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MISSION OF MERCY

HE TOOK HIS PARALYZED BROTHER TO SUICIDE DOCTOR KEVORKIAN: PAGE 98

Jimmy Miley, next to photos of his brother Buddy, paralyzed in a 1973 football game and found dead in a hotel room in 1997.

JIMMY'S JOURNEY

Buddy Miley's brother shares story of 1997 trip to Kevorkian

By **MARK KRAM**
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EVERY SO OFTEN, he would peek through the motel curtains to see if it was still light out. It had been a long day and it was getting late, 6 p.m. by then, the chilly March sun dissolving in golden hues. Jimmy let go of the drape and looked over at his brother Buddy, his wheelchair off to the side, his body arranged on one of the beds. Hot air blew into the room from the heating vent, but Jimmy could see that Buddy had become cold; his hands were folded over his chest, drawn there by the strength that lingered in his biceps since his injury. Buddy said nothing. Again, Jimmy looked outside, thinking: "When does it get dark up here?"

For 23½ years, Buddy Miley had lived in a state of unspeakable horror. At the age of 17, he had fractured two vertebrae in his lower neck while running a play as the senior quarterback for William Tennent High School, in Warminster. Jimmy was then just 11 years old in the fall of 1973 and became in the ensuing years, as Buddy remained in a quadriplegic state, the arms and legs that chaperoned him on journeys as far away as the healing shrine in France in search of a miracle. The two were inseparable. Even when a car accident left him physically battered and destroyed whatever hopes he had of playing professional baseball, Jimmy aided in whatever way he could, if only to sit with Buddy for hours and talk sports. Help came from their other siblings, but when it came down to the very end, it was Jimmy whom Buddy asked to deliver him into the hands of Dr. Jack



JOSEPH KACZMAREK/For the Daily News

For 23½ years, Buddy Miley had lived in a state of unspeakable horror. At the age of 17, he had fractured two vertebrae in his lower neck.

Jimmy Miley looks at photos of his deceased brother, Buddy, who was paralyzed in a high school football game in 1973. Buddy Miley, a quarterback for William Tennent, was hurt early in his senior season.

Kevorkian, better known as "Dr. Death" or "The Suicide Doctor."

For 9 uneasy years, Jimmy has harbored the events of that sad day in Michigan. He never before has spoken publicly on the subject, in part because he feared he would be liable for criminal prosecution in aiding an assisted suicide. But while he has lived in pal-

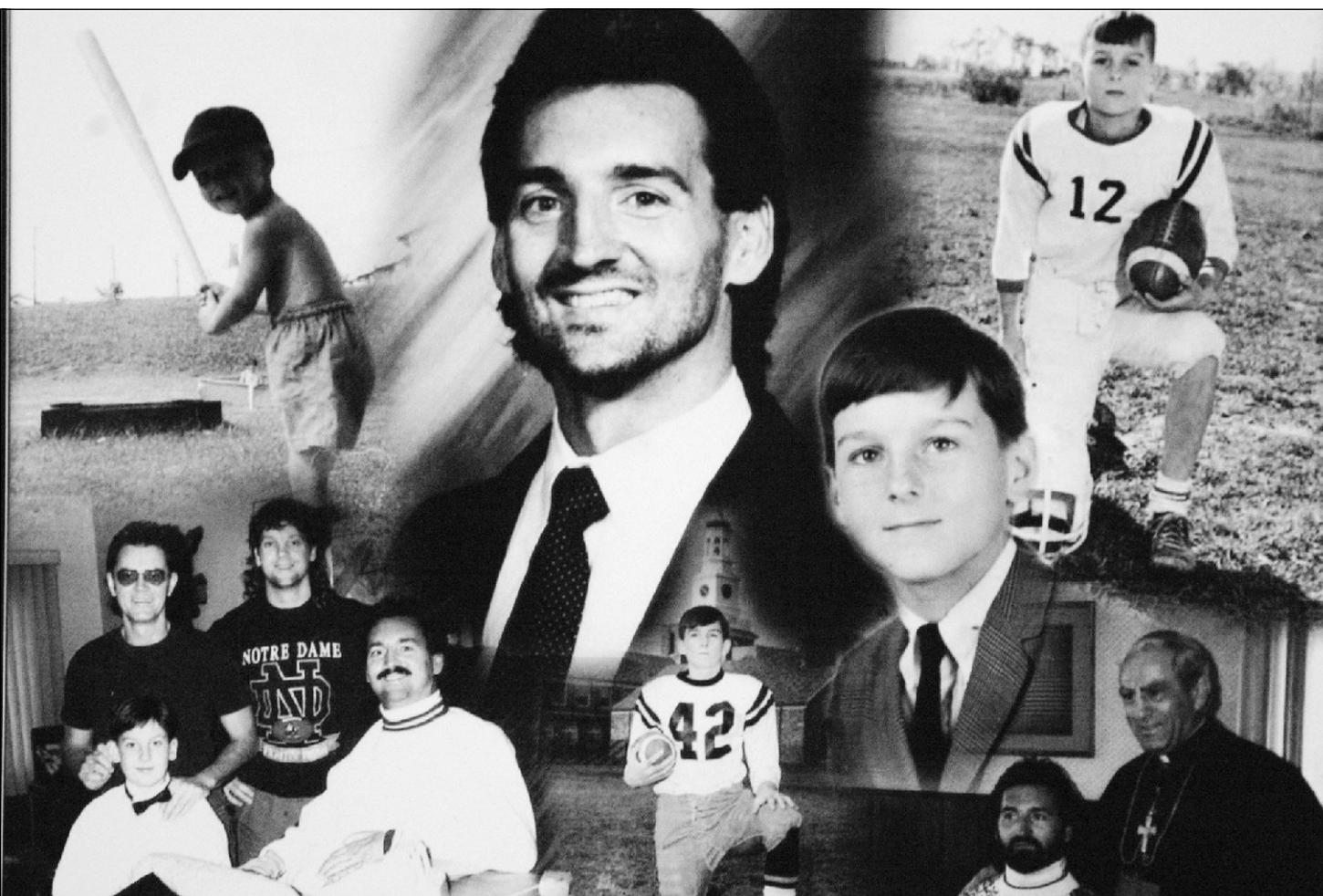
pable terror that at some point his secret would come out, he also knew deep down that he had no other choice but to accommodate his ravaged brother in his yearning for peace. For Jimmy, it became an ordeal that set him at odds with the conventions of American society, for which the issue of euthanasia has been steeped in heated debate. But Jim-

