

No May court date for federal Bundy standoff case in Nevada

By KEN RITTER
Associated Press

LAS VEGAS — There won't be a federal trial next month in Las Vegas for rancher Cliven Bundy and 18 other defendants in an armed confrontation with government officers two years ago.

In a written ruling issued following a two-hour hearing in a courtroom crowded with defendants, attorneys, U.S. marshals and audience members, U.S. Magistrate Judge Peggy Leen essentially called a May 2 trial date unrealistic.

She noted that none of the 19 defendants has received any of the evidence against him for review, and five defendants who've been in custody in Oregon were arraigned just last week.

Her order didn't set a new date.

Federal prosecutors want a trial date next February, due to the number of defendants and the exceptionally large amount of evidence

they need to exchange with defense attorneys.

Fourteen of the defendants say they want to exercise their right to a speedy trial.

The indictment charges conspiracy, obstruction, weapon, threats and assault charges that could get each man the equivalent of life in prison in the standoff with federal agents about 80 miles northeast of Las Vegas.

All are currently in federal custody. Friday was the first time all appeared in one courtroom together.

Leen has yet to rule whether the case will be tracked as "complex."

Prosecutor Steven Myhre put the amount of video to be turned over to defense attorneys at 1.4 terabytes — an amount that defense attorney Julian Gregory, representing Todd Engel, compared to 3,000 full-length Hollywood movies.

Myhre said the material includes hundreds of thousands of Facebook postings

obtained by warrants, plus investigators' reports, photos and media accounts collected since the gunpoint showdown.

The April 2014 incident pitted about 270 armed and unarmed Bundy backers against about 40 federal agents and cowboy contractors who backed down and gave up a cattle round-up near Bunkerville, Nevada.

Seven co-defendants in the Nevada case also face a federal trial in September in Oregon following their arrests in an armed occupation of a U.S. wildlife refuge earlier this year.

Myhre called it unfair to expect those seven to prepare for and defend themselves in two federal trials in separate states at the same time.

Assistant Federal Public Defender Shari Kaufman, representing Ryan Payne, a defendant in both cases, said the defendants shouldn't be put at a disadvantage by prosecutors' decisions about when to indict them.



Officers salute as Sgt. Jason Goodding's casket is escorted from the Seaside Civic and Convention Center during his memorial service in February.

Video shows Seaside shooting that killed officer and suspect

By KYLE SPURR
EO Media Group

Police body camera footage shows a brief, hectic confrontation on the February night Seaside Police Sgt. Jason Goodding and suspect Phillip Max Ferry were shot and killed.

The video, taken from Seaside Police Officer David Davidson's perspective, was released Thursday by the Clatsop County District Attorney's Office as part of a completed investigation into the shooting. The full report backs up the evidence District Attorney Josh Marquis used to determine the shooting death of Ferry was justified.

In the 30-second video, Goodding and Davidson are seen yelling at Ferry, who was wanted on an arrest warrant, to get on the ground. Ferry tells them, "You ain't going to like it."

Davidson takes out his Taser and announces "Taser, Taser, Taser" before striking Ferry. The electricity hits Ferry, knocking him to the ground. The video turns away as Goodding moves to arrest Ferry, who fires one shot from a .380 semi-automatic pistol concealed in his coat pocket. The shot hit Goodding under his bulletproof vest.

Davidson yells, "shots fired, shots fired," and shoots several times at Ferry.

"I thought he was going to keep shooting Goodding," Davidson said in an interview with an investigator. "I thought any second I was waiting for bullets to start heading my way also." In the interview, Davidson said neither officer saw Ferry's gun since he never took his hands out of his pocket. Davidson was not sure the

Taser would work since Ferry was wearing a thick coat, but when he fell to the ground, the officers thought he was subdued.

Davidson heard the bang and tried to yell "Gun." He saw Goodding hunch down, start to walk backward and fall down. He tried to keep talking to Goodding, but he was not getting any response.

At the end of the body camera video, an acquaintance of Ferry, Daniel Ginther, is heard saying to Davidson, "Don't kill him, Uncle Phil." Ginther was never charged with any crime.

Davidson said he remembers Ginther came and put his hands on his shoulders after the incident and said it wasn't his fault. Davidson rhetorically asked, "Why is just carrying a gun worth killing someone over?" Ginther said he did not know.

The investigation concluded that Davidson was legally and morally justified in shooting and killing Ferry in the incident outside the Pig 'N Pancake on Broadway Feb. 5.

An autopsy conducted by Oregon State Medical Examiner Karen Gunson determined Goodding's injuries were immediate and fatal.

Davidson fired several rounds from his service weapon, according to the investigation, striking Ferry in the hand, arm and buttocks. The shots that struck Ferry appeared less serious at the scene.

