

SOPER'S
FAMILY DRUG
 192 South Broadway Corner
 of Broadway & Market St.
 Phone: (859) 289-8501
 Hours: Mon. - Fri. 8:30 a.m. - 6 p.m.
 Sat. 8:30 a.m. - 1:30 p.m.
 "The Only Pharmacy Your Family Needs"

The Carlisle Mercury

Vol. 143 No. 8 The Nicholas County News Since 1867 Wednesday, February 25, 2009

Principal suspended, arrested

By Charles Mattox
 News Reporter
 charles@thecarlislemercury.com

Nicholas County High School Principal Joe Orazen, 35, was suspended from his job Feb. 18 and was arrested later that day. Both actions came in the wake of a Feb. 10 incident at the high school.

Carlisle Police Officer Sgt. Darrell Layne arrested Orazen at 6:10 p.m., Feb. 18 at the Carlisle Police Station. Layne charged Orazen with assault, 4th degree, which is a class A misdemeanor.

Orazen's suspension and arrest comes in the wake of an incident, between Orazen and a juvenile male, which occurred Feb. 10 immediately after school.

School sources say the incident was a result of cell phone usage that was disrupting classes. Cell phones were being used in excessive numbers that day due to

the incident at the Deposit Branch Bank, located across the road from the school campus.

Orazen called for assistance several minutes before the incident because physical with the juvenile. Sources say he received no assistance.

School Resource Officer, Nicholas County Deputy Sheriff Bennie Buckler, was completing his interrogation with suspected bank robbers, Thomas Holder and Pamela Shepherd, and briefing federal agents at the time of the incident.

Orazen's arrest warrant, signed by Layne, Special Prosecutor Charles Kuster, who is the Harrison County's County Attorney, and Nicholas District Court liaison Eric Tedder, states that on or about Feb. 10, Orazen, "intentionally or wantonly caused physical injury to another person, defendant lifted a 16-year-old juvenile off the ground and slammed him to the

ground twice, and placed his knee on (juvenile's) head and the juvenile's shoulder, causing physical injury to the juvenile, towed bruising and abrasions to the orbital socket and to his side," according to the arrest warrant.

Orazen's bail was set at \$7,500, which was immediately posted and he was released from the Montgomery County Detention Center.

Sources in Nicholas and neighboring counties have commented that the amount of bail seemed unusually high for the charge, with more than three sources saying that most assault, 4th degree, cases have no required monetary bail, but rather an O.R., or own recognizance bail.

Carlisle Chief of Police William Denton said Monday that neither he nor any of his officers is involved in establishing the amount of bail on any charge.

Kuster was reluctant to comment, but did say that

he "had no idea" why the bail was \$7,500.

Tedder declined comment.

By comparison, Thomas Holder, mentioned above and who had charges of convicted felon in possession of a firearm; possession of a controlled substance and possession of drug paraphernalia, bonded over to the grand jury in Nicholas District Court last week for his involvement the same day at the bank, which consequently placed the school on heightened alert, has a \$5,000 cash bond with ten percent, or \$500 being acceptable to post bond on those Nicholas County criminal charges.

Holder was found to be in possession of a 12-gauge shotgun, as is a convicted felon.

Orazen, by all accounts has no felony record and was not in possession of a weapon at the time of the incident.

Kuster was appointed to

the case due to a conflict of interest with attorney Dawn Letcher, who is the school system's attorney.

Letcher's name does not appear on Orazen's arrest warrant.

Orazen was suspended from his position as high school principal a few hours prior to his arrest. "The following decision has been made by Nicholas County Superintendent Greg Reed," states a press release issued by Hank Bond, Director of Public Relations and Communications at the school system.

"Mr. Joe Orazen is suspended and he has a right to request a hearing from the Commissioner of the Kentucky Department of Education. The district will make no other comment or answer any questions concerning Mr. Orazen until due process has been served."

A video, allegedly recorded from school surveillance cameras, showing portions of the incident between Orazen and the male juvenile

was posted on the Internet. The envelope arrived at our station unmarked, with no return address on Feb. 17," Moore told The Mercury. "We have no idea who sent it or where it came from."

The Mercury is making a formal written open records request this week to inspect all audio and video transmissions made on school grounds Feb. 10.

Verbal requests to view the tape by Mercury personnel were denied.

Requests are also being made to inspect all policies regarding cell phone usage and policies on restraining unruly children as well as policies regarding the punishment of children.

Speculation continues on who sent the video to channel 18 news.



Firefighters battle blazes, gas spill

By Charles Mattox
 News Reporter
 charles@thecarlislemercury.com

Nicholas County firefighters battled two large grass fires last week and Carlisle firemen also responded to a dangerous gas spill.

County Fire Chief Mark Hughes led his firefighters Feb. 17 in battling a 60-acre fire, located between Crooked Creek Road, Ritchie Road and Bald Hill Road.

The fire began as a small, controlled brush fire, which Todd Banta started on his father's farm, north of Barterville. The recent ice and snowstorm had felled several trees and large limbs, blocking a stream and creating a natural dam, which was causing flooding to occur.

