

## DRUNKS AND THIEVES JUNE 2015 PART 2



**By John Hoffmann**

**June 25, 2015**

This is the second of a three part series on how the municipal courts in in Town and Country and Chesterfield deal with serious DWI cases and theft case. Our random review shows that often justice is not served and the public at large is not protected by the municipal courts. The police are charged with finding and identifying dangerous drivers and the courts are supposed to confirm these findings. The police seem to be doing their jobs but judges and prosecutors are refusing to do theirs.

**ONLY A SIP OF WINE LED TO DWI ARREST:** At least that is what 25-year-old Michelle Manchisi of 201 N. Mosley Road in Creve Coeur told Town and Country Police after her arrest for DWI on March 14, 2013.



Michelle Manchisi

It was a little after midnight on the Wednesday night/Thursday morning when Cpl. Chris Moore noticed a black 2009 Infiniti pull into the city hall/police department parking lot. Since the city hall is closed and the doors are locked Cpl. Moore reported he drove up to check and see if the people in the Infiniti needed help. But before he could get out of his police car, the driver backed out and drove off.

Cpl. Moore followed the car up to Clayton Road, where after making a right turn the car was driven onto the wrong side of the road. Moore stopped the car after it turned onto the very high-end Highland Pointe Drive.

There he contacted Manchisi and it quickly became clear that she was intoxicated. Her eyes were bloodshot, her breath smelled of intoxicants, her speech was slurred and she swayed back and forth as she walked.

Manchisi failed field sobriety tests and a portable PBT "unofficial" breath test showed her BAC level was well above .08%. Manchisi was arrested and transported to the Town and Country Police Department.

Once at the police station Manchisi admitted having taken prescription medicine that included Lithium and Adderall. She stated she had just a sip of wine earlier in the evening. It was apparently a huge sip! She did agree to take an "official" breath test at the police station. **The results of that test were .181%.**

She was cited for Improper Lane Use for driving on the wrong side of Clayton Road and DWI.

**PRIOR DWI:** Manchisi had a prior DWI conviction. On January 29, 2009 she was arrested for DWI by the Missouri Highway Patrol. The charge was reduced to "Excessive BAC" an 8-point alcohol violation and she pled guilty on July 7, 2009 in the Boone County Circuit Court. She was sentenced to 30-days in jail, but was given a SES (official record) 2-year probation term.

**OUTCOME:** Apparently Town and Country Prosecutor Brian Malone and St. Louis County Associate Circuit Judge Dennis Smith did not think someone having a prior DWI was a big deal. On December 15, 2014 Manchisi pled guilty to DWI and Improper Lane Use. She was given a SIS "No record" probation term for the DWI. This is normally given to "first time DWI defendants" She was fined \$350 for driving on the wrong side of the road.



Smith



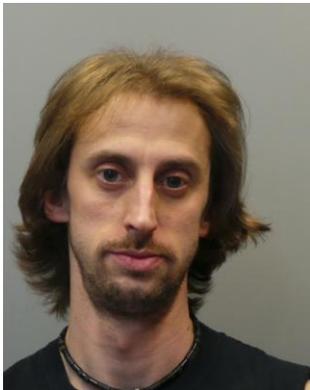
Malone

**OUR OBSERVATIONS:** Once again I was sad to see where the actual officer involved in the stop, Cpl. Chris Moore, called a subordinate to the scene and turned the arrest and report writing over to Officer Palmer.

There were no direct quotes from Manchisi in the report. This always amazes me since drunks have a tendency to babble while being transported. I'm told that the in-car video/audio system records all of this. However I have viewed cases with the T&C Police where the audio did not work. Video and audio sometimes don't work and sometimes are damaged or erased after being stored. Also defense attorney's, prosecutors and even judges will often look at a police report but do not have time to view a video, but this good information is left out of the report.

