

# Feds stumble again with split verdict in Bundy standoff case

Two found guilty, mistrial for four other defendants

By **KEN RITTER**  
Associated Press

LAS VEGAS — Government prosecutors stumbled again Monday in a bid to gain convictions of armed protesters in a case arising from skirmishes in a decades-old battle over control of public lands in the western United States.

A federal jury in Las Vegas found two gunmen guilty of some charges in a 2014 armed standoff that stopped federal agents from enforcing court orders and confiscating cows belonging to Cliven Bundy from public rangeland near his Nevada ranch and melon farm.

But the same jury deadlocked on charges against four other defendants, prompting the judge to declare a mistrial and schedule a new trial June 26 — the same day 70-year-old Cliven Bundy, sons Ammon and Ryan Bundy, and two other alleged conspiracy leaders are set to be tried.

“They split our way, anywhere from 10-2 to 7-5, not guilty,” Jess Marchese, attorney for defendant Eric Parker, said after prosecutors and defense lawyers met behind closed doors with the judge and several jurors to talk about the case.

Acting Nevada U.S. Attorney Steven Myhre and three other prosecutors in the case didn’t immediately respond to messages.

“Intent. They said the government did not prove intent,” Todd Leventhal, attorney for Scott Drexler, said of the jurors. “They felt there was a lot of evidence that didn’t go anywhere.”

The jury also failed to agree on guilt or innocence for Richard Lovelien of Oklahoma and Montana, and Steven Stewart of Idaho.

Gregory Burleson of Phoenix was found guilty of eight counts, including assault and threats against federal agents and extortion — crimes of violence carrying the possibility of 57 years of mandatory prison time at sentencing July 26. His attorney, Terrence Jackson, said Burleson will appeal.

Todd Engel of Idaho was convicted of obstruction and traveling across state lines in aid of extortion. He could face up to 30 years in prison at sentencing July 27.

## Split verdict

It wasn’t immediately clear whether the trial for Cliven Bundy and his sons will be pushed back. Defense attorneys and family members complain that they have already been in federal custody and away from their families for more than a year.

The split verdict was a setback for the government in a case where evidence clearly showed the six men brought



AP Photo/John Locher

Supporters raise a flag outside of the federal courthouse on Monday in Las Vegas. A jury found two men guilty of federal charges in an armed standoff that stopped federal agents from rounding up cattle near Cliven Bundy’s Nevada ranch in 2014. Jurors said they were deadlocked on charges against four other men.

**‘The only thing more powerful than the U.S. government is a fair and impartial jury.’**

**Bret Whipple**  
Cliven Bundy’s attorney

assault-style rifles to the standoff near Bunkerville.

When government agents backed down and states’ rights advocates declared victory, it reverberated in areas where Bundy is admired for declaring that property belongs to the people, not the government in Washington, D.C.

Myhre had characterized the six as the least culpable of the 17 to be tried in the case, and their trial was seen as a test-run of a key conspiracy charge alleging that Bundy and his two eldest sons headed a conspiracy to wage a “range war” against the government.

The outcome echoed an Oregon case, where a federal jury last year acquitted Ammon and Ryan Bundy and five other defendants of all charges related to a 41-day occupation of a U.S. wildlife refuge — including that they conspired to impede federal officers from doing their work.

In Las Vegas, one conspiracy count alleges a plan was made to commit an offense

against the United States, and that defendants then took part in it. A second count alleges that conspirators agreed to impede and injure a federal law enforcement officer.

“The only thing more powerful than the U.S. government is a fair and impartial jury,” Cliven Bundy’s attorney, Bret Whipple, declared Monday. “This gives us confidence that the primary witnesses against him are of limited value.”

Whipple noted that it took two years to bring charges in the Bunkerville case and three years to bring it to trial, which took two months. The government presented 35 witnesses, including police officers and federal agents who sometimes became emotional describing fears that they wouldn’t make it home from the standoff alive.

## Cattle fight

The six defense teams provided four witnesses, including Parker. He was the only defendant to testify. He was

famously photographed lying on a freeway overpass during the standoff, looking with his AK-47-style rifle through a seam in a concrete barrier toward heavily armed federal agents guarding a cattle corral below.

The agents had been enforcing court orders to get Bundy cattle off public lands for his refusal to pay grazing fees.

But Parker testified he came to Nevada from Idaho with friends and co-defendants Drexler and Stewart after seeing accounts of Bundy family members met with police dogs, knocked down, stungun and arrested in earlier scuffles with federal agents.

He was asked by prosecutor Nicholas Dickinson about comments he made on the overpass about needing to “keep matching the show of force” against federal authorities.

“Just like Cliven Bundy told you to do, correct?” Dickinson asked.

“Nobody told us to do anything, sir,” Parker answered.

# Woman sues hospital over troubled surgery

By **DERRICK DePLEDGE**  
The Daily Astorian

A Cowlitz County, Washington, woman has filed a \$558,000 medical malpractice lawsuit against Columbia Memorial Hospital, claiming a doctor perforated and failed to repair her bladder during vaginal mesh surgery in 2015.

Grace Mitchell is seeking \$58,000 in medical expenses and \$500,000 in noneconomic damages for incapacity, pain and other trauma. The lawsuit, filed Thursday in Circuit Court, names the hospital and Dr. David Lei-

bel, who practices osteopathic medicine.

Paul Mitchell, the community outreach manager at Columbia Memorial, declined to comment. The hospital typically does not comment on pending litigation.

Matthew Andersen, a Longview, Washington, attorney, is representing Mitchell. The suit alleges Leibel failed to use the degree of care, skill and diligence ordinarily expected of doctors during the June 2015 surgery.

“Basically, it took three procedures to get it fixed,” Andersen said.



AP Photo/Elaine Thompson

A rainbow arc fills the sky and spreads across Elliott Bay and downtown Seattle. The National Weather Service says the city has measured 44.7 inches of rain in the city between October and so far in April. That makes it the wettest such period since records began in 1895.

# Soggy Seattle lives up to name, breaks rain record

By **PHUONG LE**  
Associated Press

SEATTLE — Soggy Seattle has broken another rainfall record.

The city measured 44.7 inches of rain between October and April, making it the wettest such period since records began in 1895, the National Weather Service in Seattle said.

It marks the second year in the row that the city has topped the historic rainfall record for that period.

With several days left to go this month, this year’s record will likely be padded some more, said Mike McFarland, a meteorologist

with the service in Seattle.

“This has been a terrible winter. It was just wet. There’s no way around that,” he said Tuesday.

The previous record was 44.5 inches of rain for the October 2015 to April 2016 period. The normal amount of rain during that period is usually 30.9 inches.

In the Pacific Northwest, cold-weather systems move through the region with dry breaks in between but McFarland said “we’re missing those breaks.”

Last winter’s storm season was notable for back to back weather systems that were slightly wetter and warmer than normal, McFarland said.

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