

# Garner sentenced to 18 years amid specter of Wienckowski case

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By Gene Warner

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Antoine Garner, center, and attorney Joseph Agro stand as Garner is sentenced Tuesday by Erie County Judge Kenneth F. Case.

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Before Antoine J. Garner was sentenced to 18 years in prison Tuesday for three separate violent crimes, his attorney told the court that the sentencing would close the book in his client's case.

But Leslie L. Brill, the mother of Amanda L. Wienckowski, believes one more chapter still needs to be written – the mysterious death of her daughter in 2009.

That chapter would include having Garner charged in Wienckowski's death, giving Brill her own day in court.

Authorities have called Garner a “person of interest” in Wienckowski's death. They believe that she was headed for a paid sexual encounter with him, and that he was the last person to have seen her alive before her frozen body was found in a garbage tote across from his home.

Brill attended Garner's sentencing by Erie County Judge Kenneth F. Case on the three other cases Tuesday, but was too emotional to talk with reporters afterwards.

“She was murdered,” Brill said of her 20-year-old daughter, in a phone interview a couple of hours after the sentencing. “He strangled her and murdered her. She never left his house, never, and then she shows up across the street. We all know she was strangled.

“I don't think anyone in the world today can sit back and say they don't know what happened to Amanda,” she added. “It's devastating. To let him get away with murder, I won't let it happen. I won't.”

The Wienckowski case never was mentioned by name inside the courtroom, but Case made two pretty obvious references to it.

The judge sentenced Garner on three separate crimes. The defendant was convicted in one case and pleaded guilty in the other two.

“I'm sentencing you only on those crimes,” Case told Garner. “The law prohibits me from sentencing you on any crimes that people believe you committed or suspect you committed.”

Later, Brill said the judge motioned to her inside the courtroom after court was adjourned.

“He just said he was sorry,” she recalled. “I just said, ‘Thank you.’ ”

“I think it was a very nice gesture by the judge,” she said of the courtroom comment. “I believe he was talking to me and Amanda.”

Following the 21-minute sentencing, reporters asked Joseph A. Agro, Garner's attorney, about the Wienckowski case.

“I'm not going to make any comment on that case at this time,” Agro said.

Law enforcement sources previously have explained how difficult it would be to arrest and prosecute anyone in Wienckowski's death, partly because of the vastly different medical opinions about the cause of death.

Tuesday's sentencing came on the rape of a 16-year-old girl in 2008 and 2009, a choking and assault case from June 2011 and a home-invasion armed robbery the following month. Garner had faced charges that, considered separately, could have brought 36 years in prison, according to one account.

Case meted out sentences ranging from 1 to 18 years on the various charges, but made the sentences concurrent, meaning that the total is 18 years.

"There were no plea deals whatsoever," Erie County District Attorney Frank A. Sedita III said late Tuesday. "Mr. Garner was prosecuted to the fullest extent of the law."

Prosecuting the three cases for the District Attorney's Office were Rosanne E. Johnson, Christopher J. Belling and Brian P. McNamara.

Garner did admit guilt.

"Mr. Garner said that he takes accountability for what he's done," Agro told the court. "He'd like to apologize ... The bottom line is that this young man's accepting responsibility."

When asked whether he wanted to say anything, the heavily shackled Garner said he would not speak about the strangulation case. He was convicted in that case and still has the right to appeal that conviction, his attorney later explained.

Then Garner addressed the home invasion. "I really want to apologize to that woman," he said.

He offered the same sentiment about the rape case: "I was 21. She was 16. I was wrong."

He concluded his remarks by saying, "I want to come home and be a better father and a better man."

Afterward, Brill clearly had conflicting emotions about the courtroom appearance.

She was relieved "for the next girl he could have had" and pleased that Garner's going to prison for so long. On the other hand, she doesn't think any sentence would be long enough. Garner never belongs back on the street, she said.

And she's waiting for one more day in court.

"I'm very happy that he is where he is.

"But it's Amanda's turn now."

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