my could not have lived with himself if he had refused Buddy, if only because for years his brother had been denied the privileges enjoyed by others. "The way I look at it, Buddy and I were always a team," says Jimmy, seated in the living room of his home in Warminster. "So he called the play and I ran it."

And he still is running that play inside his head. Every day, he thinks of Buddy and how it ended, the way they told no one where they were going. How they boarded a plane to Michigan, then drove to a Quality Inn outside Detroit, stopping along the way for

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MISSION OF MERCY



Courtesy of Miley family

A collage of photos of Buddy Miley, who had the 1993 story shown below sent to Jack Kevorkian to set his suicide in motion.

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Buddy to buy a comb at a convenience store. Jimmy checked them in under an alias, found their room and then waited for Kevorkian to come. The doctor had told them he would be there at nightfall. Concerned about how cold Buddy appeared, Jimmy slid in bed with him. He arranged himself on top of him, transmitting his own body heat into the atrophied corpus of his brother. For close to a half-hour, they remained in this position, not speaking.

Someone rapped at the door.

Jimmy then bent down and kissed Buddy on the lips.

One play alters everything

Whenever visitors dropped by to see Buddy Miley through the years, he always looked good. He was always clean-shaven or, if he wore a beard, it was neatly trimmed. His hair was carefully combed, and he usually had on a sharp sweater. Keeping up appearances was the way Buddy held on to a piece of his dignity, which Jimmy says was challenged by the necessity of depending on others for even his basic needs. "Poor guy," says Jimmy, who remembers he was always uncertain what to say to people when they asked him how



Jan. 28, 1993: Daily News cover story

Buddy was doing.

"I would want to say, 'It sucks, man. He broke his neck,'" Jimmy says. "And I remember I would ask Buddy later, 'What am I supposed to say?' And Buddy told me, 'Say I'm doing good.' So that was what I said whenever they asked: 'Good.'"

But Buddy had not been good since that day in September 1973. William Tennent was playing at Plymouth-Whitemarsh and Buddy was the starting quarterback, full of swagger with that long hair spilling out of his helmet and a towel swinging wildly from his hip. Coach Bill Juzwiak remembers that Miley was an exceptional athlete who surely would have played in college at some level were it not for the sudden calamity that occurred in the second quarter at the Tennent 40. On a play in which Buddy had the option to run or pitch out, the young quarterback tucked the ball under an arm and slid into an opening in the line, where within a few yards he was swarmed by tacklers. One hit him cleanly at his knees and upended him on his head, at which point he became aware of an "odd sizzling noise" that began at the bottom of his feet and swept up through his body. Buddy told me when I visited him in January 1993: "I could feel my soul leaving my body and I started up into this tunnel of light. Things were so peaceful." He then said "the brakes slammed on somehow," and he looked up to see the coaches and players huddled over him.

