Mistrial declared in Walters case; negotiations continue

### By Chris Mortensen Staff Writer

TUSCALOOSA, Ala. — The case of the State of Alabama vs. Norby Walters took yet another turn Friday when the presiding judge declared a mistrial at the request of both sides.

Citing "numerous reasons" but declining to specify them, Tuscaloosa County Circuit Court Judge John M. Karrh dismissed the 12-person jury that was set to hear opening arguments in the case. Shortly after the jury was selected Monday, the judge had delayed the trial until Friday.

On Friday, a new trial date was set for May 23, at which time Walters is scheduled to be tried on misdemeanor charges of commercial bribery, deceptive trade practices and tampering with a sports event. The charges stem from his dealings with former Alabama basketball players Derrick McKey and Terry Coner.

But Alabama Assistant Attorney General Don Valeska said Friday that the case may never get to court or that it could be delayed until June.

Two of the "numerous reasons" that contributed to the mistrial, according to sources,

#### are:

Continuing negotiations between Walters and the University of Alabama that could result in the school asking the state to drop criminal charges.

The state was not ready Friday to drop all charges against Walters, regardless of a \$200,000 tentative settlement between the agent and the University of Alabama. Prosecutors would like Walters to plead guilty to at least one charge, after which he would receive a suspended sentence.

A guilty plea also would make stick a guilty plea by Walters' former associate, Lloyd Bloom. Under a plea bargain made by Bloom two weeks ago, he would testify at Walters' trial and serve a one-week sentence of washing police cars. But charges against Bloom would be retroactively dropped if Walters is not convict-

ed. Walters and the university still "need a little time to get all the pieces together," on the \$200,000 settlement, according to a university source.

Comments allegedly made by Alabama Attorney General Don Siegelman in the presence

#### of jurors on Monday.

Walters' attorneys were prepared to ask for a mistrial on the sole basis Siegelman prejudiced the jury by making statements to the media in their presence.

\*\* SATURDAY, MAY 14, 1988

Karrh did not question the jury about Siegelman's words because both sides consented to the mistrial, sources said.

Valeska did not wish to comment specifically on the mistrial, other than to say, "This is not abnormal when negotiations are being done."

Absent from Friday's proceedings were Walters and his two lead attorneys, Donald Stewart of Anniston, Ala., and Robert Gold of New York.

Valeska also did not bring the state's witnesses to court. "If the judge had not agreed to the mistrial, we would have taken a day to get everybody here," he said.

Stewart was in New York with Walters and Gold. They were represented Friday by Tuscaloosa attorney Jack Drake.

Contacted in New York, Stewart said, "All I know is that this case isn't going to be tried by this jury." The mistrial ended a week of unusual events involving the case.

The Atlanta Journal WEEKEND The Atlanta Constitution

Monday, a jury was selected for the trial. An eight-woman, four-man jury took its place in the courtroom, prepared to hear opening arguments, but the start of the trial was delayed until Friday because of a death in the family of a key witness.

Also on Monday, Walters and university lawyers reached a tentative \$200,000 settlement to cover most of the financial loss Alabama suffered in NCAA Tournament revenue because McKey and Coner had played under contract to the agent.

Siegelman said his office would give "heavy consideration" to dropping charges against Walters if restitution were made to Alabama.

The delay to Friday was to have allowed Walters to deliver \$50,000 in cash and provide a bank letter of credit proving he could pay the \$150,000 balance, sources said. That process has not been completed, sources said Friday.

Wednesday, the University of Alabama filed a \$3-million civil suit against Walters and associates and, in the lawsuit, put a \$500,000 value on McKey's absence during the 1987-88 season.

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**Norby Walters** 

## Dogs facing elimination after defeat

LSU wins 7-3, forces Georgia to win twice today to survive

### By Thomas O'Toole Staff Writer

STARKVILLE, Miss. — Georgia's baseball team ranks last in Southeastern Conference pitching. Somehow, after splitting two games in two days, the Bulldogs must come up with enough pitchers to win twice today or face elimination from the SEC Tournament.