Ferry was transferred by ambulance to Columbia Memorial Hospital, where emergency doctors worked on him for about half an hour before pronouncing

"I was waiting for bullets to start heading my way."

— David Davidson,
Seaside Police Officer

him dead. Ferry's toxicology report revealed a high level of methamphetamine, a blood alcohol content of 0.11 and an active ingredient in marijuana.

Goodding was transported to Providence Seaside Hospital, where he was pronounced dead.

In any case involving the use of deadly force, regional law enforcement must collaborate in an investigation. Oregon State Police, the lead agency, had investigators attend the autopsies and review and gather evidence.

Ferry, 55, had an extensive criminal history that included 17 felony and 21 misdemeanor convictions since 1983. He had been in and out of the Clatsop County Jail 41 times.

Almost every law enforcement agency in Clatsop County had dealt with Ferry at some point. Clatsop County Sheriff Tom Bergin said even he wrestled with Ferry, and said Ferry should have been in prison.

As a felon, Ferry was not allowed to possess a firearm.

Jamie Lee Jones, 44, a former Nevada resident who was living in Seaside, was indicted in March on federal charges in connection with the gun used in Goodding's death. Authorities allege that a pistol tied to Jones was used by Ferry.

Goodding is survived by his wife, Amy, and two daughters.



The Zac Brown Band will headline the inaugural Pendleton Whisky Music Fest on July 16 at the Round-Up Stadium.

FESTIVAL: Tickets range from \$45-\$135

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of local sponsors," he said.

Corey said they hope the event provides a positive economic stimulus to the city of Pendleton as visitors flood in to see the Zac Brown Band's only Northwest gig all summer.

The event isn't put on by the Pendleton Round-Up Association, but the group has cooperated with organizers on using their venue and has provided the mechanism for ticket sales, which can be purchased by following the Pendleton Whisky Music Fest link at www.pendletonroundup.com.

com.

McAnally said on the marketing side of things, the two groups seemed like a good fit — visitors who enjoyed coming for the Pendleton Round-Up in the past might decide they want to revisit Pendleton for the music festival. And people who come to Pendleton for the first time to see Zac Brown Band might decide to return for the Round-Up.

"Pendleton's known to have a good time and that's what we're trying to do here," McAnally said.

Corey said the Round-Up Stadium will be an excellent venue for a concert, with

plenty of covered grandstand seats to stay cool in the heat. They will also sell box seats, VIP seating on the lawn and a standing-room "party pit" at the front of the stage.

"There's just really not a bad seat in there," he said.

Tickets range from \$45 for grandstand seats to \$135 for a VIP experience. The festival is open to all ages, although entrance to the exclusive Pendleton Whisky Lounge for VIP ticket holders is only for those 21 and older. Gates will open at 4:30 p.m. for the pre-party.

For more information visit www.pendleton-roundup.com.

BRIEFLY

Hanford workers pump leaked waste back into tank

RICHLAND, Wash. (AP) — Workers have succeeded in their first attempt to remove leaked waste from between the shells of the oldest double-shell tank at the Hanford Nuclear Reservation.

More than 3,000 gallons of radioactive waste leaked April 17 from the inner tank of a giant double-walled tank known as AY-102 into the space between two walls.

The *Tri-City Herald* reports that workers on Thursday pumped some radioactive waste that had leaked into the primary tank.

Inspections have found no evidence that any waste has breached the shell's outer tank. The Washington State Department of Ecology has said there is no risk at this time to the public.

Hanford for decades made plutonium for nuclear weapons, and now contains millions of gallons of radioactive waste stored in 177 underground tanks. The government is spending \$2 billion a year at the site.

Man, teen admit burning down century-old home

EUGENE (AP) — A 37-year-old man and his teenage accomplice have pleaded guilty to arson in the destruction of a century-old home in Florence.

Items were stolen from

the 1,886-square-foot home before it burned down in March. The *Register-Guard* reports that James Main also pleaded guilty to burglary and was sentenced to 16 months in prison.

The 17-year-old only pleaded guilty to arson, and was sentenced to three years on probation.

Florence police arrested Main and the teenager after members of the community identified them in surveillance photographs.

Man found guilty of murder in beating death

EUGENE (AP) — A 36-year-old man has been convicted of murder in the death of a man whose body was found on tidal mudflats near a wastewater treatment plant in Coos Bay.

The *Register-Guard* reports that Shawn Yamate was also found guilty Thursday of conspiracy to tamper with a witness, attempted tampering with physical evidence and abuse of a corpse. The verdict came after a six-day trial.

Coos County District Attorney Paul Frasier says the charges related to Yamate beating Martin, dragging his body and burning his clothing. He's also accused of conspiring with other inmates while jailed on the murder charge to encouraged witnesses not to show for court appearances.

Yamate's sentencing has been set for May 2.

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