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# Singer ordered extradited to stand trial in Belushi case

**United Press International**  
 TORONTO — Cathy Evelyn Smith, a former singer who once admitted injecting a fatal "speedball" of heroin and cocaine into comedian John Belushi, was ordered extradited Wednesday to Los Angeles to stand trial for murder.

Declaring there was enough evidence to commit the Toronto woman to trial, County Court Judge Stephen Borins ordered the extradition to be carried out within 15 days and also ordered that she be held in custody until extradition.

Defense attorney Brian Greenspan said he would decide later Wednesday whether to appeal the order. He has 30 days to appeal, but according to the Canada-U.S. extradition treaty she can be extradited within 15 days if an appeal process has not been started.

Greenspan said he would also decide whether to file for a writ of habeas corpus, which would set her free.

Smith, who had been free on \$75,000 bail, was escorted out of the courtroom and placed in the West Detention Center. She also faces 13 drug-related charges as a result of

Belushi's death in 1982.

Greenspan said Smith, who appeared unmoved by the ruling, was in relatively "good spirits" because "she realized there was a strong possibility this result would occur."

In Los Angeles, Detective Russell Kuster, an investigator in the Hollywood division, said he expected Smith to appeal the order, which she fought for more than a year.

Los Angeles District Attorney Robert Philibosian said in a prepared statement, "The decision by a Canadian court today to extradite Catherine Evelyn Smith is an important victory in our 18-month legal battle to bring her to justice."

Smith, a former singer and songwriter, is charged in California with having administered a fatal overdose of heroin and cocaine to the star of the "Saturday Night Live" television series and movies such as "Animal House." Belushi died in a Sunset Strip hotel room March 5, 1982, of a drug overdose.

"There exists evidence upon which a reasonable jury, properly instructed in law, could bring in a verdict of guilty," Borins said in his 34-page ruling delivered after a three-

day hearing that ended Aug. 22.

In his summation at the hearing, Greenspan said there was only the word of two of Belushi's friends — Leslie Marks and Nelson Lyon — that Smith had injected them and the comedian with heroin and cocaine.

"Marks and Lyon only say they believe what they received was cocaine or heroin or both," Greenspan had told the court.

In affidavits submitted at the hearing, Marks and Lyon had said they saw Smith inject Belushi several times. According to earlier evidence, Belushi had been injected 24 times in the last 30 hours of his life — mostly by Smith.

He also argued the murder charge against Smith in California did not constitute murder in Canada and at worst, the charge would be manslaughter.

Smith was arrested in Toronto in March, 1983, after a Los Angeles County Grand Jury returned an indictment charging her with second-degree murder and 13 counts of administering an illegal substance.

Los Angeles had originally ruled the overdose that killed comedian was self-inflicted.

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