I have always felt a police report should be like a good book with a beginning, middle and end and should hold the reader's attention. In this case there were some important questions left unanswered. Why was Manchisi on the city hall/police station parking lot? Why did she turn left onto the exclusive Highland Pointe Drive, which is a dead end? She lives off of Ladue Road in Creve Coeur. If she thought she was on Ladue Road and was lost that would clearly show how impaired she was while driving a car.

**IF YOU ARE GOING TO DRIVE OVER 100 MPH...MAYBE YOU SHOULD NOT BE DRUNK:** Town and Country Police Officer Palmer was on patrol on EB I-64 west of Mason Road when he clocked a a speeding white 2002 Ford Explorer SUV at 102 MPH. The vehicle was driven by 34-year-old Jeremy Leipholtz of south St. Louis. It was 1:52 am on March 30, 2014.



Leipholtz



Guitarist for band Droool

Officer Palmer was unable to get the Ford stopped until it was on SB I-270 from I-64.

The 6-foot-1 135-pound Leipholtz appeared to be intoxicated giving all the usual signs, including slurred speech, glassy eyes and a strong smell of intoxicants.

Leipholtz told Officer Palmer he was a musician and he was going home from a gig in Wentzville (Billy's Roadside Bistro). He said he had maybe two or three beers several hours earlier. They were apparently large beers.

Leipholtz failed field sobriety test. A PBT "unofficial" breath test showed his BAC level was above .08%. He was arrested and transported to the Town and Country Police Department.

In an interview at the police station Leipholtz admitted smoking marijuana 17 hours earlier at 9 am. When asked how much he smoked, he replied, "Dude, I don't know." He was also taking prescription drugs for anxiety and asthma. (Nothing better for those lungs if you have asthma than smoking so much marijuana that you don't remember how much.)

An "official breath" test at the police showed his BAC level to be .114%.

He was charged with DWI and Speeding 102 mph in a 60 mph zone.

**OUTCOME:** On February 26, 2015 Leipholtz Pled Guilty to DWI and Speeding before Judge Joseph Dueker. He was given a SIS "no record" 2-year probation term. He was fined \$600 for going 102 mph.

If someone is going to driver 102 mph while drunk...don't they deserve to get the 2-year probation that goes on your driving record? Apparently Town and Country prosecutor Brian Malone and Judge Jospeh Dueker don't think so.

**DRUNK DRIVER WITH PRIOR DWI AND A BAC LEVEL MORE THAN TWICE THE LEGAL LIMIT LEAVES COURTHOUSE WITH NO POINTS ON DRIVERS LICENSE:** 22-year-old Carly Gorka of Waterloo, Illinois already had a DWI arrest and conviction in 2011 in Perry County Missouri where she received a "no record" SIS probation.



On Tuesday July 30, 2013 at 1:26 in the morning she was driving a 2007 Hummer west on I-64. A Hummer might be the wrong kind of vehicle for a drunk driver as it is easier to tell that a large high-profile vehicle is weaving on the highway. Town and Country Officer McNutt followed the Hummer off of I-64 onto SB Highway 141 and then onto Woods Mill Road. The vehicle continued to weave. McNutt stopped the vehicle at the Lamp and Lantern Shopping Center.

There he identified the driver as Carly Gorka. Officer McNutt immediately noticed that she has a strong odor of alcoholic beverage on her breath, that he eyes were badly bloodshot (as is shown in her mugshot), but that her speech was not slurred (often a sign of an alcoholic). Out of the car Gorka swayed and was unable to stand still, despite being in her bare feet.

Gorka was unable to provide any proof of insurance. She admitted she had been drinking beer. In a field sobriety test she was asked to count backwards from 57 to 42.

"52,51,50,49,48,47,56,46,45,44,43,42,41, 40," was Gorka's response.

She was also asked to recite the alphabet beginning with "J" and stopping at "W." She forgot to stop at the letter "w".

She took a field PBT breath test that showed her BAC level was well above the legal limit. She was arrested and taken to the Town and Country Police Station where an official Breath test was given and her BAC was .187%.

