GENERAL NEWS

Jackets fall to Devils 4-3 in freeze out

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The Blue Jackets started out to a blistering 3-0 lead against the Deming Devils Monday afternoon at NCHS, but as the temperatures plummeted (the wind chill reached a crisp 31 degrees) so too did the Blue Jacket's ability to score.

The Jackets lost 4-3.

"We just didn't get the clutch hits," Jackets' Coach Travis Sims said after the game. "We ended up leaving about a dozen runners on base in scoring position. We didn't have any trouble getting on base, but we just couldn't seem to score even though we had lots of opportunities."

Jonathan Mattox caught a strong game and hung tough defensively, making a critical tag at home plate to end a Deming rally in the second inning.

Alex Florence pitched well through the entire game for the Blue Jackets and was an offensive threat as well.

"Alex certainly pitched well enough to win," Sims said. "And that's not meant to take anything away from Deming. They played well."

Sims said his team has just not been effective enough offensively throughout the season and he kept the members after the game discussing the rest of the season.

"I've challenged some more of our players to step up," he said.

The Blue Jackets played Harrison County Tuesday afternoon at NCHS. Details of that game will appear in next week's edition of the Carlisle Mercury.

Photo by Charles Mattox

Blue Jacket's baseball standout pitcher Alex Florence hurled seven strong innings against the Deming Devils in a frigid 4-3 loss at NCHS Monday.

ABNEE

Continued from Page 1

not shut adquately, and yet there were other individuals in the home when the alleged incident occurred who told investigators and in certain cases, jurors as they also testified, how they heard nothing other than normal conversation and saw no indecent acts of any kind.

Wright and his assistant Michael Laws, whom Wright praised for his detailed and thorough assistance on all aspects of the case, especially the DNA analysis presentation, then rested their case.

Bogucki called Josh Abnee to the stand to testify on his own behalf.

Abnee appeared relaxed and delivered his answers calmly while looking directly at the jurors without once blinking or stammering.

His answers, like his eye contact with jurors, were steady.

Under questioning from Bogucki, Abnee said the alleged victim was present at the home, but the only thing that happened between them was that he had taken two pills from the girl for her own protection.

Even Graves testified that the scenario was the same that Abnee had given him during his investigation.

Bogucki asked Abnee point blank if he had sex with the girl.

"No. I didn't ever have sex with her," Abnee said.

"Did you pull her pants down?" Bogucki asked.

"No!" Abnee answered while looking intently at the jurors.

In his closing statements to the jury Bogucki asked them to examine possible motives by law enforcement. He asked the jurors to "make the system work" and to "hold onto their beliefs." He said if they did these things he believed they would return with a verdict of not guilty.

Wright said the only way they could return with a not guilty verdict was "if they believed in coincidence upon coincidence upon coincidence."

Wright asked the jurors to "believe scientific evidence" and "the victim's testimony."

He emphasized the consistency of Abnee's statements to the jury.

"Mr. Abnee's statements have been corroborated by everyone," he said while encouraging the jurors to explore "reasonable doubt" to the charges.

The jurors leaned forward, making their chairs squeak all the louder, as they listened intently to Wright.

"He (Abnee) wants you to believe he's a knight in shining armor that took controlled substances away from a young girl," Wright said while delivering a passionate closing argument.

Wright said the victim had understandably been dreading her testimony.

"But that's not the same thing as saying this didn't happen," he said forcibly. "I'm asking that you find the defendant guilty."

Although it took the jurors over three hours, they did return with a verdict at 6:18 p.m., finding Abnee guilty of sodomy, second degree, and not guilty of unlawful imprisonment.

Silence momentarily engulfed the courtroom as the guilty verdict was read and Abnee turned pale.

As Judge McGinnis began the penalty phase of the trial the sobs from several Abnee family members were quietly reverberating around the courtroom.

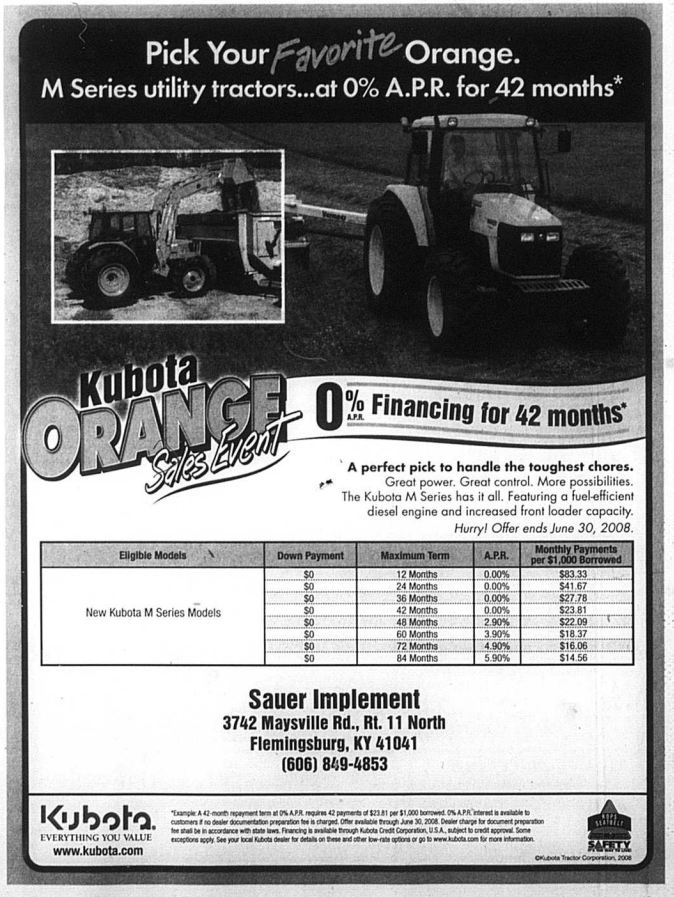
When David Wise, an officer with the Commonwealth's Division of Criminal Justice Probation and Parole section, announced that Abnee would be listed as a registered sex offender for the entirety of his life, the lamentations of Abnee's loved ones sliced through the courtroom like a verbal knife as two members of the family rushed from courtroom, unable to compose themselves.

Abnee was visibly saddened as he had embraced his family members while the jury members deliberated on the penalty phase of the trial after they found him guilty.

The Honorable Judge Robert McGinnis instructed jurors were by that the penalty required a sentence of between five and ten years

Wise told jurors that Abnee would normally be eligible for parole in one year if he was given a sentence of five years and he would be eligible for parole in two years if given a sentence of ten years.

Under questioning by Bogucki, Wise admitted that even if Abnee were given a sentence of five years he would not be eligible for parole after one year, as Abnee must complete a sex-offender program.

Wright later stated that most such programs take up to 24 months to complete.

Abnee was escorted from the courthouse by Nicholas County Jailer Jeff Sides to immediately begin his sentence.