

Convicted sex offender will serve less time Schiefelbein could be released on parole after 30 years

By MITCHELL KLINE
Staff Writer

Published: Tuesday, 02/13/07

Mark Schiefelbein, a former Franklin gymnastics coach who was convicted of molesting a student, will serve less time in prison than he was originally sentenced.

Judge Russ Heldman sentenced Schiefelbein to 96 years in 2003 after a jury in Williamson County found him guilty of seven counts of aggravated sexual battery and especially aggravated sexual exploitation of a minor. Last week, the state's Court of Appeals amended that sentence to 36 years.

The Court of Appeals stated that the 96-year sentence did not provide a fair sense of predictability of the criminal law. The court also dismissed rape charges against Schiefelbein. His attorney, David Raybin, said the case will be appealed to the state's Supreme Court.

"We are very pleased that they took 60 years off the sentence and dismissed two rape charges. However, we still feel the conviction should be reversed," Raybin said.

With the 36-year sentence, the earliest Schiefelbein could be released on parole would be after completing 30 years in prison, according to Raybin.

Raybin characterized Schiefelbein's trial as unfair, pointing out that the judge did not allow a medical expert for the defense to testify about his findings in the case.

Raybin also said the jury was influenced when Heldman asked spectators to move to one side of the courtroom so they could not view a videotape played for the jury.

The videotape was allegedly made by Schiefelbein and included close-ups of the victim's private areas.

"It gave the jury an impression that there was something suspicious, or it gave the prosecution undue influence in introducing the videotaped evidence," Raybin said.