

Judgement Day — A blog by Luke Sommer Glenn

After my first time busted, I had to travel back north to face the music. I could've skipped it altogether and probably avoided the hassles involved with making a court appearance in another state, the Commonwealth of Virginia or Virginia as I call it.

Seeing how I was born in West Virginia I didn't want to have to sweat it every time I drove up to visit the kin folks by having an outstanding warrant along the way. Offering to accompany me for the adventure was the shipping/receiving guy who was from Summersville, West BY GOD... That's a whole 'nother story...

Rodney Hypes, a convicted felon for safe cracking, was a partier just like most people at ESP. We built high resolution video projectors for flight simulators and XXX peep shows. We did a lot of business overseas as well. The service techs always looked forward to the machines that came from Amsterdam and so

did Rodney because the guys always packed in a little something something to facilitate a quick turn around on the repair.

At any rate we took off in the middle of the night as we had to wrangle party supplies for the trip which took longer than expected and cost more money than agreed upon originally but that's how black market capitalism works.

As a refresher, I was appearing for misdemeanor marijuana possession, felony for a concealed weapon and possession of alcohol in a dry county or some variation on that theme. The concealed weapon was a three inch long, Smokey Mountain "toothpick" knife that had fallen under the front seat during the trip - it was perfect for opening cans of snuff but you wouldn't clean a fish or gut a hog with it.

The whole court thing was as strange as it was stupid. We arrived early AM at the Bland County Circuit



I don't know whatever happened to Rodney. Last I heard he was picked up on a warrant for doing a little something something.

Court/Sheriff's Office/ County Clerk building. I was a day early in the mistaken belief that I could meet with the prosecutor and reach an agreement like they did on TV. Wrong. The asshole refused to see me, saying that he couldn't discuss the case. Turns out he wouldn't not couldn't. Asshole.

I figured it was some kind of ruse to make me hire a local attorney. I didn't qualify for the public defender because I wasn't a resident of the Commonwealth. Surrounding the courthouse is the "downtown" area of unincorporated Bland. There, amongst the local businesses, hung the shingle for an attorney. The ONLY attorney in town, an anomaly even for back in 1988.

The attorney was out of town but his assistant, a paralegal secretary, was willing to take my case. Or at least guide me through the process. I gave her my statement. She was concerned because I had been pulled over for having a radar detector (they were illegal in the Commonwealth). It was just the holder he saw, I had taken the radar detector off the bracket and stowed it away. The holder was a pain in the ass to get off the windshield, that's what I get for being lazy.

She spewed some technical sounding law jargon about improper cause or whatever. Lawyer speak makes my head hurt. My buddy Rodney thought telling the truth and admitting to possessing the marijuana they found in MY car was somehow the wrong move. But she's my lawyer, they can't defend you against shit you don't tell them about.

We checked into the local motel and Rodney knows how

small towns work. Every body knows every body. He tells the motel clerk/owner a half ass version of my tale of woe, stressing the little knife charge but not mentioning the marijuana charge. Rodney shushed me when I tried to tell the guy the WHOLE truth.

"I know the prosecutor, we'll just see about this knife and booze charge." the clerk says as he grabs the phone and calls the prosecutor at HOME. "Hey Billy Bob, yeah this is Pork Chop over to the motel." He proceeds with the half story with the prosecutor over the speaker phone.

The prosecutor rustles through some papers and comes back with, "Did they tell you about the sack of MARIJUANA the state patrol found?" The clerk was embarrassed and none too happy about being told a half truth. Rodney you dumb mother effer. No wonder you went to prison. If the guy had had any other guests he would have sent us packing. I felt an inch tall walking out of the office.

No sooner we get into the room and the paralegal is burning my ear off about the ill-advised call to the prosecutor. Small towns. She was there with the prosecutor when the motel clerk called. She HAD everything worked out but that phone call ruined my credibility. She made plans to come over and discuss my now-limited options. The prosecutor really wanted to hammer me now. Thanks Rodney.

Bless her heart. No one gave her any respect. Except me. That was my one saving grace. I recognized she was smart, if not smarter than anyone else in the room. She was waiting to take the Bar Exam and it seemed like the

men in town weren't happy about losing another potentially barefoot, pregnant and subservient wife to the professional world.

She had advised delaying until I could find an accredited attorney but I didn't have the luxury of time or money for that matter so I told her to just do the best she could. I didn't figure I would get jail time; it wasn't like I robbed a bank or banged the preacher's wife. It was a misdemeanor possession charge and when the court saw the knife I figured they would see it wasn't an assault knife.

The next morning in court seemed unusually packed. There had been scabs crossing the picket line at the coal mine and shots had been fired. I assumed it was busy because of the ruckus at the mines.

After a long, head-splitting round of lawyer speak the judge began addressing me. He has my homemade wooden box that contained several years worth of marijuana paraphernalia, empty bags with seeds and stems, rolling tray and accoutrements, pipes, lighters, matches, hanging "postal" scale, roach clips...

The prosecutor argues that I had intent to deal drugs in the Commonwealth. The problem was the Commonwealth had "misplaced" the ounce of marijuana I had intended on selling and that was a HUGE plus for me. "Far out" I say aloud and the paralegal girl stomps on my foot as giggles erupt around the room. The judge rolls his eyes, slowly shakes his head at the prosecutor.

I assured the judge that I am a pack rat and that's why I have all those empty baggies in the box. The prosecutor then alleges I have intent to cultivate because of the seeds but when the judge empties the seeds and stems onto his bench he can clearly see the seeds had been crushed by the process of being squeezed into a brick for easy shipping. Definitely no intent to growing those seeds as the court begins to see the humor in the absurdity of the whole process.

The judge lifts up an object from my box and asks me what it is. "It's the fuel vent valve from a Sea Ray boat," I answer. He sniffs it and says "it smells like marijuana". I shoot back, "Yeah it makes a good pipe too." More

laughter. My foot gets stomped on again.

Then he gets around to my knife and holds it up and asks, "Who is this for? The bad guys?" I burst out laughing along with the gallery, another foot stomp from my paralegal. I grabbed my Copenhagen snuff can from my pocket and the judge allows me to demonstrate my technique for breaking the label to open the can.

Lucky I was in a room full of tobacco users that could appreciate such a demonstration. I stick the can and the knife in my pocket and the prosecutor has a shit hemorrhage about states evidence and blah, blah, blah... they never did give me that knife back and it was a gift from my oldest brother. Asshole.

When it was all said and done they kept the \$2500 bail I posted and just when I thought I was going to walk away without further infringement upon my freedom the judge decides he would feel better if I were to agree to take ten random drug tests over the next year. No mention of the alcohol charge as I assumed as it wasn't on the evidence table it probably ended up in the same place as the misplaced weed.

Luke Sommer Glenn is a local entertainer and Conch Character.



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Somehow I managed to convince the judge to let me go to my doctor in Florida for the random testing as they surely didn't want me to become a resident pot head of the Commonwealth.

I actually paid \$50 out of my own pocket, passed a piss test and mailed the results back to the judge in Virginia with a note stating that was the last penny I was going to spend and that if he was interested in any more tests he would have to foot the bill.

I never received a reply so I thought I should get around to checking my status. Ten years or so later, I met a private dick from Virginia and he informed me that when the Commonwealth was scrambling to update ahead of the Y2K thing a lot of little shit like mine was deemed unimportant and didn't need to bog down the conversion to the new Y2K compliant computer system. Thank God for the work ethic of government employees... sometimes.

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