She was charged with DWI, Operating a Motor Vehicle with No Proof of Insurance and Improper lane Usage.

Officer McNutt spelled out Gorka's prior DWI and conviction in his report. If Town and Country Prosecutor Brian Malone actually read the police report the part about the prior DWI arrest and SIS Probation Term would have been impossible to miss.

**OUTCOME:** Gorka's case languished in Municipal Court for a year-and-a-half when in January of 2015 her lawyer made a "jury demand" and the case was sent to the Associate Circuit Court in Clayton. On March 5 there was no jury trial. Instead Town and Country Prosecutor Brian Malone ignored the fact that Gorka had a prior DWI record.

Gorka had one prior DWI arrest on 08/11/2011 through the Perry County Sheriff's Office with a Suspended Imposition of Sentence.

He dismissed the Improper lane Use and No Insurance charges and agreed to allow a person with a prior DWI and with a BAC of .187 to pled guilty and receive another "no-record" SIS probation.

County Associate Circuit Judge Joseph Dueker went along with this.



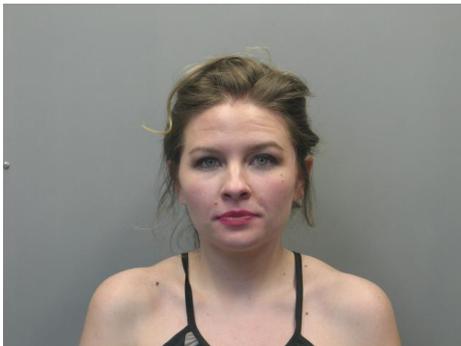
Malone



Joseph Dueker

**ANOTHER DRUNK DRIVER LEAVES COURT WITH NO POINTS, BUT PAYS A \$350 "PARKING VIOLATION" THAT NEVER HAPPENED.** 25-year-old Danielle M. Schulz of the Maryland Heights area was driving her 2006 Saturn eastbound on I-64 when Town and Country Police Officer Fowle noticed the car weaving from lane to lane. It was 3:05 am on Friday night/Saturday morning March 16, 2013.

Fowle decided to stop Schulz when she drove off the pavement onto the shoulder while exiting to go south of I-270. Instead of stopping on the shoulder she had just been driving on, Schulz stopped in the middle of a lane of traffic. Once Officer Fowle got her to drive onto the shoulder he contacted her and found her to appear to be intoxicated.



Her eyes were glassy and bloodshot, her breath smelled of intoxicants and she swayed while she stood. She failed several field sobriety tests. An "unofficial" breath test on the street also confirmed that she was legally drunk.

At the police station she stated that she had a glass of wine and a shot. She also admitted that she thought she was intoxicated. An official breath test showed her BAC level to be .118%.

She was charged with DWI and Improper Lane Use.

**OUTCOME:** On January 22, 2015 the case was finally adjudicated 22 months after the arrest. Schulz pled guilty to DWI and received no fine and a 2-year "no-record" SIS probation term. The Improper Lane Use citation was reduced to to Illegal Parking and she paid a \$350 fine.

T&C Prosecutor Brian Malone reduced the moving violation to a Parking Violation and Judge Dean Waldemer had no problem with that.



