

FOR THE DEFENSE

Those wacky cases. Who says the courts are boring? Who says Laws and Law suits are not funny! I know breaking the law is serious business, I'm thankful very day that people break the law, the cops catch them and the DA's prosecute. It keeps me in business.

FREE PARIS! No I'm not talking about the Allies liberating France in World War II. I'm talking about our favorite bon vivant, famous for being famous, publicity magnet heiress, Paris Hilton. She has received more publicity for this than when she did porn! She drove while drinking, she got caught, she caught a break, no DUI conviction. She was convicted of reckless driving. One of the consequences was that she lost her license for a while and was not allowed to drive. But that's just for ordinary people not Paris. She was caught driving not once, but twice! "I didn't know that! My Publicist told me it was ok, so I didn't talk to my lawyers!" Yeah right and would you like to buy some swampland in Florida? You could breed mosquitoes.

She was hauled back to court and the judge sentenced her to 45 days in jail, but due to over crowding she only needed to serve 22 days. But that was too much for our Paris. The sheriff let her do house arrest at her mansion. Oh those wretched conditions! Didn't the judge know about the Eighth amendment's ban on cruel and usual punishment? Apparently not, he summoned her back to court and sentenced her to 45 days flat in custody, no house arrest, no time off for good behavior, no get out of jail free card! Her parents were outraged she has been singled out. Maybe he did it to show that no one is above the law! She says she is suffering from mental problems. So do over 90% of inmates. It didn't help them, it certainly won't help her. She found God and dropped her appeal, such a trooper. I've heard thru the grapevine that her release from jail party will be an extravaganza! I wonder if she will be praying then? (For more booze?)

One thing that puzzles me, if she is worth more than 500 million dollars, don't you think she could have afforded a limousine? It's like Michael Vick getting caught with marijuana at the airport flying home. Michael, can't you afford to buy some weed and leave it at your house? Even broke stoners know that you don't carry weed thru and airport! But I digress.

If you think that's funny, wait until you read this! In Alabama, a woman who went for a horseback ride through town at midnight and allegedly used the horse to ram a police car was charged with driving under the influence and drug offenses. "Cars were passing by having to avoid it, and almost hitting the horse." said the Police Chief He said DUI charges can apply even when the vehicle has four legs instead of wheels. Police in the Northeast Alabama town received a call around midnight Saturday about someone riding a horse on a city street

Officer John Seals found Melissa Byrum York, 40, on horseback on a nearby road and attempted to stop her. Seals asked the woman repeatedly to get off the horse, but she kept trying to kick the animal to make it run, the Chief said. "She wouldn't stop, she kept riding the horse and going on" Gregg said. After ramming the police car with the horse and riding away, the woman tried to jump off but caught her foot in a stirrup, Gregg said. The officer took the woman into custody and found that she had crystal meth, a small amount of mj, pills and a small pipe. York was charged with DUI for allegedly riding the horse under the influence of a controlled substance. She was also charged with drug possession, possession of drug paraphernalia,

resisting arrest, assault, attempting to elude police and cruelty to animals. I spoke to a senior DA in Nevada and he did not think that a horse met the definition of a vehicle in Nevada. If she was riding in Las Vegas, she would have been fine. Remember, what goes on here stays here!

In Billings Montana. - It turns out there are no such things as unicorns C not even in a drunken driving case. A Billings prosecutor told a District Judge that Phillip C. Holliday Jr., 42, claimed a unicorn was driving when his truck crashed into a light pole earlier this month. The chief prosecutor said it was all a misunderstanding. Her Boss said deputy prosecutor, Ingrid Rosenquist, misunderstood an e-mail from a colleague who used the phrase "unicorn defense", thinking it was an actual statement from Holliday. "Unicorn defense" is a slang term used by prosecutors when a defendant blames some mythical person for a crime, he said "It's kind of a code (between prosecutors) and the code was misinterpreted" The DA said. He then apologized "to the public, the court, and to Mr. Holliday", for the confusion and said he has chastised the prosecutors involved. "It's a great story, it just isn't correct" he said. I've heard of blowing your own horn, but this is ridiculous! **You want magic? The truck tuned into a gas station.**

It's not drunken driving in New Jersey if it involves a Zamboni. A Judge ruled the four-ton ice rink-grooming machines are not motor vehicles because they are not useable on highways and can't carry passengers. Zamboni operator, John Peragallo, had been charged with drunken driving in 2005 after a fellow employee at the Mennen Sports Arena in Morristown told police the machine was speeding and nearly crashed into the boards. Police said Peragallo's blood alcohol level was 0.12 percent. A level of 0.08 is considered legally drunk in New Jersey. Peragallo appealed, and Superior Court Judge Joseph Falcone on Monday overturned his license revocation and penalties. "It's a vindication for my client" His attorney said after the hearing. "It's the right decision". The DA has not decided whether to appeal. Peragallo, 64, testified at his trial that he did drink beer and vodka, but not until after he had groomed the ice. But, he told police he had a shot of Sambuca with his breakfast, coffee, and two Valium pills before work. By the way, I went to prep-school with Jack Zamboni, whose Grandfather invented the Zamboni

A man wearing a woman's wig and a bikini was charged with taking a drunken afternoon romp through an Ohio park. Steven S. Cole, a 46-year-old volunteer firefighter, told an officer he was on his way to a Dayton bar to perform as a woman in a contest offering a \$10,000.00 prize. He pleaded not guilty Thursday to charges of drunken driving, public indecency and disorderly conduct. Cole was arrested after police received a report that an intoxicated man was walking and driving around Heritage Oak Park in Mason. Police said Cole was wearing a blond wig, pink flip-flops, and a red-black-and-white striped bikini with the top filled out by tan water balloons. His blood-alcohol test registered 0.174, more than twice Ohio's legal driving limit of 0.08, the arrest report said His trial has been set for May 24, 2007. Cole has been a Wayne Township firefighter since 2000. Township officials said he will be placed on administrative leave. Well that's it for this week. As Arnold says in the Terminator I'LL BE BACK!

Mace Yampolsky is criminal defense lawyer located at 625 South Sixth Street Las Vegas Nevada 89101. His office number is 702-385-9777. His website is www.macelaw.com. His column appears weekly in this newspaper. If you would like to comment on this article, he can be reached by email at myampolsky@lasvegastribune.com