

## MARRIAGE

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— 10 days before he advised the Kentucky Board of Medical Licensure to drop charges against her.

The commonwealth alleges that Shafer, 40, showered Holmes, 38, with cash, loans and pricey vacations to induce him to recommend the dismissal, and to reward him once he'd done so.

They both stand charged with bribery, and Holmes is charged with theft for taking his state salary on 13 days when he was allegedly with Shafer on Caribbean cruises and other junkets.

He is also accused of bigamy for marrying Kathryn Harmon, 45, last May. Harmon, his longtime secretary and assistant, is charged with theft for submitting many of his allegedly bogus time sheets.

Shafer insists she and Holmes were wed in a Sevierville, Tenn., feed store and later consummated the union. "I loved my husband when I married him, and I was shocked and grieved to learn that he had married someone else," she has said.

Her lawyer, Grover Cox, said he will tell the jury that although Shafer showed "bad judgment" in falling for Holmes while the disciplinary charges were pending, "it was a matter of love, not bribery."

Holmes, who was fired by Attorney General Chris Gorman, invited a reporter to scrutinize evidence that he says will show the charges against him are "nonsense."

Holmes does command some formidable ammunition, according to records in a court file that already stands 2½ feet high.

The directors of two state agencies — the Board of Barbering and the Board of Dentistry — have sworn that they consulted with Holmes in person on days when the commonwealth contends he was away with Shafer.

A handwriting expert has opined that Holmes' signature on the marriage license is not his. And the justice of the peace who performed the ceremony has said he doesn't recall ever seeing Holmes.

Furthermore, Holmes notes, Shafer listed herself as "single" when she applied for life insurance 17 months after the purported marriage. And in a recorded message left on Holmes' pager after their alleged affair became public, Shafer said:

"The real Greg and I wanted to apologize for using your name while we had a ceremony in Tennessee. . . . I know it's brought you endless distress, and we're sorry for that."

Prosecutor Wes Faulkner, an assistant commonwealth's attorney, declined to comment on the evidence. He apparently will try to show that the pager message was scripted and rehearsed in a bid to cover for Holmes.

As for the marriage license, the commonwealth has contended that Holmes often let others sign his name for him because his signature is illegible.

Faulkner also will rely on numerous witnesses and voluminous records that appear to document both the defendants' blossoming relationship and their travels:

■ Telephone records indicated that Holmes and Shafer called one another more than 100 times from August to December 1989, a period when the pair should have had no direct communications. One night he called her at home at 12:56 a.m. and talked for 57 minutes.

■ A photograph offered by Shafer appears to show the newlyweds in the feed store owned by the justice of the peace, and a jeweler will testify that she sold the couple a pair of wedding rings.

■ Credit-card records appear to show that Holmes accompanied Shafer on a cruise to Bermuda, a junket to Las Vegas, a driving trip to French Lick, Ind., and other trips.

■ A dentist who said he'd been friends with Holmes for 25 years told investigators that Holmes called him in February 1990 from Cancun, Mexico, and said he was vacationing with Shafer.

■ And a resident of a Lexington apartment complex will testify that she saw the couple spend weekends together at an apartment leased by Shafer.

In an interview, Holmes tried to rebut the state's testimony:

He said Shafer superimposed his face on the feed-store photo. He said the dentist and the cab drivers are disgruntled former clients and are mistaken. He said the \$2,700 tandem Shafer bought at Lexington's Pedal Power Bike Shop was for her and her mother, not for Shafer and him.

He said that if he was seen at Shafer's apartment, it was only because he agreed to represent her as a client long after his role in the licensure case was over. It was as a

### Key dates

**1987:** The Kentucky Board of Medical Licensure accuses Dr. Diane Shafer of giving false testimony in a deposition, falsely billing insurers, excessively and improperly prescribing controlled substances, and other violations.

**Dec. 29, 1989:** According to Shafer, she and Greg Holmes are married in Sevierville, Tenn.

**Jan. 9, 1990:** Holmes, who had been appointed hearing officer in Shafer's case by the licensure board, recommends dismissal of the charges, saying they are insubstantial.

**Aug. 1, 1990:** The board accepts Holmes' recommendation.

**May 21, 1992:** Holmes marries his longtime secretary and assistant, Kathryn Harmon.

**June 16, 1992:** Shafer supposedly calls Holmes' pager and "apologizes" for using his name in the Tennessee ceremony.

**July 24, 1992:** Holmes is fired from his job at the Kentucky attorney general's office, where he represented several state agencies.

**Oct. 23, 1992:** Holmes, Harmon and Shafer are indicted in Jefferson County.

**Feb. 10, 1993:** A Sevier County, Tenn., judge refuses to annul the Holmes-Shafer marriage.

client and friend that she gave him a \$2,000 fee and lent him \$42,000 without any collateral, he said.

As for his credit-card receipts, which appear to show that he traveled with her, Holmes insists that Shafer fraudulently charged rooms, meals and calls to his account. As proof, he cites charges on his Visa card from Bermuda on days when he was "demonstrably in Gibraltar and other European cities on a cruise with his current wife."

Holmes lost the first round in his legal battle when a judge in Tennessee refused last month to annul the marriage between him and Shafer.

But he has vowed not to give up.

While still contending the marriage was a fraud, he recently filed for a divorce from Shafer — and an equitable share of her assets.

"If she is going to pretend she is married to me," he said, "she is going to have to pay for the privilege."