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# Sex offender Nushawn Williams seeks long trial delay

By **Patrick Lakamp**

Published: March 29, 2012, 12:00 AM

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Updated: March 29, 2012, 8:17 AM

For nearly two years Nushawn Williams has fought the state's effort to keep him in custody under a state law that permits the civil confinement of sex offenders past their prison sentences.

But as of Wednesday, he's in no hurry to keep fighting.

Williams asked State Supreme Court Justice John L. Michalski to delay for a year the upcoming trial in which Williams will have a chance to make a case he is not a threat to society and should be released.

"For a number of reasons, he has made a request for a lengthy adjournment," attorney John R. Nuchereno told Michalski during a hearing in the Erie County Courthouse.

Nuchereno, who represents Williams and met with him before the hearing, did not disclose Williams' reason.

Michalski said he would schedule the trial for early next spring.

"This is his request," Michalski said. "He's a grown man."

Williams' trial could last a week, the judge said.

Assistant Attorney General Wendy Whiting objected to the delay and asked that the trial be scheduled as soon as possible.

Williams is already more than a year past his maximum prison release date, she said.

"Delaying these matters doesn't help Mr. Williams get the treatment he needs,"

Whiting said. “I can’t think of any good reason he’d want to do that.”

Williams has chosen to remain in the Wende State Correctional Facility — rather than in a secure treatment facility — during the civil confinement proceedings, Nuchereno said.

Williams’ 12-year prison term for rape and reckless endangerment concluded in April 2010.

In 1998, the former Jamestown and New York City resident accepted a plea deal and admitted to infecting 13 young women, including a 13-year-old, in Chautauqua County with the virus that causes AIDS.

The State Attorney General’s Office put a hold on his release by seeking his continued confinement under the civil management law for convicted sex offenders. A state psychiatric examiner has diagnosed him as antisocial, psychopathic and capable of infecting more young women with HIV.

In 2010, Michalski ruled against Williams’ effort seeking dismissal of the civil confinement proceedings, rejecting legal arguments that the law does not apply to him retroactively.

In May, Michalski again denied Williams’ motion to dismiss the state’s petition. The Appellate Division of State Supreme Court in Rochester last month upheld Michalski’s ruling. The appellate court rejected Williams’ request to move the trial to Buffalo from Chautauqua County.

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## Comments

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**SORT: NEWEST FIRST** | OLDEST FIRST

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Ms. Parks, the loss of rights? What about the thirteen year old and her life? And the other dozen females who are sentenced to a shorter life filled with anguish? Personally I think they should castrate the son of a bitch. And I am being gentle in my expression. Anyone who condemns women to a uncertain life does not deserve the consideration given to others.

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**PAUL TROY, LOCKPORT, NY** on Fri Mar 30, 2012 at 08:33 PM

FLAG AS INAPPROPRIATE

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"civil confinement" past their prison sentences -- How can you ever pay your debt to society when your sentence is in fact indefinite?? Guantanamo Bay for the rest of us? Serious loss of civil rights there.