Somewhere Jimmy has a videotape of the play in his house, a rancher on a corner lot with a larger truck and a smaller one parked in the driveway. Single, he runs a moving company out of one of his bed-

"I could feel my soul leaving my body and I started up into this tunnel of light. Things were so peaceful." He then said "the brakes slammed on somehow," and he looked up to see the coaches and players huddled over him.

rooms, picking up enough occasional jobs through referrals to keep up with the bills. At 44, he says: "Getting up every day for work is like going to war." His bones ache. Even with a helper it has become increasingly taxing to load and unload the truck. In his bedroom there is a speed bag attached to the ceiling in a corner, which for years he used for physical therapy to recover from his car crash. In a closet there is a pile of old scrapbooks, one of which chronicles the ordeal that Buddy endured. The pages in each are full of yellowed newspaper clippings, including an *Inquirer* story about how Buddy had urged Jimmy to play football at Tennent his senior year. Jimmy wore not one but two neck braces when he played, and says now that Buddy had told him: "God is not going to let this happen twice to the same family."

Cowboys coach Tom Landry and countless others stopped in to see Buddy, who lived with his parents, in a room with a large picture window that looked out on the street. Whenever Jimmy happened to be there, he would overhear what the visitors would say: "Hang in there, Buddy. There is a reason for this." But as well-intentioned as they were, Jimmy says that few could comprehend the unutterable pain Buddy faced each day. Even a shallow tremor of movement would leave him wincing as a sensation akin to an electrical charge would shoot through his body; Jimmy remembers that you could not even walk into the room without the vibrations setting him off. "The hair on his arm would stand straight up," says Jimmy, who adds that Buddy did not take drugs because he said it clouded his thinking. Jimmy says that in later years Buddy kept a bottle of whiskey near, that when the pain became unbearable he would say, "Jimmy, let me have a nip." And there were always bedsores. Says Jimmy: "It was hell."

But it was not just a question of physical

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anguish. Psychologically, Buddy waged an unending battle with depression. Kids he went to school with had gone to college and had jobs and families. Worse, he depended on his mother, Rosemarie, for continued care, which she provided with such unstinting devotion that Buddy and his siblings would come to call her "Saint Rosemarie." But Jimmy says that as a grown man, it unsettled Buddy that she had to clean him as if he were a baby again. Jimmy says he remembers a day when he got a call from a woman who had been talking with Buddy on the other line and said, "I think something is wrong with Buddy." Jimmy then heard a crash and sprinted upstairs, where he found Buddy lying on the floor. Jimmy shouted, "Buddy, are you all right?" Sheepishly, Buddy looked up at him and said, "I fell out of bed."

Jimmy says Buddy would have been better off if he had had the use of his hands. And Rosemarie agrees. "As long as you have your hands, there is so much you can do for yourself," she says. Her son could have fed himself, brushed his teeth or written letters. Because he had some remaining strength in his biceps, he would swing his hands up whenever he had an itch on his face, position his head to the place where his

hands and the itch coincided, and then shake his head from side to side. When he wanted to change the channel on his television, he had to try to flip the remote up toward his face and switch it with his tongue. But Jimmy says Buddy was seldom more helpless than if there happened to be a fly in the room.

Somewhere overhead, he would hear it buzzing.

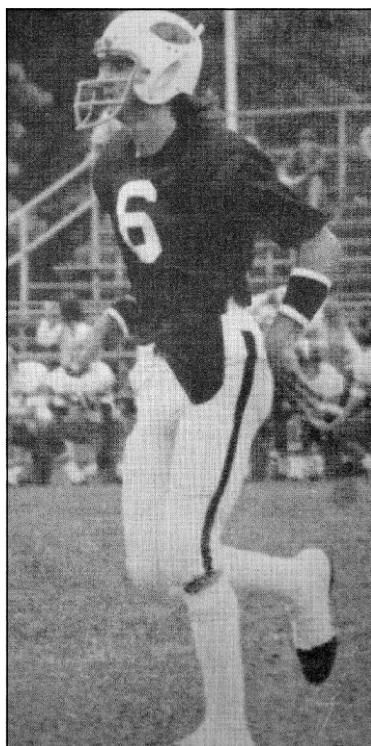
And then he would spot it, zipping this way and that, then landing and crawling along the window sill.

Then it would be up in the air again and diving toward his head.

