hearing began, the judge said, "This letter about Cheryl Cuccio's youthful offender status is enough proof for me to allow her to testify on Robert Cuccio's behalf."

The doctor's attorney protested immediately. "But, it doesn't have her name on it."

The judge answered, "The case number is enough information. There is no name because of the sealed record status."

At least the judge agreed to let me testify, but would my past ever stop playing a role in my life? Would it always dictate how I must live?

I hadn't been in a courtroom since my trial for my father's murder. This felt like a repeat of the accusations that had been hurled at me so many years before. Dr. Mercurio's attorney was determined to make me look like a dishonest person who would lie on the stand. Resentment coursed through me, but I knew I had to control myself. Gradually I settled down and felt my tense muscles begin to relax.

If I'd thought going to the Criminal Records Department the week before was bad, having to sit there in the exact same courthouse where I'd been tried and convicted was far worse. Over the years I'd managed to make it seem as though all of it happened to someone else. Now it took every bit of my self-control not to run from the room screaming. By focusing on my beautiful family sitting next to me, I managed to stay as calm as possible. I told myself this man we were facing would pay for what he had done. He had almost stolen the family we created and worked so hard for when he failed to recognize that Rob was a strong candidate for a fatal heart attack.

Deep inside I was proud I was not the defendant this time.