

S. Tahoe man gives up plane in deal to have drug charges dropped

By Jonathan Edwards, Lincoln Journal Star

Carrying 175 pounds of marijuana, Justin Woodcock landed his single-engine plane March 9 at the Alliance Municipal Airport in Nebraska.

Alliance police Detective Dusty Bryner was waiting, armed with a tip and a police dog specially trained to find drugs.

Bryner found the pot and arrested the South Lake Tahoe man. Prosecutors charged him with felony possession with intent to distribute marijuana.

His lawyer, San Francisco-based Zenia Gilg, said she's seen clients convicted in similar cases land 2- to 2 1/2-year prison sentences.

Six months later, the charges against Woodcock have vanished and the videographer is back home in South Lake Tahoe, free man.

"It's definitely changed my life," said Woodcock, who said he learned a valuable lesson.

His life didn't change as much as it could have.

Chief U.S. District Judge Laurie Camp tossed out the case earlier this month, with the blessing of federal prosecutor Nancy Svoboda.

Svoboda said settlements happen "all the time for a plethora of reasons," but declined to comment further on the case.

Two weeks before the case was dismissed, Gilg said key facts

in Bryner's search warrant were wrong and pushed Camp to void it.

In the application for the warrant, Bryner said Special Agent Gil Johnson from Immigration and Customs Enforcement told him Woodcock was headed his way, and he might be carrying drugs.

In his report, Johnson said he was tipped off by a Reno airport employee who suspected Woodcock was a drug mule, according to Gilg's motion.

But an independent investigator hired by Woodcock learned that federal investigators reached out to the airport employee, not the other way around. Once contacted, the employee said he saw that the plane was full of luggage, but did not say he thought Woodcock was a drug mule, according to Gilg's motion.

Bryner did not return phone calls from the *Journal Star*.

Gilg also urged Camp to suppress the marijuana itself as evidence because of problems with the drug dog.

The dog, Capone, didn't have enough hours of training, and the training he did have was crammed into too few days, according to an expert hired by the defense. Without proper training, the dog's signal that drugs were aboard the plane was meaningless.

"What stood out to us was the complete lack of training the dog," Gilg said.

Ultimately, prosecutors agreed to drop the case before Camp ruled.

Gilg complimented Svoboda for agreeing to dismiss the case. Most prosecutors would have pushed on, hoping to score a sympathetic judge, she said, but Svoboda relayed information from the Alliance Police Department that bolstered Woodcock's case, even though she didn't have to.

"I'd say the U.S. Attorney's Office evaluated the search and agreed there were some problems with the Fourth Amendment violations," Gilg said.

"I can't say enough nice things about the prosecutor. She had a lot of integrity. She made sure things we're done right."

Woodcock, 29, agreed to forfeit his plane as part of an agreement to dismiss the case, Gilg said.

"My client is a really nice kid," she said, adding that the charge was his first offense. "He's certainly learned a valuable lesson."

Said Woodcock: "I'm just glad it's over and done with. I'm just so thankful."