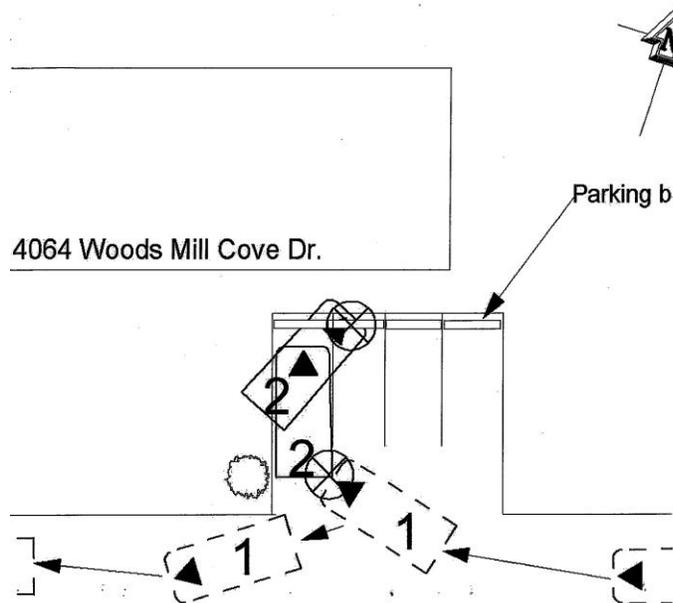
**DRUNK DRIVER THREE TIMES THE LIMIT CRASHES INTO A PARKED CAR, LEAVES THE SCENE AND THEN LEAVES COURT WITH NO POINTS ON HIS LICENSE:** William Kerckhoff, of 331 Nantucket Drive in Ballwin, a 47-year-old Coldwell Banker real estate agent on December 1, 2013 at 3:30 pm was driving a very large Ford Expedition on 14064 Woods Mill Cove, a street with condo units.



In the middle of a Sunday afternoon Kerckhoff was very drunk.

With a witness present raking leaves, Kerckhoff drove the large FORD SUV off the road and struck a 2006 Ford Mustang, legally parked in a space off the road. The impact force the Mustang over a parking barrier, Kerckhoff then drove over a curb and blew out a tire.

After the accident Kerckhoff drove to 308 Woods Mill Terrace in the same complex, opened a garage door, pulled in and closed the door. The witness called police and showed the three responding officers where Kerckhoff hide his vehicle.



The garage was to the home of Kerckhoff's mother. Officers found Kerckhoff at the house. He appeared to be very intoxicated. He told officers he is was diabetic. He said his feet had gone numb when he lost control of his vehicle. He added he had very low blood sugar and went to his mother's house.

Officer called for Paramedics with the Monarch Fire District to respond. They checked Kerckhoff and found his blood sugar level to be a normal 197. Kerckhoff declined any further medical treatment or to be transported to a hospital.

Kerckhoff took a portable Breath test that showed he was intoxicated. He was arrested and taken to the police station and later charged with DWI, Leaving the Scene of an Accident, and No Proof of Insurance.

At the station he took an official breath test that showed his BAC level was .246% or more than three times the legal limit.

In an interview Kerckhoff stated that he last ate on Sunday morning at 7 o'clock having that breakfast favorite of a cheeseburger and stuffing. He stated he began drinking Vodka at 8 am and stopped between 11 and 11:30. He claimed he had one or two drinks.

**OUTCOME:** Chesterfield's two most dangerous people, City Prosecutor Tim Engelmeyer and Judge Rick Brunk teamed up to make sure that Kerckhoff would not have this on his record. Kerckhoff pled guilty to everything, but was given "no-record" SIS probation terms where the charges vanish from the court record in two years. He paid a \$325 for failure to Have Proof of Insurance. He got no points on his driving record for the DWI or Leaving the Scene of an Accident.



Hippie Judge Rick Brunk



Tim "No Points" Engelmeyer

**18-YEAR-OLD SHOPLIFTS A KNIFE AND IS FOUND GUILTY OF LITTERING.** A LAX player, an outdoor stud (see below) and a shoplifter.



Brendan Duggan, 18, of 14215 Reelfoot Lake Drive in Chesterfield and two friends went to the Walmart in Chesterfield Valley on September 25, 2014 at 5:00 o'clock. I would think that people in the center of the new tech age with I-Pods and the latest in TECH devices might be aware that large stores have security cameras everywhere. But when you want to steal a \$47.97 SOG Slimjim Knife, those thoughts must vanish from your brain.

Duggan hoped to get away with the theft by buying something else (a drill bit) and walking out past the cash register. Walmart security stopped him outside and he was escorted back into the store, where he confessed to the theft to the security officer and later to the Chesterfield Police Officer.

Duggan was not arrested, but was issued a citation and released.

