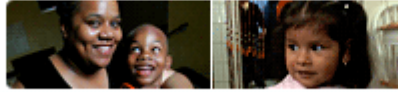


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After an American Dies, the Case Against His Killers Is Mired in Mexican Justice

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Orlando Manuel Aguilar Cuello, second from left in top photo, and Avel Santiago Zárate, right, fired at protesters Oct. 27.

By JAMES C. MCKINLEY Jr. and COLIN MOYNIHAN
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MEXICO CITY, Dec. 10 — A month ago, the death of Bradley Roland Will seemed cut and dried. Mr. Will, an independent New York City journalist was shot in the chest while videotaping a lopsided confrontation between gunmen who supported the beleaguered governor of Oaxaca and protesters demanding his ouster.

Pictures of some of the gunmen, with their names, had appeared on the front pages of all the major papers. The two fatal bullets had come from a 9-millimeter pistol like those issued to the police. The case seemed a prosecutor's dream.

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Minutes later, the body of Bradley Roland Will, an independent American journalist, was carried away, at left. The case has drawn widespread attention.

That is, until Dec. 1, when a judge freed two of the men photographed shooting at the protesters, citing a lack of evidence. The ruling provoked accusations from leftists of a cover-up. Indeed, the state's investigation into the killing of Mr. Will, as well as the deaths of a dozen protesters in the conflict, has drawn so much criticism that federal police raided the state police headquarters on Friday and seized weapons to determine if any had been used in shootings during demonstrations.

Besides underscoring how infrequently killings of journalists and antigovernment protesters are solved in Mexico, the case has drawn widespread attention because it reveals the sad clash of left-wing idealism, personified in Mr. Will, a bearded 36-year-old originally from Illinois, with the murky realities of Mexican politics.

Politics often warps investigations here, and Mr. Will's death in late October has quickly become a contentious issue in the very struggle he had come to document.

The protesters with whom Mr. Will was sympathetic said he was killed by government-backed paramilitary thugs who had already killed a dozen others since the conflict here began in May. They charge that his death is still more proof that the state government remains repressive, its prosecutors willing to cover up crimes by government officials.

They also assert that Mr. Will's death was part of an orchestrated attack on protesters intended to shed enough blood to provoke the federal police to intervene. Mr. Will and three others died in the violence that day. The killings prompted Vicente Fox, who was president at the time and had resisted getting involved in the conflict, to send in federal police officers and clear the streets.

State prosecutors, meanwhile, have built a case that suggests it was the protesters, not the police, who murdered Mr. Will to call attention to their cause.

The state attorney, who was appointed by the governor and owes him political allegiance, said the videotape Mr. Will recorded just before two bullets hit him on Oct. 27 suggested that someone at his side shot him, not the gunmen down the street. "The person who shot him was at a distance of no more than two and a half meters," said the prosecutor, Lizbeth Caña Cadez. "He was close."

The lack of progress in the case has angered Mr. Will's parents and friends. They complain

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that Ms. Caña is trying to steer blame away from police officers and public officials loyal to the governor. Mr. Will's family, as well as several human rights organizations, has urged the federal government to take over the investigation.

"It's very frightening what is going on down there," Mr. Will's mother, Kathy Will, said in an interview. "They are totally manipulating the case. They are trying to shift the blame off of their people, the paramilitaries."

Whoever is right, the authorities here have resolved only one of the 13 killings related to the protests in Oaxaca, and it involved off-duty soldiers rather than the local police or officials.

Nationwide, when it comes to journalists, the picture is bleaker. At least 38 have been killed in Mexico since April 2005, most of them assassinated after reporting on drug dealers. None of those cases have been solved, despite the appointment of a special federal prosecutor to pursue the killers.

"The justice system in Mexico is highly dysfunctional," said Daniel Wilkinson of [Human Rights Watch](#). "Criminal investigations into cases like this are rarely successful."

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James C. McKinley Jr. reported from Mexico, and Colin Moynihan from New York City.

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