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DELIBERATIONS BEGIN IN DRUG CASE COURTROOM DRAMA ERUPTS IN LAUGHTER AT CLOSING ARGUMENTS IN RENEGADES' TRIAL

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NORFOLK - The judge wanted to make sure the jury didn't fall asleep during the eight-week trial, so he kept the federal courtroom so cold jurors wore winter coats and heavy sweaters.

One defense attorney held up a golf ball during closing arguments to demonstrate the small amount of **drugs** seized from all 13 defendants. And when another attorney read from a poem he had written **in** a plea for acquittal - a rhyme that comically echoed the O.J. Simpson trial - jurors and judge alike erupted into laughter.

But the jury's mission was deadly serious as they shed their winter coats and headed to the warm jury room Wednesday:

Would they convict or acquit 13 members and associates of The Renegades Motorcycle Club of **drug** crimes that could result in life sentences for many of the defendants?

Jury **deliberations** could last a week or more.

The 13 defendants are all that remain of 31 people arrested **in the drug** conspiracy **case**. The rest have pleaded guilty, and many have testified against their former biker brothers and friends.

The defendants include the national enforcer of the Ohio-based motorcycle club, Michael Levenite of Norfolk, and the club's national road captain, Clarence McNamara of Virginia Beach.

Wednesday, **in** the third day of closing arguments, defense attorneys, at least one wearing long underwear beneath his suit, passionately struck out at what they called the weak points of the prosecution **case** and attacked some of the claims of prosecution witnesses.

Their main argument was that the **case** was prosecuted backward. Prosecutors used ``whales" - leaders of the ring that supplied pounds of methamphetamine to Hampton Roads - to catch ``minnows" - casual users and small-time dealers.

Their secondary argument: The chief prosecution witness, Robert Lowe Jr., a paid FBI informant, lacked credibility because he routinely used methamphetamine, or meth, with the defendants **in** violation of his FBI contract. They also argued that he smoked marijuana with his girlfriend during off-hours without telling the FBI.

Defense attorney R. Wayne Nunnally used humor **in** his closing argument to get the points across.

``From California on to Virginia the methamphetamine came. . . . For distribution and retail sale. The question is, 'Who to blame?' " Nunnally said, reading from a poem he had written about the **case**.

``So they could have a chance to walk, the Big Men decided to talk," he went on. ``And then there was a guy name LOWE, paid informant LOWE, cooperating witness LOWE, employee of Big Bro-Lowe. . . . A motorcycle club he found to hound. He hated meth - hated to puff. But, oh my, he HAD to constantly USE the stuff."

After Nunnally's presentation, Judge Henry Coke Morgan Jr., who stifled laughter repeatedly during defense shenanigans, gestured to lead counsel Andrew A. Protogyrou. Protogyrou was the last defense attorney to argue before the prosecution began rebuttal arguments.

``I hope you and Mr. (prosecutor Fernando) Groene are not planning to sing and dance," Morgan joked.

``It would be a pretty ugly Greek/Cuban samba," Protogyrou quipped.

During his closing arguments, Protogyrou pointed out that the amount of **drugs** seized from the 13 defendants was paltry compared to the **drugs** seized from the leaders of the ring. For instance, when the California supplier was arrested, he threw 28 pounds of meth over a fence. The supplier pleaded guilty and testified at the trial.

Protogyrou held up a golf ball for the jury.

"When you parade in 31 defendants and you show off all the pounds of meth, it's impressive," he said. "But after all the others have pleaded guilty, you're left with this. That's all Rob Lowe collected from all the individuals on trial. Less than a golf ball. These are some pretty poor distributors of methamphetamine."

Prosecutors reminded jurors during rebuttal that just because the FBI dismantled a major **drug** ring from top to bottom did not make those on the bottom less accountable.

"You don't find swans in a cesspool," said prosecutor Rob Seidel. Seidel reminded the jury that informant Lowe helped "bring down a multimillion-dollar meth ring" and that witnesses testified that some defendants were purchasing in lots of a quarter pound, an amount exceeding that required for personal use."

Seidel defended the \$3,300 monthly salary the FBI paid Lowe during his undercover stint. Lowe will also receive a \$100,000 bonus after the verdict if federal authorities determine he earned it.

"It's not a perfect world," Seidel said. "It would be great if we didn't have to use addicts, grant immunity and pay for information. But we do, and we still have the best system on Earth. You should hold these men accountable for their conduct."

Description of illustration(s):

AN UNUSUAL DAY IN COURT

ALBA BRAGOLI illustration

Several lighter moments during the defense's closing arguments included:

- Attorney R. Wayne Nunnally, left, reading a poem he had written in a plea for acquittal, a move that brought laughter from the judge and jury.

An excerpt:

"From California on to Virginia the methamphetamine came. . . .

For distribution and retail sale. The question is 'Who to blame?'"

- Attorney Andrew A. Protogyrou held up a golf ball during his closing arguments to demonstrate the small amount of **drugs** seized from all 13 defendants.

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