**OUTCOME:** After the case was sent to the St. Louis County Associate on March 5, 2015 Chesterfield prosecutor reduced the charge to "Littering" and Duggan Pled Guilty before Judge Joe Dueker. Duggan was fined \$300.

**MACY'S CLERK LIKED TO RETURN THINGS TO THE STORE...ONLY PROBLEM WAS THEY WERE NEVER PURCHASED:** 21-year-old Tyleshia King's last day as a clerk at Macy's Department Store at Chesterfield Mall was on December 3, 2013.



On November 30, 2013 a store security officer noticed she was using a refund card to purchase clothes, which was unusual for employees. On 12/3/13 the security officer saw King load up a return card which could later be used for purchases. King was taken

to the security office where she admitted the scheme. Two more return cards were found in her purse.

The store was able to determine that King had stolen \$469.35 in items this way. King even admitted that the earrings she was wearing were stolen this way. She was arrested, booked issued a citation and required to post a \$300 bond by Chesterfield police officers.

**OUTCOME:** This is a rarity in the annuals of reviewing Chesterfield Municipal Court cases. On March 5, 2014 King pled guilty to the actual charged of Stealing. She was fined \$300.

**COPS TRY TO GET DRUNK BOYFRIEND TO LEAVE PEACEFULLY, BUT FAIL WHEN BOYFRIENDS DECIDES TO FIGHT POLICE:** Robert Schmitt, 38, had been staying with his girlfriend Ilona Shulman at 420 White Pine Ridge for about a month. They did have a child, but Schmitt did not legally reside at the house.



They returned to house on August 27, 2014 close to 10 o'clock. They had been visiting friends. Shulman said Schmitt had been taking medication and drinking. Shulman reported that when they got home she become frightened as Schmitt was verbally abusive and physically intimidating.

Schmitt according to officers was very upset and admitted creating the disturbance that caused Shulman to call the police. He said he was made because he thought Shulman was seeing other men while he was living at her house.

Schmitt who was getting louder and louder was told he could not stay at the house. He then turned his verbal abuse toward the officers, despite the fact that none of the officers had been seeing Shulman.

Officers offered to give Schmitt a ride to a hotel where he could stay the night. He began to walk to a patrol car. But again began loudly cursing the officers. Finally he took a swing at a police sergeant. At this point things went downhill very fast for Schmitt.

He was wrestled to the ground landing on a concrete sidewalk and resisted as officers attempted to handcuff him.

He was charged with Peace Disturbance and Resisting Arrest.

**BACKGROUND:** Schmitt is from Sedalia, Missouri and still uses Sedalia addresses.

In 2004 he was arrested for DWI by the Highway Patrol in Pettis County and pled guilty to Excessive BAC and fined.

In 2008 he was in a pursuit with the Highway Patrol in Lafayette County and also charged with resisting arrest. He did 30 days in the County Jail on the traffic charges and placed on 5-years probation on the Resisting Arrest charge.

IN 2012 a full year's order of protection ordered Schmitt to stay 100 yards away from the petitioner, her property, her place of employment and or her school.

**OUTCOME:** The Chesterfield cases were sent to the St. Louis County Assoc. Court by the defense attorney. Chesterfield Prosecuting Attorney ignored the fact that he had four officers as witnesses and also ignored Schmitt's past record of violence. He dismissed one of the charges and reduced the other to "Littering"

Judge Joseph Dueker fined Schmitt \$500 for something he did not do.

**VOMITING AND DRIVING AT THE SAME TIME CAUGHT THE ATTENTION OF ANOTHER MOTORIST WHO CALLED POLICE ON TWO TIME DWI OFFENDER:** 49-year-old Dale Coon of Florissant caught the attention of at least one other motorist when he pulled over on NB Lindbergh Blvd. at Clayton Road on Tuesday September 9, 2014 at 8:50 pm to throw up.



This might not be so unusual, lot of people get sick while driving. But Coon then continued to drive north with the door of his 2005 Nissan Sentra partially open while he puked and drove.

