

Attorney said allegations of sexual favors are false

District Court to rule whether Centre County will be dropped from Scott's suit.

By Laura Nichols
COLLEGIAN STAFF WRITER

The attorney representing Centre County said allegations a former prosecutor only pursued the case against former Penn State football player Austin Scott to "curry sexual favor" with the plaintiff are false.

Now, the Pennsylvania Middle District Court could rule within the next 30 to 40 days on whether Centre County will be dropped from Scott's suit, County Attorney Joseph Green said.

But Scott's legal team isn't worried. Attorney John Karoly said "by no stretch of the imagination" will Centre County be dropped from his client's case — and it may be forced to provide information he said has been kept under wraps.

"The public at large has a right to know whether it is a violation of the law or hormones that drove the prosecutors of this office," Karoly said.

Karoly believes the county wants to stop the case from going any further to keep the public at large from ever knowing what really went on.

Karoly wrote in his Jan. 26 document that Centre County should have kept a closer watch on now-resigned prosecutor Lance Marshall, who had been the subject of other sexual harassment claims. His submission to the court details the actions of Marshall, who Karoly said was motivated to pursue the charges against Scott in order to gain sexual favors from Scott's accuser.

Monday marked the conclusion of the briefing period, and all documents by both parties have been filed, Green said. Green filed the

final reply brief Monday in response to documents opposing Centre County's request.

Scott, a one-time NFL hopeful, was arrested in 2007 after a woman said he sexually assaulted her in his on-campus apartment. After contentious legal wrangling both inside and outside the courtroom — resulting on a press gag order on all parties involved — all charges were dropped by the prosecution.

Scott is now suing multiple Penn State and Centre County officials, saying his prosecution ruined any chance of a career in professional football. He was removed from the team shortly after the incident for violating an unspecified team rule and was not picked in the subsequent NFL Draft.

Scott's charges were dropped after the court ruled evidence, indicating the alleged victim had previously made similar claims against another man, was admissible.



Scott



Customers walk to and from the former location of Tony's Big Easy, Lulu's Nightspot and Candy Bar and Lounge, 129 1/2 S. Pugh St.

More violations filed against bars

By Greg Galiffa
COLLEGIAN STAFF WRITER

Sammark Inc. owner Tony Sapia will have to delay selling his liquor license after authorities filed several more liquor violations against one of his bars.

After a two-year legal battle ended with the closing of Sammark's three properties — Tony's Big Easy, Lulu's Nightspot and Candy Bar and Lounge, all located at 129 1/2 S. Pugh St. — the Pennsylvania Bureau of Liquor Control Enforcement (PBLCE) has filed four new citations against Tony's that all stem from the past year.

PBLCE Sgt. Wayne Bush said the company will not be able to sell its liquor license until after the citations have been cleared.

"Technically they can't transfer the license until the latest citations have been disposed of," Bush said. "When the case is done, they can transfer the license."

Tony faces several citations including failing to follow the terms of a court order serving several people under the age of 21 and using a loudspeaker to play music loud enough that it was heard from the street, as well as harassment and simple assault charges against bar employees.

Police also said the charges will be presented before an administrative law judge who

could impose fines ranging from \$50 to \$1,000. Sapia's attorney, Robert Hoffman, said he doesn't believe these citations will cause any further problems for the company in regards to the sale. Since Sapia previously agreed to close the bars, Hoffman said this latest legal complication is "almost beside the point."

"It's not like these citations are going to end up with Tony's Big Easy losing their license, because they're going to be moving their license elsewhere," he said. "I don't see how these citations can allow the [PBLCE] to do anything more than they've already done."

Despite the ongoing troubles with the PBLCE, a buyer has expressed interest in purchasing Sapia's license, Hoffman said.

But the vacant space and outstanding legal issues may affect more than just Sapia's business, Downtown District Improvement Director Jody Alessandrine said.

"While he understands why the PBLCE is filing these charges, Alessandrine said the loss of property will only make it harder for residents and the town to move on. "It's important that properties be used in the most sensible way at the earliest possible time," he said.

