

# METRO

## 10 jurors think rape defendant didn't do it, but he stays in jail

BY DAN HORN

The Cincinnati Enquirer

Throughout his trial last week, Jimmy White's lawyer and relatives insisted he wasn't the man who bound, gagged and assaulted a 14-year-old girl in Pleasant Ridge.

After two days of deliberations, 10 jurors agreed with them.

But Mr. White remains at the Hamilton County Justice Center today because two other jurors pressed for a guilty verdict, forcing Common Pleas Judge Norbert Nadel to declare a mistrial.

The judge's decision came after the jurors twice contacted him to say

they were hopelessly deadlocked and would be unable to reach a verdict.

Mr. White's attorney, Clyde Bennett, argued that the 10-2 vote for not guilty was reason enough to lower or eliminate Mr. White's \$500,000 bond.

Although Judge Nadel denied the request, Mr. Bennett said he will soon file a motion seeking dismissal of all charges.

"Jimmy White did not commit this crime," Mr. Bennett said. "If the prosecution has its day in court and it can't prove its case, then the defendant should be released."

Mr. White is charged with felonious assault, kidnapping and gross sex-

ual imposition in connection with an Aug. 12 attack on the girl. Police say he ambushed her near railroad tracks, tied her up and cut her all over her body with a razor blade.

At the trial, however, Mr. Bennett argued that his client is the victim of mistaken identity. He said the girl picked him out of a photo lineup only after one of her relatives suggested that he had committed the crime.

"He didn't have anything to do with it," Mr. Bennett said. "He was not there."

Prosecutors will decide in the next few weeks whether to go forward with another trial.