The witness called 9-1-1 and reported the Nissan was being driven erratically as it drove up the entrance ramp to WB I-64. The car managed to drive another three miles before being intercepted by a Officer Daniel Wilkey of the Town and Country Police.

Dale Coon could have avoided Officer Wilkey if he had exited onto NB I-270 and headed toward his home in Florissant. But instead he went straight and Wilkey got behind him at Mason Road.

Officer Wilkey observed Coon weave across all lanes of traffic, drive onto the left shoulder and nearly strike a sign pole. At this point Officer Wilkey turned on his red lights and siren. But Coon continued west giving no indication of stopping until he exited the interstate onto Clarkson Road in Chesterfield. Cpl. Berry was now assisting Officer Wilkey. Here is what they described as happened in the DWI police report:

Cpl. Berry opened the drivers door and I ordered the driver to exit the vehicle. The subject partially exited the vehicle and appeared confused with my directives. He stated multiple times, "I don't know what I did!" as I continually directed him to exit the vehicle and place himself on the ground. After the subject failed to comply with my directives multiple times, I grabbed the subject's left arm and applied a straight arm joint lock to fully remove the subject from the vehicle and position him on the ground in a tactically safe handcuffing position. Once the subject was placed on the ground and in a tactically safe position hand cuffs were applied and the subject was placed under arrest for his traffic offenses. It should be noted I detected a strong odor of an alcoholic beverage coming from the subject's person. Cpl. Berry cleared the vehicle as I remained with the subject. The subject was identified through a Missouri Driver's License as:

Coon, Dale Lee Jr.  
W/M, DOB: 04/18/1965

Mr. Coon asked what he did, and I replied we had been following him for several miles. As Mr. Coon spoke I detected a strong odor of an alcoholic beverage coming from his breath. I observed Mr. Coon's eyes to appear watery, bloodshot, and glassy, which are all indicators of an intoxicated subject. Mr. Coon was asked how much he had to drink, and he replied, "Not much at all!" Mr. Coon was assisted to his feet. Mr. Coon had difficulty walking as Cpl. Berry escorted him to my patrol vehicle. He staggered and nearly stumbled into the front of his vehicle as he passed it. Mr. Coon's vehicle was towed from the scene by McNamaras Towing.

In an interview at the police station Coon stated he had started drinking beers at Mike Duffy's in Kirkwood at 4 o'clock and stopped at 8 o'clock. He guessed that he had only four beers.

However a breathalyzer test at the police station indicated he had more than four beers. Coon's BAC level was .165%.

This was also not Coon's first DWI arrest. He had two prior DWIs in Springfield, MO.

**OUTCOME:** Coon was charged with a State misdemeanor DWI on October 10, 2014. He was never charged with the wild lane weaving or Failing to Yield to a police car. On March 17, 2015 he pled guilty before County Associate Circuit Judge Dueker. Dueker sentenced him to six-months in the County Jail, but immediately placed Coon on a two-year probation term. His conviction is an open record that should have been sent to Jefferson City to be placed on his driving record.

Coon received the suspended jail sentence on St. Patrick's Day. We don't know if he had an opportunity to celebrate.

### **THREE TIME DWI GETS FELONY REDUCED TO MISDEMEANOR AND**

**PROBATION:** 37-year old Lucas Ely of O'Fallon had prior two prior DWIs. One was in Town and Country in 1998 and the other was by a Highway Patrol trooper in St. Charles County in 2003. In both cases Ely was able to plead guilty and then get the "suspended imposition of sentence probation term, meaning there would be no public record of the DWI convictions. But the records were available to police and courts.



On Tuesday morning October 7, 2014 just before 1 am, Town and Country Officer Hamel clocked a 2007 silver Ford Taurus doing 21 MPH over the limit on WB I-64 before Woods Mill Road.

Officer Hamel got the car stopped in Chesterfield on I-64 west of Timberlake Manor. Besides Ely being behind the wheel there were two other men and a woman in the vehicle along with open cans and bottles of beer.