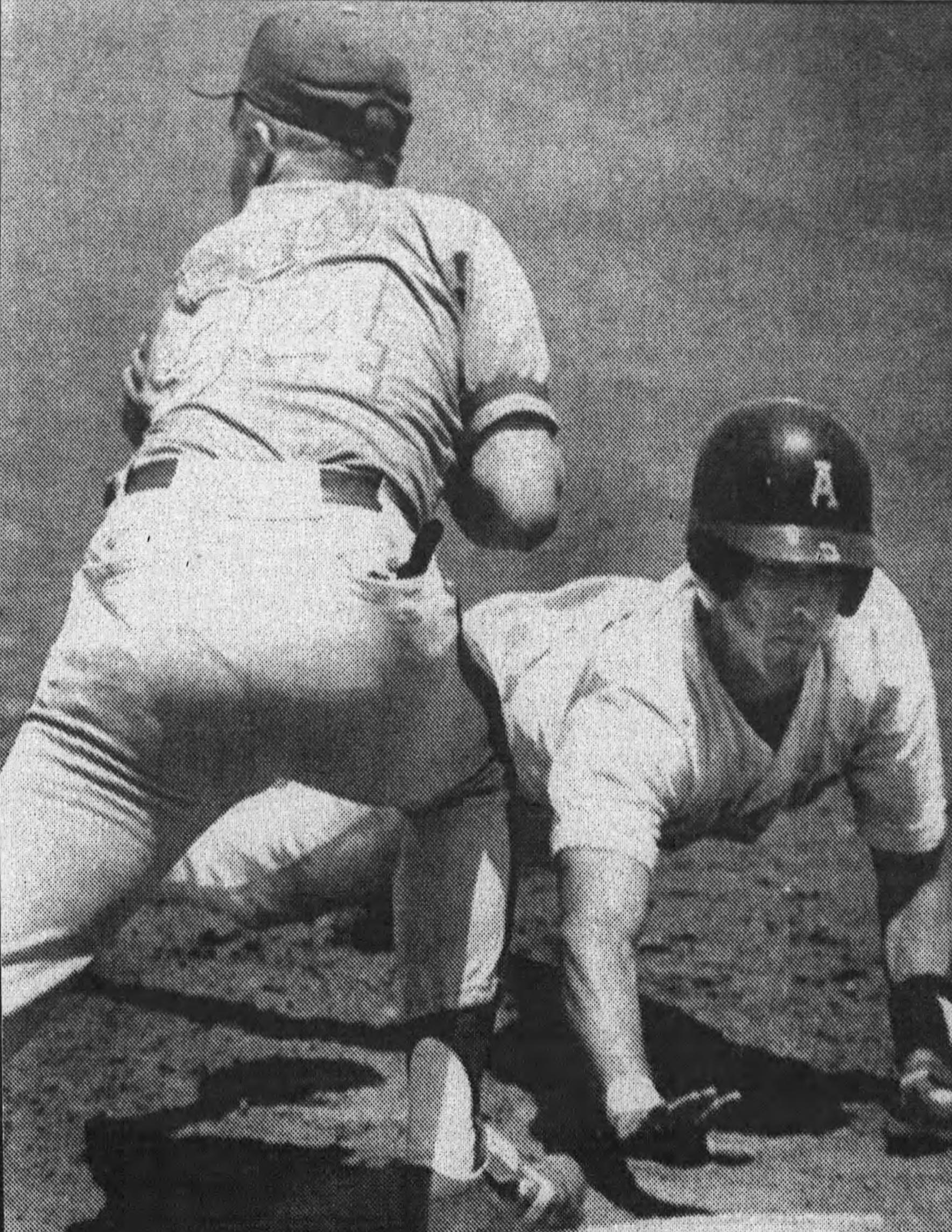
Those odds are long.

"I don't bet," Georgia coach Steve Webber said tersely. "I just come out, and we play."

