

Trial to take place in the fall in Seaside hammer attack

Hammer attack in February sent man to hospital

EO Media Group

One of the two men accused of attempted murder for allegedly assaulting another man with a hammer in February is set for trial this fall.

Judge Philip Nelson set a two-to-three day trial to begin Oct. 6 in Clatsop County Circuit Court for Kevin Michael Burnham, 25, of Seaside.

Burnham is accused of attempted murder, two counts of first-degree robbery, two counts of criminal conspiracy, first-degree assault, two counts of third-degree assault and second-degree theft.

Joshua Lee Fitch, 23, of Longview, Wash., is accused of the same charges.

The robbery and theft charges relate to Burnham and Fitch reportedly stealing the victim's backpack.

At the hearing Monday, Burnham was originally scheduled to accept a plea deal. However, his defense attorney Rock Pizzo submitted a request three hours before the hearing to postpone the deal and set a trial date.

"I don't want to lose that offer, but we are trying to get a better offer than that," Pizzo said. "At this point, we are asking for trial."

Prosecutor Dawn Buzzard



Kevin Michael Burnham

said she will not budge from her offer of 70 months — or nearly six years — in prison for pleading to a lesser charge of second-degree robbery.

Judge Nelson is giving Burnham two weeks to consider the offer before proceeding to trial.

On Feb. 20, Seaside Police responded to Providence Seaside Hospital after receiving a report of a man who had suffered a serious head injury.

The man reported being assaulted with hammers by two other men, later identified as Burnham and Fitch. The victim was transported to a Portland-area hospital, and later released.

Fitch and Burnham were arrested Feb. 27 in Seaside after a weeklong investigation, according to Seaside Police.

Both men were out on conditional release for previous crimes when they allegedly committed the attempted murder, according to the District Attorney's Office.

Fitch was arrested Feb. 3 for unlawful manufacturing of marijuana within 1,000 feet of a school, possession of methamphetamine and two counts of child endangerment.

Burnham was arrested Feb. 8 for possession of methamphetamine and first-degree criminal trespass after Seaside Police found him squatting in a Seaside residence.

Burnham is scheduled to be sentenced for the drug possession case on Aug. 6.

For the attempted murder case, Buzzard said, she is still deciding if she wants to consolidate Burnham and Fitch as co-defendants. Currently, Fitch is scheduled for a final resolution conference on July 31, usually the last hearing before a settlement or trial.

"I have to decide if I will do a motion to consolidate. Normally that makes sense, but there is case law that says I can't introduce evidence Mr. Fitch said (about Burnham)," Buzzard said. "That would be the reason not to because we wouldn't be able to get in all of their statements."

Burnham, who appeared via video link Monday from Clatsop County Jail, is being held in custody on \$250,000 bail.

Fitch, who is represented by defense lawyer James von Boeckmann, is also being held in custody on \$250,000 bail for the attempted murder case.

Man gets nine years for stabbing

By Kyle Spurr
EO Media Group

The Astoria man found guilty Thursday, July 2 of stabbing another man and threatening four others was sentenced to nine years in prison during a hearing Thursday in Clatsop County Circuit Court.

Dylan Douglas Snook, 33, was found guilty on 13 counts after a three-day trial last week.

The charges included first-degree assault, five counts of unlawful use of a weapon against another person, and five counts of menacing and fourth-degree assault. An attempted murder charge was reduced to attempted first-degree assault.

Prosecutor Scott McCracken recommended a nearly 14-year sentence at the hearing.

"This is a very serious incident. A lot of people were affected by it and will be affected for many years going forward," McCracken said.

Snook's defense lawyer Jerry Widawski asked for the minimum sentence of 90 months, or just over seven years.

Widawski noted Snook's minor criminal history, which was completely clean the past four years prior to the stabbing incident in Seaside last summer. The defense lawyer described the incident as a perfect storm of bad events that occurred.

"90 months is going to ruin his life anyway, so we ask the court for the minimum amount

as possible," Widawski said.

Snook was arrested and booked Aug. 18, a day after the stabbing incident that occurred near the 300 block of Broadway Street in Seaside. Snook stabbed one man and threatened four others with the knife. All five victims testified at trial.

The stabbing victim, who had two punctures near his back, reported the stabbing to officers.

"Although I maintain my position that, at the time, I was defending myself from what I believed to be serious bodily harm, possible death, if I could make that night not happen, I would," Snook said at the sentencing hearing.

Snook's mother, Susan Wheeler, also spoke at the hearing Thursday.

As part of his sentence, Snook was directed to have no contact with the victims and pay \$2,297 in restitution.

Judge Philip Nelson reminded Snook that had the stabbing victim died, Snook could have been facing murder charges.