Ely appeared to be intoxicated, failed field tests and was arrested.

At the police station he took a breath test that showed his BAC level to be .129%.

**OUTCOME;** The case was "jury demanded" with no desire to actual have a trial by Ely's lawyer (former assistant St. Louis County prosecutor Tim Devereux). In a plea deal Bob McCulloch's office dismissed the 21 MPH over the limit speeding ticket. They also reduced the Felony DWI charge to a misdemeanor DWI. McCulloch and Devereux worked together as young prosecutors for then County Prosecutor Courtney Goodman.



Judge Dueker

The deal was fine with Judge Joseph Dueker. Ely pled guilty to a misdemeanor DWI and was sentenced to six months in the county jail, with the sentence immediately suspended, he was placed under a Suspended of Execution of Sentence for two years. The SES does make the conviction a public record and Ely gets 12 points on his driving record.

**A BUSY SATURDAY OF USING BAD CHECKS TO STEAL FROM STORES IN ILLINOIS, ARNOLD AND CHESTERFIELD COMES TO AN END AT THE TOWN AND COUNTRY TARGET.** 28-year-old Jessica Nelson of East St. Louis, Illinois had been working very hard all day on Saturday November 29, 2014 two days. It was two days after Thanksgiving and Nelson and a friend had a lot of work to do.

She and her cohort (who is unnamed because despite having charges issued against her the arrest warrant is still outstanding let alone her getting convicted) using



Jessica Nelson of East St. Louis

account closed checks with an altered account number, hit the Target Store in Shiloh, Illinois, then the Target Store in Arnold, MO before driving their 2006 Chevrolet Impala to Chesterfield.

In Chesterfield they hit Gordman's, Babies R Us, Michael's, PetCo, Toys R Us and Dierbergs with the fraudulent checks.

After working over Chesterfield they headed east and ended up at the Target Store in the Town and Country Crossing shopping center. At about 4pm Nelson's accomplice had her check refused at the Target Store. She went outside and got Nelson to return to the store and buy the gift card with a bad check.

When Nelson returned to the car, Target security had already called Town and Country Police giving a description of the Chevrolet with Illinois license plates. While an officer responded to the store Town and Country Officer Laughlin parked his squad car on the shoulder at EB I-64 and Mason Road.

Sure enough the suspect Chevrolet was taking the most direct way back to East St. Louis, I-64. Officer Laughlin saw the car, pulled out behind it and got it stopped on on EB I-64 at Ballas Road.

Nelson denied passing any bad checks. Officers found the car was load with merchandise allegedly purchased during the day. They also notice and seized two checks from Nelson with the account closed and the altered account number from the Woodforrest National Bank.

When Nelson claimed she had not purchased anything with a bad check and she produced the check book with 20 more of the "account closed" checks in her name.

Another Town and Country officer drove the store security agent from the Target to the site of the car stop. There he identify Nelson as a person they witnessed passing a bad check at the store.

Once identified Nelson confessed to police about her passing bad checks. Here is a portion of the police report.

I READ THE MIRANDA WARNING TO NELSON AND SHE SAID SHE UNDERSTOOD HER RIGHTS AND WANTED TO TALK TO ME ABOUT THE FRAUDULENT CHECKS PASSED AT TARGET. NELSON SIGNED THE MIRANDA WAIVER FORM. NELSON SAID SHE AND [REDACTED] BOTH HAD PASSED CHECKS AT A BABY'S-R-US, PETCO, TOYS-R-US, AND DIERBERG'S. NELSON SAID SHE WAS THE ONE THAT PASSED THE CHECKS AT