On Friday at least, they did not play all that well, losing 7-3 to LSU. Twenty of their outs came either on strikeouts or balls that did not clear the infield. They committed two errors and flubbed a rundown between home and third.

Starting pitcher Jim Potts allowed three-run homers to Rich Vasquez and Craig Cala, now the SEC leader with 14 for the year.

The Bulldogs will meet second-seeded



# Tar Heels drop Tech to ACC losers' bracket with a 5-3 triumph

## **By David Davidson** *College Editor*

GREENVILLE, S.C. — Georgia Tech's pitching was good. North Carolina's was better.

As a result, the Tar Heels defeated Georgia Tech 5-3 at Municipal Stadium on Friday night in the ACC baseball tournament.

Third-seeded Carolina (32-25) is the lone team that hasn't lost in the doubleelimination tournament. The Tar Heels face top-seeded Clemson today at 11 a.m., while the third-seeded Yellow Jackets (40-21) play fourth-seeded Virginia 45 minutes after completion of the first game.

The winners play at 7:30 p.m. If another game is necessary, it will be played Sunday at 2 p.m.

North Carolina scored four unearned runs in the fifth to chase Tech starter Sam Drake (5-8).

With one out, Darren Villani reached on an error and went to third on Chris

## ACC tournament at a glance

What: Double-elimination conference baseball tournament.

Where: Greenville, S.C.

Thursday's scores: Virginia 7, Duke 1; Maryland 6, Wake Forest 2; North Carolina 1, Clemson 0; Georgia Tech 8, N.C. State 5.

Friday's games: Clemson 9, Maryland 0; Virginia 6, North Carolina State 1; North Carolina 5, Georgia Tech 3.

ninth," Roberts said. "But Dougherty did a great job."

Until Tech's two ninth-inning runs, Carolina had given up only one run in 26 previous innings in the tournament.

"Dougherty pitched very well," Morris said. "He's a sinkerball pitcher and he kept the ball down tonight." Added Roberts, "We felt we had to keep the scores down to win in the tournament, that we had to have good pitching to win. Pitching is our strength. I'm not real sure about our offense, and our defense is more consistent than it was early. "But we've generated some confidence in our pitching, and that's why we're winning." In the most shocking development of . the tournament, second-seeded North Carolina State — the ACC's best-hitting team during the regular season — was eliminated 6-1 by Virginia in the losers' bracket. Cavaliers starter Keith Seiler (4-3) pitched a complete game and gave up only five hits. The loss was only the second in nine decisions for losing pitcher Brian Bark. Kevin McDonald drove in three runs with two hits, including a two-run homer (his 14th of the season), while Bobby Rivell had two RBI with a double and his sixth home run of the season. In the other losers' bracket game, : Clemson (49-11) scored seven runs in the ninth inning to eliminate seventh-seeded Maryland 9-0. The Terps finished 20-26. Randy Mazey hit a three-run homer and Mike Couture followed with a two-run blast : to break open a 2-0 game in the ninth. Clemson's David Tripp (7-1) gave up four hits in 6<sup>1</sup>/<sub>3</sub> innings, and Mike Milchin ; and Jose Santivasci surrendered none ; while finished up. Tom Draper (6-5) was the loser. Tech box score, Page 10D

Kentucky, which lost 6-5 to host Mississippi State late Friday, today at 1:30 p.m. in Dudy Noble Field. Joe Kelly, 4-4 for the year but without a victory in Georgia's last 34 games, will start.

Should the Bulldogs win, freshman Dave Fleming, who pitched two innings of relief on Friday, likely will go at 9:30 against MSU.

Oddly, if the Bulldogs had lost on Thursday and won on Friday, they would have had to play just one game today. Consequently, knocking off top-seeded Florida on Thursday hardly helped.

LSU lost the first day and now must play just once today at 4:30 against Florida. The Gators eliminated Auburn 4 -3 Friday afternoon.

The Tigers had lost eight of their last 10 games. Last Sunday they even received a tongue-lashing from athletic director Joe Dean after losing to Auburn in the ninth inning of the regular-season finale.