"Jimmy!" he would shout. "Can you get that fly out? Kill this fly, would you!"

A Dodger, but very blue

When Jimmy Miley signed as a free-agent catcher with the Dodgers in November 1981, the first thing he did with his \$2,000 check was buy a Ford Pinto. Scouts had had their eye on him since his early days at Tennent. The Astros had selected him in the 10th round of the draft his senior year and the Indians chose him in the secondary phase that November. But Jimmy had not yet matured, so Buddy and others encouraged him to spend a year at Montgomery County Community College. "I was just a crazy, nothing-is-going-to-hurt-me-



Courtesy of Miley family

Buddy Miley's coach said he had the talent to play in college.

kid," says Jimmy, glancing at his mother seated on a sofa in his living room. Rosemarie smiles and says, "Everything was funny to him."

But that was just his way of trying to get Buddy to laugh. For hours they would sit together, if not laughing then arguing, the way brothers are apt to do. "Mom," Buddy finally would shout, "get him out of here!" Even

when Jimmy was with the Dodgers during an extended spring training in 1982, he called Buddy each evening and gabbed. All he could think of was his older brother lying paralyzed in Pennsylvania, and here he was playing baseball in the sunshine in Florida. As he looks back on it now, Jimmy wonders if a part of him subconsciously sabotaged himself, if only to get home and help take care of Buddy. He says now, "A friend told me, 'Jimmy, you could have made millions of dollars and given Buddy the money!' But I never looked at it that way. I just knew that I wanted to be home."

But the 6-2, 183-pound Miley played well enough that spring with the Dodgers. As he had in high school, he had some pop in his bat and was cagey behind the plate, with a fine arm. And yet it became obvious early on to the Dodgers that whatever skills he had did not offset his inability to focus. Even Jimmy concedes that now, saying he was always doing "dumb stuff." Such as not wearing his hat on the field or asking a coach in the second inning of a game, "Can I leave? I have to pick up my girlfriend at the airport." He says now that he behaved like he was playing on an American Legion team. Eventually, he was summoned into the office. He assumed the Dodgers were going to reassign him, but instead they let him go. As they began explaining why, Jimmy cut in and said,

When he wanted to change the channel on his television, he had to try to flip the remote up toward his face and switch it with his tongue.

But Jimmy says Buddy was seldom more helpless than if there happened to be a fly in the room.

"When is my plane leaving?" So he came back to Pennsylvania, thinking he would play sandlot ball to stay sharp in the event he could hook on with another pro team, and ended up taking Buddy to the healing shrine in France.

Thousands of ailing people were lined up at the church at Lourdes, legions of blind, crippled and diseased souls in solemn supplication. Jimmy shouldered Buddy from his wheelchair and dipped him into the waters. When Jimmy then took him out and began drying him off, one of

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THE ROUTE THAT LANDED 'DR. DEATH' IN PRISON

Jack Kevorkian is serving 10 to 25 years in a Michigan prison after being found guilty on April 13, 1999, in the death of Thomas Youk, a 52-year-old suffering from Lou Gehrig's disease. All of his requests for parole have been rescinded, the last time in December 2005. His lawyer has said that Kevorkian, 78, is seriously ill with Hepatitis C and will die within the year. He becomes eligible again for parole in 2007. Here's a brief timeline of the events that led to his imprisonment:



FILE PHOTO

Kevorkian, with his suicide machine.

- **1956**
Earns nickname of "Dr. Death" for publishing an article that espouses the practice of photographing the eyes of dying patients to help determine whether coma patients are still alive.
- **1970**
Becomes the chief pathologist at a Detroit hospital.
- **Late 1970s**
Leaves medicine and goes to Hollywood, where he dabbles briefly with trying to make a motion picture. His attempt fails.
- **1987**
Begins running ads in Detroit newspapers offering his expertise in death counseling.
- **1989**
Builds his suicide machine, called a "Thanatron," with \$340 worth of spare parts that allows patients to pull a trigger and inject themselves with lethal poison.
- **1990**
Present for the death of 54-year-old Janet Adkins, who has Alzheimer's disease. Occuring in his 1968 Volkswagen van, it's the first of around 130 deaths that he's linked to over the next 8 years.
- **1992**
Attends November suicide of Pennsylvania woman afflicted with cancer, the first of 10 deaths he attends over a period of 3 months that all involve the inhalation of carbon monoxide.
- **1995**
In June, opens "suicide clinic" in a Michigan office. A 60-year-old woman with ALS dies. Building's owner throws out Kevorkian a couple days later.
- **1996**
Jury acquits him in two deaths.
- **1997**
In June, Kevorkian's fourth trial ends in a mistrial in the death of a woman with multiple sclerosis.
- **1998**
The death of a 66-year-old Detroit man is Kevorkian's 100th assisted suicide. CBS's "60 Minutes" airs a videotape on Nov. 22 showing Kevorkian giving a lethal injection to Youk.
- **1999**
After a trial in which Kevorkian chooses to represent himself, a jury finds him guilty of second-degree homicide and delivery of a controlled substance in the death of Youk.

