

# GENERAL NEWS

## TRIAL

Continued from Page 1

The Commonwealth has objected to the request stating these records were inadmissible and confidential. Franklin commented on that following the hearing in Harrison County. "The law is pretty clear on that," he said. "Any knowledge the defendant has of any violent activity of Mr. Green would come into play as far as the degree of resistance or force that one is entitled to use."

Page 42 of the Nicholas County Schools student and parent handbook addresses the issue of physical restraint/corporal punishment.

"Employees are authorized by law to physically restrain students as necessary for the following reasons: to protect themselves, students, or others from physical injury; to get possession of a weapon or other dangerous object; or to protect property from serious harm."

Franklin commented additionally. "I think this is simply a matter of restraint and not assault," he said. "Mr. Green had actually left school and he was seriously agitated when he returned. He had absolutely no way of knowing if Mr. Green was armed, where he had been when he left school, or what he might have in his possession. It's not just a question of if my client felt threatened but if he felt anyone at the school was threatened, as well. He called for assistance and when no assistance came and Mr. Green became even more agitated, he restrained him."

Franklin stated and Orazen confirmed that he would take the stand in his own defense during the trial.

Franklin said he believes a much-publicized video of the incident between Orazen and Green will be crucial to proving his client's innocence. "Mr. Orazen's feet never left the ground. He took no aggressive action other than to restrain Mr. Green. The video clearly shows that. We also have a parent of a student that was an eye witness we may call during the trial."

Kuster recently listed his reasons to see the case moved out of Nicholas County in his motion for a change of venue, which specifically lists four causes (reasons).

The first includes in part his statement that,

"substantial pre-trial publicity of particular concern to the residents of Nicholas County, Ky., in local, state and national media."

Kuster lists his second reason as, "the defendant is a member of a large and influential family in Nicholas County."

His third cause states in part that "it is certainly difficult to gauge the feelings of the community, but it is the general impression of counsel that the community is somewhat polarized, either for or against the defendant, and that it may very well be difficult to find an objective and fair jury of persons able to set aside their views, either as the result of the publicity in the case on television or their connection to the defendant's family, or whatever other prejudices may be present."

Kuster's fourth and final reason states, "That it would be in the best interest of the Commonwealth and the defendant that this matter be tried in another county to ensure a fair and impartial re-

sult."

Franklin filed a response to motion for change of venue with the courts and objected to moving the trial out of Nicholas County. Franklin states in his response that the Commonwealth's reasons are "insufficient to justify moving the trial at this time, are purely speculative in nature and are not supported by any evidence or testimony by any members of the community to substantiate the speculation."

Franklin admitted to the defendant, and that it may be difficult to find an objective and fair jury of persons able to set aside their views, either as the result of the publicity in the case on television or their connection to the defendant's family, or whatever other prejudices may be present."

as Kuster's concern for Orazen's "large and influential family" allegedly located in Nicholas County.

"The defendant is from Ohio," Franklin clarified in the response. "And has no family in Nicholas County excepting his sons are 'insufficient to justify moving the trial of about ten people.'"

Franklin adds the Commonwealth's motion regarding "the inability to gauge the feelings of the community, that statement speaks for itself and acknowledges that it is unknown and speculative in nature."

Franklin concludes his response in part with the following statement: "The defendant (Orazen) at this point in time has an absolute right to have the case tried in Nicholas County both constitutionally and statutorily, absent a showing by the Commonwealth that it is impossible to seat a fair and impartial jury in Nicholas County, and the verified motion filed by the Commonwealth falls woefully short of that standard at this time."

Judge Delaney has ruled that attempt to seat an impartial jury in Nicholas County will be made.

As it stands the two-day assault trial of The Commonwealth of Kentucky versus Joseph Orazen will begin as scheduled on December 17.

Hank Bond, Public Relations and Information Officer of the school system released the following statement on Feb. 13, 2009.

"Respecting the principles of due process, it is only possible to state at this time Mr. Joe Orazen is not serving as principal of Nicholas County High School. "Respecting those principals the district can-

not confirm nor deny any information surrounding this issue or answer questions concerning this in any way, until due process has completely run its course."

A second release was issued from the school on Feb. 18, 2009.

The following decision has been made by Nicholas County Superintendent Greg Best:

"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."

### Having an event?

Get the word out!

Contact Melissa to get it on the Calendar of Events

**KEN'S AUTOS**  
**KEN ISAACS OWNER**  
 AUTO BUSINESS 45 YEARS

**859-987-0770**  
**www.KENSAUTOS.NET**  
 1801 Main St., Paris, KY  
 Open: Mon.-Fri 8-8, Sat. 9-5

**2004 Toyota Tundra**



Double cab, SRS Edition, local trade in, 2933b

**\$29589** payment "0" down

**2003 VW Jetta GLS**



Sunroof, lady driven, #111a

**\$18922** payment "0" down

**2006 Toyota 4-Runner**



SRS, one owner, Toyota Quality

**\$24,400** ~~was \$22,500~~

**2003 Crown Victoria LX**



Leather interior, great payment, #429

**\$17988** payment "0" down

**2005 Cadillac Deville**



Cadillac Luxury at a Low Payment

**\$28466** payment "0" down

**1998 BMW 327i**



Hard to find, local trade in, #435a

**\$9,800** ~~was \$8,500~~

**2003 Ford F-250 Supercab**



Super Duty Diesel, 4x4

**\$18,900** ~~was \$16,980~~

**2005 Landrover LR3-SE**



One owner, 4x4, never been in snow

**\$22,700** ~~was \$21,542~~


**2003 Acura TL**



All the options - must see!

**\$27938** payment "0" down

**2004 Chevy Silverado**



Ext. cab, 4x4, 271 package, #433

**\$14,900** ~~was \$13,900~~

**1996 Chevy Tahoe**



local trade-in, 4x4, #310c

**\$6,500** ~~was \$5,900~~

**Manager's Special**



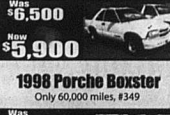
**2002 Dodge Ram 1500**



Quad cab, 4x4, ready for hunting season.

**\$13,900** ~~was \$12,892~~


**2001 Chevy Blazer**



2-door, sunroof, #431

**\$6,500** ~~was \$5,900~~

**1998 Porche Boxster**



Only 60,000 miles, #349

**\$14,880** ~~was \$13,973~~

**AUCTION NOTICE**  
 89 32 Ropes OR 45182  
**Sun. Sept. 13th 10:00**  
 New Building Supplies  
 Plus  
 Over 40,000 Sq. Ft. of Flooring  
 Beautiful Hardwood Flooring  
 Ceramic Tile - Laminate  
 Carpet & Pad - Vinyl  
 Great Selection of Kitchen  
 Cabinets - Ext. & Int.  
 Doors - Several Matching  
 Sets of Windows - Comp.  
 Decking - Treated &  
 Dimensional Lumber - Trim  
 Scratch & Dent Appliances  
 E.g. Asst. of Concrete  
 Access - Material Spreader  
 '91 Lincoln LS Loaded  
 & More  
 Call or See Web for  
 Complete List & Terms  
 Towler's Auction Service Inc.  
 Mike Towler - Auctioneer  
 513-369-7779  
 www.towlersauction.com  
 www.auctionzip.com #12784

**Bad things happen to good people. We can help re-establish your credit. Come in and find out how!**