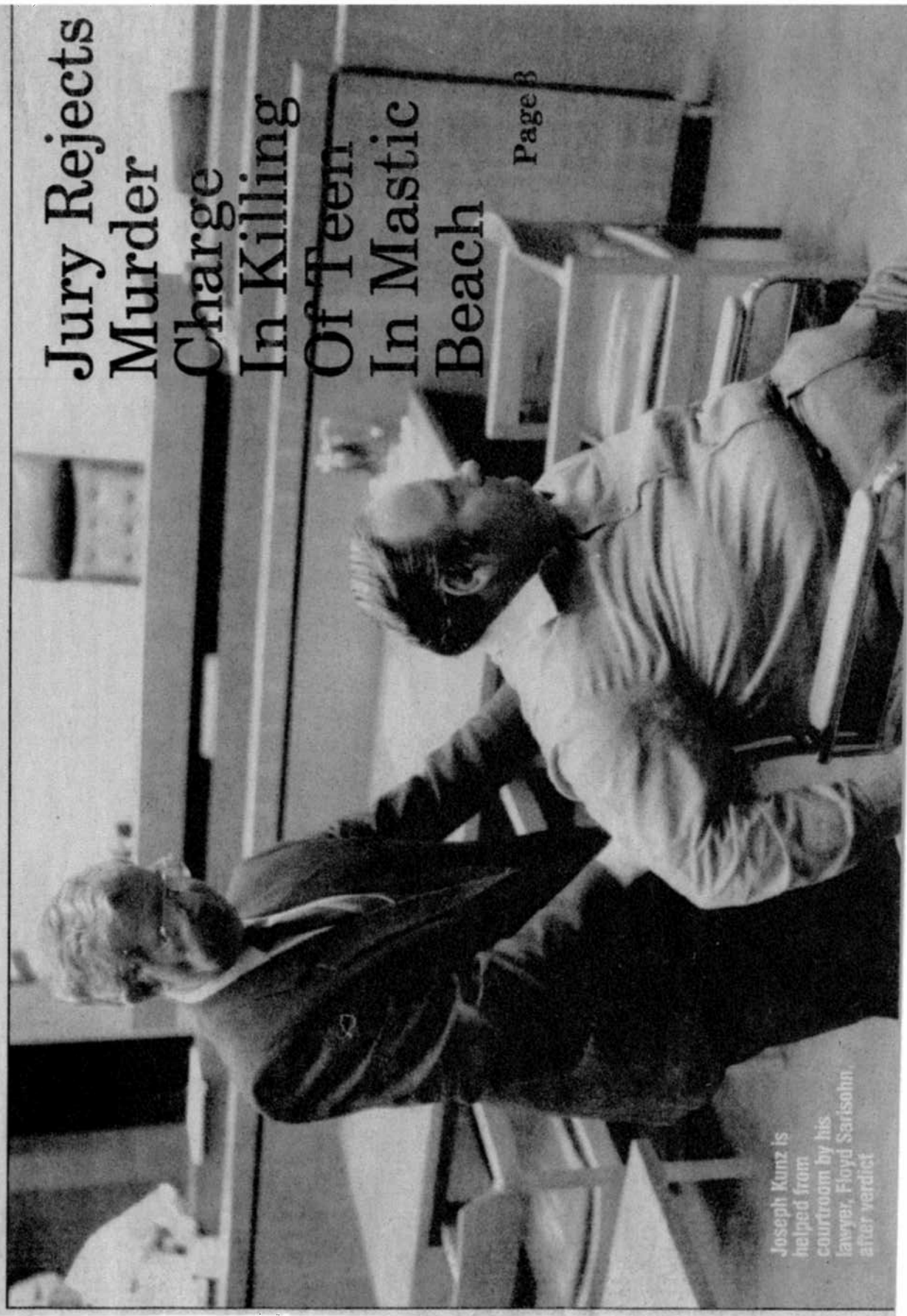


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Joseph Kunz is helped from courtroom by his lawyer, Floyd Sarisohn, after verdict

Jury Rejects Murder Charge In Killing Of Teen In Mastic Beach

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By **JERRY CASSIDY**
Daily News Staff Writer

Joseph Kunz, a 46-year-old paraplegic who was convicted of killing his 15-year-old neighbor with a shotgun blast in 1988, was sentenced yesterday to probation by Supreme Court Judge Morton Weissman.

Kunz had maintained that he shot the youth, John Kaufman, after the teenager had entered his home and threatened him. In March, a jury found Kunz not guilty of intentional murder but convicted him of second-degree manslaughter.

Yesterday, Assistant Suffolk District Attorney Georgia Tschiemer asked the court for "incarceration," saying that Kunz had not spent time in jail since his arrest and conviction.

"The defendant was given a great deal

of latitude in this case," Tschiemer said. "He was not jailed at the time of his arrest.

"During the investigation and the trial I had occasion to talk to many witnesses and not one saw Mr. Kunz as a nice person. He had a grudge against the young man he killed and while I'm not quarreling with the jury's verdict, it is obvious they took into account the defendant's physical condition."

A video tape

Kunz' lawyer, Floyd Sarisohn, presented a video tape to the court showing the home life of Kunz, his ailing wife, and his handicapped father, who is in his 80s.

Prior to the sentencing, Kunz said, "When I said good bye to my father this

morning, I don't know if I will ever see him again."

The judge, calling the case "a tragedy for all concerned," ignored the prosecution's request for jail time and sentenced Kunz to in-house detention followed by probation.

Kunz, elated by the sentence, took time to discuss the case of Martin Tankleff, whose fate was being deliberated two floors above in the Riverhead court complex.

"My sentence is nothing compared to what that young man faces. My wife and I have been watching the trial for the entire 10 weeks and if he's convicted, he will face a long time in jail."

Tankleff, who faces 50 years to life in prison, was convicted as Kunz was leaving the court house.

PARAPLEGIC KILLED TEEN NEIGHBOR

Judge decrees probation in slaying

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