

Moody Blues drummer not guilty

Jury sides with Graeme Edge on DUI charge in two-day trial in Bradenton

By MICHAEL A. SCARCELLA

[michael.](#)
scarcella@heraldtribune.com

BRADENTON, FLORIDA -- Moody Blues drummer Graeme Edge fiddled with his hands in court Friday, showing jurors his moves without the aid of sticks.

For this performance, there were no drums, no video cameras, no fans snapping pictures and waiting for autographs from the drummer in the group's 1967 hit "Nights in White Satin."

Edge, a 66-year-old Bradenton resident, was on trial on a charge of driving under the influence after getting caught up in a Manatee County Sheriff's Office sobriety checkpoint last year.

He challenged his arrest, telling jurors that he was not drunk despite breath tests and field-sobriety exercises that showed -- at least in the eyes of law enforcement -- that he was impaired.

Following a two-day trial that featured medical experts, light-hearted moments and a steady stream of observers, the jury on Friday deliberated for two hours and found Edge not guilty.

His attorneys patted him on the back. Edge lowered his head and cried.

"I fought this case mostly because I am against the police going on fishing expeditions," Edge said after the verdict was announced.

"I think people should commit a crime before being arrested."

Edge, a Bradenton resident since 1998, was driving home when he pulled into a checkpoint in the 1100 block of Cortez Road.

He told jurors he'd had a vodka and tonic at a local bar and was fine to drive.

The authorities said two breath tests showed Edge was above the 0.08 level at which Florida drivers are considered impaired.

He did poorly on field-sobriety tests at the checkpoint near the DeSoto Square Mall.

Edge was arrested and booked at the county jail.

Edge spent thousands of dollars on his defense team to fight the charge, a misdemeanor.

Edge's attorneys, Mark Lipinski and Scarlett Guy, challenged the credibility of the DUI breath test device, saying the machine -- prosecutors call it an "instrument" -- is inaccurate and should not be trusted.

And several medical experts testified about an injury to Edge's neck that left some paralysis on the left side of his body.

Edge's physical disability, Lipinski said, meant he should never have taken the sobriety tests that night at the roadblock in February 2006.

"Police don't ask enough questions, and innocent people do get arrested," Lipinski said.

Black-and-white images of Edge's neck -- taken during an MRI, or magnetic resonance imaging -- were projected on a screen in court and revealed the injury, the experts said.

Edge did poorly in the doctors' offices as he reconstructed the field-sobriety exam the police gave him.

He didn't do well walking heel to toe. He could not balance while standing on his left foot.

When he blew into the DUI breath-test machine at the checkpoint, it showed a level of 0.107.

"I was astonished when the damn thing came up with whatever

number it did," Edge testified.

Edge was carefree in and out of court, smiling and conversing with prosecutor Lisa Chittaro. The two smoked cigarettes together during breaks and chatted about Indian food around the world.

Last modified: May 19. 2007 4:24AM