

# Pot trial ends in mystery

Two unusual circumstances combined to make a routine drug trial a little out of the ordinary this week in 14th Judicial District Court.

A 12-member jury acquitted a 34-year-old defendant of the drug distribution charge, but not before a small quantity of marijuana which had been introduced as evidence turned up missing.

The foreman of the jury was a defense attorney who had been questioned and accepted by both the state and defense attorneys before being seated as a regular juror.

Judge John A. Patin ordered the release from bond of Marvin W. Ashworth of Starks after the jurors returned their unanimous not guilty verdict.

The jurors selected local attorney Stephen R. Streete to serve as their foreman during the hour they deliberated.

Sometime during that time, someone slipped the plastic baggie of marijuana out of the two manila envelopes in which it had been contained and removed it from the courtroom.

The 27 grams of "pot" was the contraband which had allegedly been sold by Ashworth to two undercover agents on Feb. 20, 1982. The transaction allegedly occurred in a car parked near the intersection of La. 109 and Navajo Trail in Starks.

Any evidence introduced during a trial is routinely marked and retained by a representative from the Clerk of Court's office until it is locked away.

The evidence in the Ashworth case was not readily detectable as marijuana since the actual "pot," contained in a clear plastic bag, was concealed inside two non-transparent manila envelopes.

Shortly before jurors returned with their verdict, the marijuana was discovered missing from the deputy clerk's desk in the courtroom. Both manila envelopes were still on the desk but the bag of marijuana was gone.

Ashworth's court-appointed attorney, Glen Vamvoras, had argued sheriff's deputies had identified the wrong man as the seller of the drugs: Ashworth, who has a prior criminal record, did not testify.

The case was prosecuted by Assistant District Attorney Gernine Mailhes.