1950s

1970s

1980s

1990s

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ferred cocktails, Buddy had a couple of double shots; Jimmy held them up for him to sip. Upon landing at Detroit Metro, Buddy telephoned his sister Linda back in Pennsylvania to let her know what was happening. Jimmy rented a car, secured Buddy inside and placed his folded-up wheelchair in the rear. As they headed to the working-class enclave of Livonia, Buddy asked if they could stop for a comb to fix his hair. Jimmy snapped, "No," dismissing it as an odd request for someone so near death. Quickly, he upbraided himself, thinking, man, I am being a bleep, and acquiesced when Buddy again asked to stop for a comb. "OK, fine," said Jimmy, who wheeled the car into the parking lot of a convenience shop. Says Jimmy: "I think he just wanted to be in control until the end."

Jimmy checked into the Quality Inn under an assumed identity. As Jimmy paid in advance for the \$49 room, Buddy sat in the car and spoke on a cell phone with an old girlfriend. Jimmy does not know what was said, but that Buddy was emotionally depleted by the end of the conversation. Jimmy then wheeled his 41-year-old brother into the room, where they waited until Kevorkian and his technicians showed up. Kevorkian looked at Buddy and said, "So you're the celebrity!" Jimmy and his companion stood to the side as the technicians assembled their equipment. One of them asked Buddy not once but twice: "Are you sure you want to do this?" Buddy told them he did not want to do it. He had to do it.

No more reasons to hide

Jimmy was not there at the very end. He and his companion had a flight back to Philadelphia and were eager to get on it, given the possibility that they could be in legal jeopardy if they were connected to a Kevorkian-aided suicide. Unsure how his parents or his siblings would feel, Jimmy called ahead to his sister and said, "Am I allowed home?" Linda told him: "Everybody is all together waiting for you." And when he walked into the house later, one by one each of them wrapped Jimmy in a hug. While Rosemarie says even today that she would have blocked the door and not let Buddy leave that day for Michi-

gan, she sympathizes with the burden Jimmy bears and adds, "Suicide is a no-no and whenever I hear the word, I get uneasy. But I would never condemn anyone for doing it. Some people just cannot take it anymore."

Quietly, Jimmy remained in the shadows in the days that followed. While it did not come out in the published accounts of what had happened, it was understood in the community that Jimmy had gone with Buddy to Michigan. At the funeral, Jim Murray, the former Eagles general manager who provided the eulogy, hugged Jimmy and told him he would always be there for him. Coach Juzwiak also approached him at the service and said, "You did OK." Scared, Jimmy feared that he would be apprehended by the police at any point. But Michigan police have shown no appetite to pursue charges in cases against family members. Mayer Morganroth, the attorney for Kevorkian, says that it never has happened, and that even if the authorities wanted to at this point, the statute of limitations expired in 2003. The ailing Kevorkian, 78, is serving a 10- to 25-year sentence for a second-degree murder conviction in April 1999 stemming from the actual delivery of lethal chemicals into the body of an ALS victim that aired on videotape on "60 Minutes."

On certain days Jimmy can feel Buddy around him, and it reassures him that they are still a team. Occasionally, it comes to him in the form of a smell or perhaps some random remembrance: Of how when they came back from France, Jimmy carried him up the steps of the plane, looked over his shoulder and exclaimed, "Buddy, your pants are falling down!" Oh, how they would laugh over that later. Still the "crazy, nothing-is-going-to-hurt-me-kid" back then, he wonders why he had been spared in that car wreck and thinks that perhaps it had to do with the fact that he had to be there for Buddy until the end "to help him get out of Dodge." When he did that, he stood at the motel door and looked back at Buddy, hooked up to the equipment by then and surrounded by the technicians. He was not sure what to say, so he said in parting: "You're the Man!" But upon hearing that, Buddy elevated his head from the pillow and replied with his remaining strength: "No. You're the Man." ★

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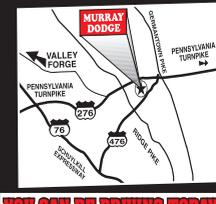
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