

Judge rules man's trial rights violated

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Authorities testified that Stephens and three other men wore clear masks with pink cheeks, carried pistols and used a stolen get-away car to rob at least three Baton Rouge banks in 1998. They formed their plan after watching "Set It Off," a 1996 movie about four women who turn to a life of crime to make their fortune.

Stephens was caught after witnesses recognized his telltale bald spot, which was not covered by his mask during the robberies. He was sentenced to 50 years and 10 months in prison.

In June 2007, the 5th Circuit Court of Appeals overturned the conviction, ruling the three years Stephens spent in prison without bond awaiting trial violated his right to a speedy trial.

The three-judge panel concluded U.S. District Judge John Parker, who presided over that case, should not have delayed Stephens' trial for seven weeks while considering a co-defendant's plea agreement.

The Speedy Trial Act stipulates a defendant's trial be held within 70 days of his indictment or initial appearance in court with allowances for certain delays, including pre-trial motions.

The appeals court decision left the door open for prosecutors to charge Stephens with the same crimes — and they did the next day.

Stephens spent three more years in federal custody on the second indictment, with the case now before U.S. District Judge James Brady.

Brady ruled in February that the seven years Stephens had been under indictment in total violated his Sixth Amendment right to a speedy trial.

U.S. Attorney David Dugas said his office has appealed the decision.

Dugas said Tuesday the first speedy trial violation was the result of a miscalculation. "Our conclusion was that several days were left on the clock," he said.

The delay in the second indictment, he said, was caused in part by the number of motions filed.

Stephens, who admitted using drugs while defending drug dealers, was released into the custody of his older brother, Harry Stephens, at about 11 a.m. Tuesday.

Brady, in a written ruling, said he does not consider Stephens, at 60 years old and having completed a drug treatment program, to be a danger to the community.

Stephens initially asked Brady to place him in Ecumenical House, 6749 Cezanne Ave., an area halfway house, saying he did not want to burden his family.

Terms of Stephens' release include electronic monitoring, random drug testing and home confinement while an appeal is pending with exceptions for church, legal appearances and medical treatment.

Two of Stephens' alleged accomplices — William Bernard Turner and Cleveland Golden — testified against him in the 2003 trial. Both pleaded guilty in exchange for counts against them being dismissed. Each was sentenced to 10 years in prison.

The fourth robber committed suicide in a standoff with authorities after a later robbery.

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