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|  | |  |  | | --- | --- | |  | News Archive  BETA | |  | |   Text   * [More](http://www.apnewsarchive.com/1996/Doctor-Pleads-Innocent-to-Late-Term-Abortion-Charge/id-4c7f3f89318f37bad4c7f4ce7c84558e)   **Doctor Pleads Innocent to Late Term Abortion Charge**  GRETA GUEST , Associated Press  **Jul. 26, 1996** 6:45 PM ET  HIGHLAND PARK, MICH. HIGHLAND PARK, Mich. (AP) \_ A doctor pleaded innocent Friday to charges he performed an illegal late-term abortion and faked records to cover it up. The case is the first prosecution under the state's abortion law since 1974.  Dr. Jose Gilberto Higuera is charged with performing an abortion on a woman who was 28 weeks pregant, four weeks past the limit set by state law unless the mother's life is in danger.  ``What concerns the doctor is the attack on women's rights,'' said Higuera's attorney, Max R. Hoffman Jr. ``Why is he being singled out?''  A former nurse tipped authorities to the abortion and provided medical records that she took when she left her job, said Donovan Motley, a special agent with the state attorney general's office.  Prosecutor Mark E. Blumer said it is the first time since 1974, a year after the Supreme Court legalized abortion in the Roe vs. Wade case, that a doctor has been charged with violating Michigan's abortion law.  The nurse, Rebecca Black, said Higuera regularly performed abortions beyond the 24-week limit, according to the complaint.  ``Whether one is pro-life or pro-choice, there is universal agreement that third-term abortions performed when the mother's life is not in jeopardy are unjustified,'' state Attorney General Frank J. Kelley said. ``Medical experts have stated that a fetus born after the 24-week period has a 90 percent chance of surviving to normal adulthood.''  Black told investigators that the Detroit woman, identified only as Jane Doe, requested the abortion. She said the ultrasound, performed by Higuera, showed the woman was 28 weeks pregnant.  Higuera performed a two-day abortion procedure on the woman Oct. 14-15, 1994, Black told authorities.  Ms. Doe told investigators she was not aware of the exact stage of her pregnancy and was shocked when Higuera told her the first stage of the procedure could induce labor, because she realized the fetus could survive on its own. The woman allowed Higuera to complete the abortion, the complaint said.  The ultrasound report given by Higuera to state health investigators indicated the fetus was 24 weeks old, according to the criminal complaint. Forensic document examiners said the records likely were altered in May 1995, Motley said.  Higuera was freed on $500 bond and faces a preliminary hearing Aug. 28. If convicted, he faces up to four years in prison on each of two felony charges.  © 2015 [The Associated Press](http://www.ap.org/). All rights reserved. This material may not be published, broadcast, rewritten or redistributed. Learn more about our [Privacy Policy](http://www.apnewsarchive.com/NewsArchive/PrivacyCenter.aspx) and [Terms of Use](http://www.apnewsarchive.com/NewsArchive/TermsOfUse.aspx).  [GOOGLEANALYTICS] |  |
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