

# Dismissal of dead killer's conviction pains victim's family

By Brian Haas • THE TENNESSEAN • December 16, 2010

It consumed their lives, but after two years of fighting, the family of Lesa Buchanan had justice in her death.

Or so they thought.

With just a single-sentence order, the Tennessee Supreme Court has wiped clean the 2007 conviction of Dr. Christ Koulis in Buchanan's death. Koulis, 42, died this March. Because he could no longer appeal his conviction the court agreed to dismiss the conviction. Courts typically have held that a death during an appeal means a conviction should be abated, or dismissed.



**Christ Koulis**

"To say what we went through was wiped away with this court decision just adds to the pain that we've gone through since her death," said Buchanan's sister, Tara Bentley, who lives in Indiana. "It just has consumed so much of our lives."

The Tennessee attorney general appealed to the Supreme Court to uphold the conviction, saying a dismissal would violate victims' rights under Tennessee law.

The Supreme Court denied the appeal.

The case pitted long-held legal precedent versus a new movement toward increased victims' rights in the criminal justice system. Koulis' attorney, David Raybin, said the Supreme Court was wise to stick with precedent.

"This is a lawsuit between the state of Tennessee and the defendant, Christ Koulis, not the victim's family," Raybin said. "Once you do that, you basically put a third table in the courtroom."

## Death occurred in 2005

Koulis was formerly a successful Illinois plastic surgeon who gave up his license in 2002. His girlfriend, Buchanan, 35, was a model and artist.



**Court's decision angers family of Lesa Buchanan, who died in July 2005 at age 35.**

On July 4, 2005, Franklin police rushed to Buchanan's Cool Springs apartment after Koulis called for help and said Buchanan was unresponsive after an injection of oxycodone and acetaminophen. He performed CPR, but she died at the hospital.

A jury on Sept. 28, 2007, convicted Koulis of criminally negligent homicide. He was sentenced to two years in prison, but he appealed.

On March 26, before his appeals ran out, Koulis died in Illinois. His death was ruled accidental, caused by bronchial pneumonia and opiate intoxication, Raybin said.

Raybin said he planned to appeal on the basis that Koulis was innocent. And the fact that he couldn't continue the appeal shouldn't mean Koulis shouldn't be able to clear his name.

"I think the guy was not guilty," he said. "He was robbed of that. Why should his appeal be prematurely terminated just because he died?"

Raybin filed a motion to have the conviction tossed. A judge agreed. The Supreme Court decision cements the abatement.

Bentley said her family is still trying to recover from Buchanan's death. Buchanan's daughter, Jessie, is doing well in college. But things haven't been easy for either family.

"I just think that the entire situation was a tragedy," Bentley said. "I never wished this loss on his family. I'm very sorry for their loss, too."

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