"I never dreamed the fire would spread because it was wet and muddy from the recent weather," Banta said. "I walked up the hill to the house to get a rake and before I got to the top of the

hill my father yelled at me and the fire just took off." Banta, his parents, R.J. and Mary Banta, as well as his two-year-old daughter Lillian, were all watching near the fire.

"Lillian thought it was fun and watched the entire time, about seven hours, but the rest of us were scared. The firefighters really saved the day," Banta said. "I felt so bad. Those guys bailed me out and I deeply appreciate all of their tireless work."

Banta was so grateful that he is preparing a chicken diner for the firefighters at the firehouse Feb. 24. He will also be making a monetary donation and encourages others to do likewise. "I live in May's Lick and they have a great fire department, but I know those guys and I was just so impressed with the dedicated hard work that the Nicholas County firefighters put in. I was really impressed with their devotion. Sometimes folks in the community don't know what they have; well Nicholas County has a

great fire department. I've seen them in action with my own eyes."

Firefighters were able to stop the spreading blaze before property was significantly damaged.

"The fire almost made it to three houses and a barn," Hughes said. "I can't give our firemen enough credit. They are a great bunch of guys and are very dedicated to protecting the community. I simply can't say enough about them."

The same firefighters were also called to Moorefield Saturday to fight another grass fire, which consumed several bales of rolled hay but through the efforts of firefighters, was contained. Carlisle firefighters under the direction of Fire Chief Jeff Jefferson prevented a hazardous gasoline spill from igniting last week when they responded to a gas leak at Shell Food Mart on Concrete Road.

City firefighters were joined by Carlisle Police Officers and contained the spill and prevented damage.

McClain sentenced

By Charles Mattox
 News Reporter
 charles@thecarlislemercury.com

Following the recommendation of a January Nicholas County Jury, Circuit Judge, Honorable Robert McGinnis, sentenced Johnathan "Big John" McClain to ten years imprisonment after McClain was found guilty of burglary and other charges during last month's trial.

McClain, 29, was found guilty of burglary, first degree; theft by unlawful taking, more than \$300, and criminal mischief, first degree, at the conclusion of a daylong trial Jan. 13. The charges stemmed from a May 2008 break-in at AK Liquors on Concrete Road on the western edge of Carlisle.

McClain's attorney, James Brannon, asked last Monday that Judge McGinnis consider probation or shock probation at a later date. Brannon argued that such

merciful leniency would "make (McClain) a better person down the road."

Judge McGinnis pushed while examining court documents before sentencing McClain to ten years imprisonment on the burglary charge and ordered that the sentences for the lesser offenses to run concurrent (at the same time) as the burglary charge.

McGinnis also ordered that McClain pay over \$4,000 restitution to AK Liquors.

Justin L. "J-Digs" Linville, 19, was also arrested and charged in connection with the burglary. Linville and McClain were indicted on identical charges by an August 2008 Nicholas County Grand Jury.

Linville's trial is pending and he was an astute observer at portions of McClain's trial. He joined jurors, McClain's attorney James Paul Brannon, Judge

McGinnis and others present in the courtroom, who scrutinized the trial.

Judge McGinnis told McClain Monday that in the event that his co-defendant Linville was found guilty then he too would share in the restitution, which would make McClain's portion half of what it currently stands at.

Carlisle Chief of Police William Denton led the burglary investigation and was among those who testified during last month's trial.

"We've collected solid evidence in this case," Chief Denton told The Mercury immediately following McClain and Linville's arrests.

McClain appeared remorseful during sentencing and later, as he was led from the courtroom warmly embraced by family members and loved ones.

Linville's trial is currently scheduled for next month in Nicholas Circuit Court.



Johnathan McClain, left, joins his attorney James Brannon and Assistant Commonwealth Attorney Michael Lewis at the bench in Nicholas Circuit Court Monday for McClain's formal sentencing.

DOYLE
 Mobile Homes, Inc.
 "Make your house a home!" Since 1962
 Rt. 11 North & Mayville Road, Flemingsburg, KY
 Weekdays 9 a.m. - 5 p.m.; Sat. 9 a.m. - 5 p.m.; Closed Sunday
 606-845-8601 • 606-845-0301 • 606-845-0526
 www.doylemobilehomes.com

Cheaps
 714 W. WATER ST. FLEMINGSBURG, KY 41041
 Your Local Homeowner Dealer
 Phone (606) 845-2261
 Fax (606) 845-2441
 Toll Free 1-888-845-2261
 Visit us at www.cheapscheapest.com

Real Estate For Sale
 441-Across Penny Creek Rd. Hwy 82 Harrison Co.
 45 Acres Haystack with Nice Home Dayton St. Lot
 We also have Homes at Lake Carzok, Cliffway Dr., Law Estates, West Ridge, Dorsey Ave., Second and Elm St.
 (859) 289-5594
 110 S. Broadway - Carlisle
 See our Website
 Real Estate is What We Do!
 Buy or Sell Call Us Today!