"A lot of things could have been a lot worse, it's bad enough as it was," Nelson said.



Dylan Douglas

Seaside Police Log

June 5

7:16 a.m., 400 block of South Wahanna Road: Caller reported items taken off front porch in the middle of the night.

4:35 p.m., Quatat Park: Police responded to report of minor in possession of alcohol.

7:19 p.m., 700 block of South Wahanna Road: Officer advised of subject possibly going to drive while intoxicated. Officer contacted subject, who did show signs of impairment and warned him not to drive.

9:40 p.m., Beach and Avenue L: Police responded to report of minor in possession of alcohol.

June 6

9:14 a.m., North Prom: Caller reported two males passed out on the beach with garbage strewn about them. Officer contacted subjects and advised of Unlawful Lodging Ordinance. Subjects to clean up garbage and will be departing the area.

5:55 p.m., North Prom: Caller reported juveniles on top of

parking lot looking into cars. Officer advised juveniles told by security it was OK for them to be there. Lack of communication between employees.

6:49 p.m., 400 block of South Columbia Street: Caller reporting possible drug activity and female impaired. Officer contacted and advised did not see any paraphernalia although female did seem under the influence. Neighbors advised of options concerning drug activity.

June 7

11:11 a.m., 2100 block of Lewis and Clark Drive: Caller requested officer contact due to her boyfriend threatening to burn her belongings and set her pets free. Officer contacted complainant, and advised her no crime had been committed.

2:04 p.m., 400 block of First Avenue: Person called 911 twice to report hit and run to vehicle. Officer unable to locate suspect vehicle. Only damage was crooked license plate, which complainant fixed on scene.

2:06 p.m., Beach and Avenue U: Caller reported a male being abusive with his dog. Caller was willing to flag officer down and sign a complaint. Officer was unable to locate complainant on arrival. Officer contacted subject and saw that dog was fine.

8:19 p.m., North Roosevelt Drive: Officer located male at restrooms and requested Medix for him to be evaluated. He was transported to the hospital by Medix.

June 8

12:20 a.m., Broadway: Subject arrested for driving under the influence of intoxicants.

12:19 p.m., Boat Ramp: Caller reporting possible dead body along the river. Officer responded and advised of subject taking a nap and advised of city ordinance and the fact he was sleeping under a no overnight camping sign.

7:47 p.m., 1200 block of South Holladay Drive: Caller reported altercation regarding a purchase. Officer responded and situation was resolved.

9:58 p.m., Lewis and Clark Drive

and Wahanna Road: Report of two vehicles speed racing from approximately North Coast Family Fellowship to the retreat apartments; no suspect descriptions. Officer went out with a possible suspect vehicle the Clatsop County Sheriff's office had on a traffic stop.

10:03 p.m., 1100 block of North Wahanna Road: Report of a disturbance, parties are separated. Officers made contact. Subject will find another place to stay tonight.

June 9

12:52 a.m., 400 block of South Franklin: Subject reported male was refusing to leave; he then left but made threats to complainant. Officer made contact, no crime committed.

11:27 a.m., 300 block of Broadway: Complaint of RV parked unlawfully on Broadway front of Carousel Mall. Vehicle leaving upon officer's arrival.

7:02 p.m., 100 block of South Wa-

hanna Road: 911 caller reported man sitting in his car. Officer contacted person. It was the manager and he had a new car. Everything was fine.

June 10

3:21 p.m., 12th Avenue and Holladay Drive: Caller requested a welfare check on a man yelling and screaming at cars. Officer made contact and assisted him in returning home.

7:01 p.m., 300 block of 11th Avenue: Caller reported barking dog, followed by gunshot. Officer responded and found other witnesses. Apparent bottle rocket probably scared dog.

9:23 p.m., Southbound on Holladay Drive: Juveniles reported being followed by a car. The car left when they came into the Police Station. Officers attempted to locate but vehicle was gone.

June 11

10:11 a.m., 200 block of Broadway:

Complaint of male subject acting suspicious, cutting up his clothing. Officers responded.

12:42 p.m., 400 block of First Avenue: Caller reported transients sleeping at the Seaside Civic and Convention Center. Officer advised them of the lodging ordinances.

June 12

6:30 a.m., 400 block of South Roosevelt Drive: Caller reported suspicious drug activity that occurred yesterday. Officer was advised and the information was passed onto task force.

10:04 a.m., 1100 block of Avenue A: Complaint of suspicious male jumping into bushes as fire truck drove by. Male described as white male, tall in green sweat shirt. Officers responded unable to locate.

7:05 p.m., Edgewood and Avenue U: Caller reporting intoxicated female in the area. Officer contacted female who was intoxicated but not a danger to herself and was staying in the area.

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