

**To:** Stocks File  
**From:** Betsy Johnston  
**Subject:** Heath's plea  
**Date:** April 14, 1997

# MEMORANDUM

On Tuesday, April 1, I got a phone message from Diana which stated that Sara (of Edgar Thompson's office) had called and that a plea date had been set for 4/8/97 and that a trial date had been set for June 3, 1997. I immediately called Sara to find out why these dates had been set, and whether she/Edgar thought that we would actually go to trial in June. Sara basically said that Judge Hanshaw had been exceedingly difficult lately, and that he set those without really consulting anyone (including his case coordinator, who also has June 3 set aside for Jason Gates' trial). She further stated that all that needed to happen on April 8 was for Heath to enter a plea. . . no big deal.

On April 2, 1997, this office received a notice from Judge Hanshaw's office that stated the above dates for pre-trial and trial dates.

On Monday, April 7, Sara called me approx. mid morning (from the Courthouse) to talk about Tuesday's hearing. She asked me what time we wanted to do it, because the Judge had told her that he didn't want to even bring Heath over until we were there, and that it didn't matter to him what time we entered the plea. I told Sara I'd talk to Mac and call her back. I called Sara back that afternoon and told her that if it was all the same to everyone else, we'd be there around 10 a.m. She said it was fine with them and that she would call Jeannie (Judge's case coordinator) to confirm/set it up. I also called Jeannie (I'm not sure that I actually spoke with Jeannie herself) and confirmed that they had been in touch with Sara about doing Heath around 10-10:30. They indicated no problems whatsoever.

On Tuesday morning, Mac and I arrived at the Leno County Courthouse around 9:30 a.m. where we ran into Sara, who told us that they had already entered Heath's plea of Not Guilty. At a break, Mac and I spoke with the Judge. He denied any such conversation with Sara, and said that they waited for us "as long as they could." Mac told Judge that we'd have to amend the plea, and the Judge agreed. Judge mentioned possible date of April 22 to re-enter the plea.

P.S.: Sara called me the afternoon of April 8 and apologized, and also made certain that we understood that she hadn't set us up. She further stated that she talked to case coordinator about what happened, and she said that Judge just came in Tuesday a.m., wanted to bring Heath (and 2 other high-profile detainees) over, go ahead and get them done and out of the courthouse.