THE TARGET LOCATED AT THE TOWN AND COUNTRY CROSSINGS. NELSON SAID WHILE IN THE CHECK OUT LINE AT TARGET SHE WAS A FEW PLACES BEHIND [REDACTED]. NELSON SAID [REDACTED] ATTEMPTED TO PURCHASE ITEMS, BUT HER CHECK WAS NOT ACCEPTED. NELSON SAID SHE WAS ABLE TO PURCHASE ITEMS WITH HER CHECK. NELSON SAID ONCE OUTSIDE [REDACTED] SENT HER BACK INTO THE TARGET TO USE A FRAUDULENT CHECK TO PURCHASE THE ITEMS THAT [REDACTED] COULD NOT. NELSON SAID SHE WENT BACK INTO TARGET AND MADE THE PURCHASE. NELSON SAID [REDACTED] ALTERED THE LAST DIGIT OF THE ACCOUNT NUMBER ON THE CHECKS USING A BOBBY PIN, ERASER, AND A BLACK INK PEN. NELSON SAID SHE KNEW HER ACCOUNT AT WOODFOREST BANK WAS CLOSED A FEW MONTHS AGO. LOOKING AT THE CHECKS IT WAS CLEAR THE ACCOUNT NUMBER HAD BEEN ALTERED. NELSON WAS BOOKED FOR FORGERY AND RELEASED PENDING APPLICATION OF WARRANTS.

**THE OUTCOME:** Nelson and her accomplice were both charged with felony forgery. Nelson was facing two counts. On March 25, 2015 Nelson did plead guilty before Judge Joseph Walsh to two counts of Forgery. She was given a Suspended Imposition of Sentence probation for 5-years. If her probation is not revoked the arrests will be removed from her record. This is pretty good. Nelson had basically done "Robbery by Bad Checks" at eight Missouri businesses in six hours and got a secret probation term.

### **JUST THREE GLASSES OF WINE...APPARENTLY VERY LARGE**

**GLASSES OF WINE:** It was 1:25 in the morning on December 29, 2012 when Sgt. Wolfe noticed a 2009 gray VW Jetta weaving between three lanes of traffic on westbound I-64 east of Mason Road. Sgt. Wolfe was able to stop the car at about WB-I-64 and Maryville Center Drive.

The driver, Ann M. Hayworth, 32, of Cottleville in St. Charles County, appeared to be drunk.

Her breath has a strong smell of intoxicating beverages, her eyes were glassy and bloodshot, her speech was slurred and her balance outside of the car was unsure.



She failed field sobriety tests and a field portable breath test showed her BAC well above the legal limit. Here are some notes from Sgt. Wolfe's report:

ALPHABET TEST- STATE J THRU W- STATED J THRU P, JUMBLED LETTERS, ATTEMPTED 4X, COULD NOT COMPLETE.  
ONE LEG STAND- ATTEMPTED TEST, PUT FOOT DOWN SEVERAL TIMES, SAID SHE COULD NOT DO TEST.

She was arrested and at the police station she took a breath test that showed her BAC level to be .241 or more than three times above the legal limit.

In an interview at the police station she at first said she had three glasses of wine and then changed her answer to she did not know how much she had to drink.

**Background:** At the time of the Town and Country DWI arrest, Sgt. Wolfe reported that Hayworth had no prior Alcohol Related Offenses. However on October 8, 2013 Judge Fred Westhoff of the St. Charles Circuit Court ordered Hayworth to Substance Abuse Traffic Offender Program.

**Outcome:** The case did not come before Town and Country Judge Dean Waldemer for two years and three months after the arrest.

During that time Hayworth clearly had an arrest and court action in St. Charles, which apparently was meaningless on Town and Country officials.

On March 11, 2015 the DWI, where the driver was three times above the limit, had admitted drinking and was seen weaving across three lanes of traffic on an interstate highway, was reduced to Careless and Impudent Driving. She was fined \$500. On the Improper Lane Use citation, she pled guilty and was fined \$350. I guess we should be happy that Hayworth has four points on her driving record, despite the DWI vanishing.

**WE WILL START PART 3 OF THIS JUNE 2015 SERIES NEXT WEEK WITH MANY MORE AMAZING CASES OF JUSTICE NOT SERVED.**