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## Motorist who killed man called bizarre 2nd trial begins in 2013 crash case

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BOWLING GREEN — Though they could not explain it, co-workers of a CSX Transportation worker who was struck and killed by a speeding motorist more than three years ago testified Monday that Cody Rickard emerged from his car that morning jubilant.



*Defendant Cody Rickard was convicted in January, 2014, of all charges related to a fatal crash and sentenced to life in prison, but an appeals court overturned that conviction.*

Mr. Rickard, 29, of Woodville went on trial in Wood County Common Pleas Court for murder and two counts each of aggravated vehicular homicide, vehicular assault, and felonious assault for the Oct. 28, 2013, crash near Bradner that killed Paul Castle, 34, of Paintsville, Ky., and injured Jim Conley, 58, of Findlay and Luis Knott III, 58, of Banner, Ky.

Defense attorney Scott Hicks told the jury in his opening statement that Mr. Rickard was not intoxicated or high, but the state's first witnesses made it clear he appeared out of control when he floored his Dodge Charger at a "Road Closed" sign and plowed through a closed railroad crossing.

"Would it be fair to say he was acting pretty bizarrely?" Mr. Hicks asked Christopher Delano, one of four CSX workers to take the stand Monday.

"Yes," Mr. Delano replied.

"Very bizarre?" Mr. Hicks asked.

"During the whole incident, yes," Mr. Delano said.

"And did you at one point say he seemed to be out of it?" Mr. Hicks asked.

"Yes," Mr. Delano replied.

David Romaker, Jr., an assistant county prosecutor, told the jury in his opening statement that Mr. Rickard brazenly ignored large signs and barricades, sped into the barricaded construction zone at more than 60 mph, and never touched his brakes before he struck the crew, pitching Mr. Castle into the air. Mr. Castle died Nov. 12 as a result of his injuries.

"In a mere distance of about 600 feet, many, many lives changed," Mr. Romaker told the jury.

Mr. Rickard, he said, emerged from his car as if he were celebrating. He made statements like, "I did it," and "I should've killed all of you."

Mr. Hicks told the jury that while there's no question that Mr. Rickard struck the three men, he said there are questions about whether Mr. Rickard knew that he'd hit someone when he made the seemingly inappropriate statements. There are questions about what effect an exploding air bag and a subsequent blow to the head had on him, Mr. Hicks said, and questions about whether he was in his right mind at all that day.

"What we do know for sure is Cody didn't know any of these railroad workers," Mr. Hicks said. "He had never been to this crossing before... and he was not intoxicated. So why did this happen?"

Mr. Hicks said the jury would be hearing testimony from Mr. Rickard and from three experts, who would "explain Cody's mental health at the time that this took place and that's important. It's important as hell."

Mr. Rickard, who was 26 at the time of the incident, was convicted on all charges at a jury trial in January, 2014. Judge Alan Mayberry sentenced him to life in prison with parole eligibility after 29 years.

While Mr. Rickard began serving that sentence, his conviction was overturned by Ohio's 6th District Court of Appeals last year. The appeals court concluded that Mr. Rickard's attorney failed to investigate his client's mental state at the time and did not even seek an evaluation to determine if he was competent to stand trial.

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