Sapia could not be reached for comment as of press time.

By Greg Galiffa, gm5041@psu.edu

Attorney general may see DA case

By Laura Nichols
COLLEGIAN STAFF WRITER

A murder case regarding the 2006 killing of a Penn State senior could now be transferred to the Pennsylvania Attorney General's office from the Centre County district attorney's office because of a scheduling conflict.

Andrew Rogers was convicted in 2007 of murdering Penn State senior Youngcheol Park in 2006, though Rogers maintains he acted in self-defense against Park and a third man who was never found. Centre County District Attorney Stacy Parks Miller said she was not able to keep the case because of a schedule conflict, submitting a request to the attorney general's office.

Parks Miller could not elaborate on the subject of the scheduling conflict that moved the case out of Centre County.

The case currently is in the appeal stage. Centre County Judge Bradley P. Lunsford

ordered a new trial in December 2008 after new evidence surfaced about a man who matched Rogers' description of the third man, according to court documents.

But the prosecution said Rogers should not be allowed a new trial because his behavior was so intentional and egregious, Parks Miller said. The prosecution is currently in the appeal stage of the judge's denial of double jeopardy, she said.

Pennsylvania Attorney General's Office spokesman Eric Shirk said it is common practice for a district attorney to refer the case to the attorney general's office if that district attorney feels there is any potential conflict of interest or a lack of resources. Parks Miller wouldn't say if there was a conflict of interest.

David Crowley, Rogers' attorney, called his client's case a prominent one in the state and said he has been in contact with the deputy attorney general, who will be handling the appeal.

Once Crowley receives the brief written by the deputy attorney general, it will be decided whether the case warrants oral argument or further brief submission. Crowley said. Rogers told police he beat and choked Park with a rolling pin after the student pulled a gun on him in the midst of a fight with a third man he knew only as "Sweet." He turned himself into police several days after the killing.

Sweet has never been found, though one witness said a man matching his description sold him Park's Rolex watch after the murder. Prosecutors never turned over this evidence to defense attorneys, a mistake a judge ruled warranted a new trial.


By Greg Galiffa, gm5041@psu.edu



Rogers

TO DO LIST

- Order Penn State Class Ring**
Order official class ring through Jostens
- Order Graduation Announcements**
Let friends and family know about your accomplishments by ordering announcements through Jostens
- Order 09-10 La Vie Yearbook**
Captures everything from PSU football, student life and organizations to THON. Also includes 2 DVDs
- Get Graduation Cap and Gown**
- Attend Grad Finale to get Rings, Announcements, Yearbook, Caps and Gowns in one place!**




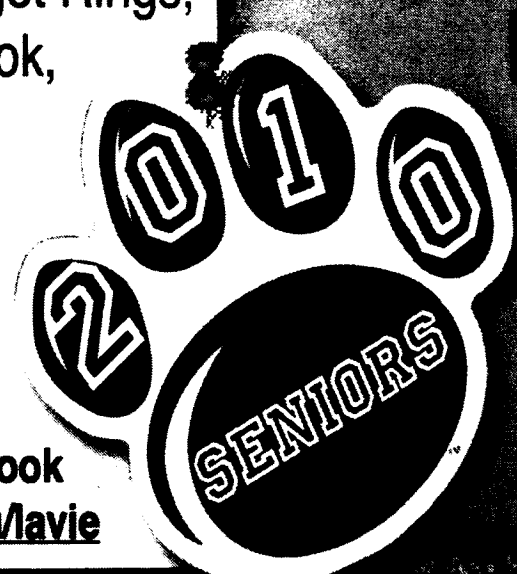
Don't miss Grad Finale!

Grad Finale

All of Your Graduation Needs In One Place

Feb. 8 - 9
11am - 4pm
HUB Bookstore

Everyone who attends can enter to win a Joe Pa autographed football jersey.

La Vie: The Penn State Yearbook
220 HUB, www.clubs.psu.edu/lavie