"We knew it was Friday the 13th," said starter Dan Kite. "We said the way things have been going for us, that had to be good luck."

The nightmare began for Georgia in the first inning when a walk, single and fielder's choice produced a run. In the third, Vasquez lofted an opposite-field homer to right that barely cleared the 325-foot sign.

A double by freshman J.R. Showalter, one of his three hits, helped produce a run in the Georgia third. But in the fifth, two singles and Cala's shot to left put LSU ahead 7-1. Cala has the school single-season

gia's last 34 games, s win, freshman ed two innings of will go at 9:30 **SEC tournament at a glance** 

What: Double-elimination conference baseball tournament.
Where: Starkville, Miss.
Thursday's scores: Georgia 8, Florida 3; Kentucky 9, LSU 7; Miss. State 10, Auburn 7.

Friday's games: Florida 4, Auburn 3; LSU 7, Georgia 3; Mississippi State 6, Kentucky 5.

**RBI record with 70.** 

The Bulldogs scored two in the seventh on two walks and two singles. Kite then retired seven of the last eight batters. The only base runner was Jeff Cooper, who was hit by a pitch on an 0-2 count in the eighth.

"Dan Kite had a gutty performance," said Bertman. "Like us, Georgia has been lacking a little on offense. We were fortunate to have some pitching."

Auburn became the tournament's first casualty when the top-seeded Gators scored three runs in the first and held off late threats.

Jeff Gidcumb, the losing pitcher in

The Associated Press

Auburn's Tony Haney dives back to first base safely as Florida's Tim Oxley makes the tag on a pickoff attempt during the Gators' 4-3 victory in the SEC tournament.

> Thursday's first-round loss to Georgia, came on in relief in the ninth after two Tigers reached base with no outs and retired the side.

> A solo homer by third baseman Pete Young ingited a five-run fourth inning as MSU overcame four errors to hold off Kentucky before an SEC Tournament singlegame record crowd of 6,362.

> Freshman pitcher Rob Norman came on in the seventh but left after walking the leadoff man in the ninth. Head coach Ron Polk then brought in Young from third base to pitch. After a sacrifice bunt and a walk, John Marshall popped out to third, and Mark Blythe flied out to center.

> **NOTES:** With one game Thursday night, the SEC baseball tournament here outdrew the entire four-day event in Athens last year. For Thursday's late contest between Mississippi State and Auburn, 6,063 fans attended, surpassing the total attendance of 5,091 last year at Georgia. Not counting Friday's late game between MSU and Kentucky, which was expected to draw around 10,000, the tournament has drawn 13,432... Georgia has lost four straight and five of its last six to LSU in SEC tournament games. ... Freshman second baseman J.R. Showalter is four-for-nine with a double and two RBI.

Lauria's double. After Drake struck out Paul Warzocha, Tom Nevin drove home Villani and Lauria with a line-drive double that Tech left fielder K. G. White dived for and missed. Nevin scored when Chris De-Franco doubled, and DeFranco scored on a single by Darin Campbell.

That moved Tech coach Jim Morris to replace Drake with lefthander Jon George, who enticed Jesse Levis to ground out to second, ending the inning.

The Tar Heels added another unearned run in the bottom of the eighth when Levis reached on an error with two outs, advanced to third on a single by Dave Arendas and scored on Ron Mauer's single.

"One mistake and a tough play, or they don't score," Morris said.

Said North Carolina coach Mike Roberts, "Two-out hits are the most important ones. We were fortunate to get three in a row in the fifth, and Mauer's in the eighth was a big hit."

Tech's never mounted a serious threat until the ninth inning.

Marty Durkin walked, went to second on Tim Dwyer's single and scored from there on an error by Nevin as second base on Mike Reynolds' fielder's-choice grounder.

Ty Griffin then tripled — Tech's 22nd of the season, a school record — to score Reynolds.

Roberts then replaced starter Jim Dougherty (6-5) with freshman Rich Fernandez, who struck out pinch-hitter Ron Raper to end the game.

"We had a little defensive lapse in the

