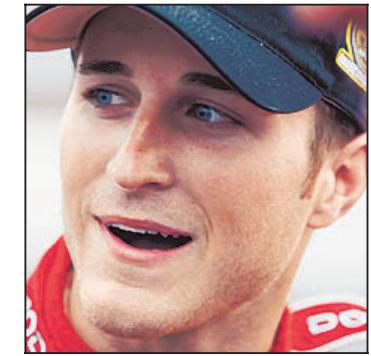




RICHMOND RACE
Kasey Kahne
gets first
Cup victory



The Charlotte Observer

SUNDAY, MAY 15, 2005

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CHARLOTTE-AREA TRANSPORTATION

Transit's big debate: Who gets what?

Some who want trains will get buses; next line to be built is undecided

By DIANNE WHITACRE
Staff Writer

With construction under way on Charlotte's first light-rail line, officials are already bracing for controversies expected next year over which line gets built next – and which communities will get busways instead of train lines.

Consultants are now at work calculating what those new lines would cost and how many people will ride. But it is already clear Charlotte Area Transit System will not have enough money to provide trains to all five routes. The decision on what gets

built first and who gets trains and who gets busways could pit sections of the city against each other and suburban towns against the city. And making the decision will be a transit commission controlled by the Mecklenburg County towns that surround Charlotte.

Supporters say rapid transit, along with building roads, is a must as the Charlotte region struggles with sprawling growth. Critics say that the money should be used to widen existing roads instead of building transit that few will ride.

The major decisions that will shape Charlotte's transit future will be made in the next 18

SEE TRANSPORTATION | 4A

THE ROUTES
4A | Details and maps of the potential new routes.

THE PAST AMID THE PRESENT

Pockets of history, local color nestle in the folds of Charlotte region's growing suburbs

By CELESTE SMITH
Staff Writer

The story of the growing suburbs seems predictable – cows give way to cars, farms fall for subdivisions.

But look closer.

On your next drive out of the city fringes, slow down and observe your surroundings. You may find "a place out of place."

It's the gas station that sells Slim Jims and tomato plants. Or the corner store that still uses an old-fashioned register. And the store that takes pride in having long-standing patrons.

"We've got customers who have traded with us for a long time, who have children, and children's children, who come

in," said Bynum Poe, president of the Farmer's Exchange in Rock Hill. The business, started in 1939 by Poe's grandfather, still makes animal feed – even though most of its shoppers now are new homeowners seeking garden supplies.

The experts contend that changing communities still need links to the past for "cultural continuity."

"If we want to understand that a place has an ongoing story, and we are just on one page of a big book, we've got to know the pages that preceded us," said local historian Dan Morrill, consulting director for the Charlotte-Mecklenburg Historic Landmarks Commission.

A LOOK AT 5 "PLACES OUT OF PLACE," PAGES 6-7A



Geese from the Phillips farm cross busy Beatties Ford Road, interrupting traffic, to be fed scratch by employees at The Old Store on Brown Mill Road near Huntersville.

Weather

WET START: High: 74. Low: 51.
 Morning showers. Clearing late afternoon. **Full forecast, 12B**

Index

Ask Amy.....5E Business.....1D Editorial.....2P Movies.....4H Perspective.....1P Arts.....1H Classified.....1F Horoscope.....8E Obituaries.....9B Travel.....1I Books.....4P Crossword.....5P Living.....1E Delivery Assistance ... (800) 532-5350

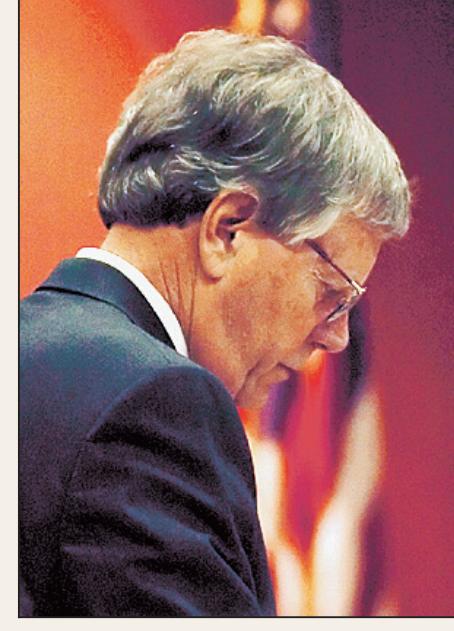
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Observer Investigation

DWI THE INFLUENCE?

PROMINENT DEFENSE LAWYERS in Carteret, Craven and Pamlico counties help judges get appointed and elected. When those lawyers take DWI cases to trial, they rarely lose. Two judges have said they felt warned by attorneys: Play ball, or risk losing your job.



JEFF SINGER - STAFF PHOTOS

The Lawyers

Three lawyers handle more than half the DWI trials in the district. One, John Nobles, won 203 straight DWI trials decided by judges from 2000 to mid-2004. His son, Hamilton, was charged three times with DWI, tested over the alcohol limit in each case, and got off every time (see story, Page 9A). Last month, John Nobles was appointed a Superior Court judge.

The Judges

Four judges refused to be interviewed by the Observer. The fifth, Peter Mack, says he treats all cases fairly. In 97 DWI trials in which he rendered a verdict, he acquitted 93 defendants. Mack was appointed a District Court judge in 2003 by Gov. Mike Easley. At least two prominent local attorneys contacted Easley's office to support Mack.

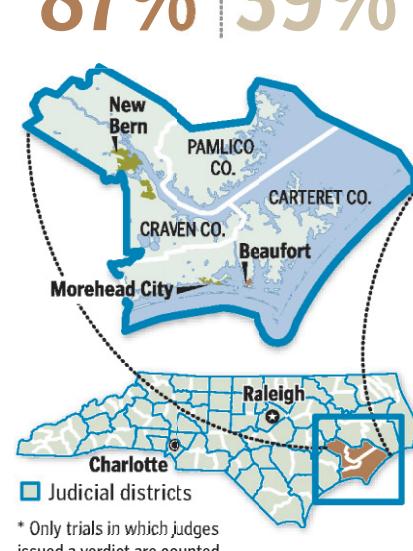
The Police

Wren Johnson, Morehead City's police chief, says she doesn't think the local courts take DWI seriously enough. "North Carolina claims to be so tough on drinking and driving, and in Carteret County, we are not. I think the judges are not abiding by the law. ... We know there's a problem. What are we going to do about it?"

Highest Acquittal Rate

The trial acquittal rate in Carteret, Craven and Pamlico counties is the highest in North Carolina. The percentage of DWI trials that ended in acquittals from 2000 to mid-2004:*

CRAVEN, CARTERET AND PAMLICO COUNTIES 87% **STATEWIDE** 39%



ON WWW.CHRISTIAN.COM/NEWS
 Read previous Observer DWI investigations, including "DWI: Sobering Acquittals."

2A | Earlier DWI series led reporters to take closer look at 3 coastal counties

BY AMES ALEXANDER | STAFF WRITER

NEW BERN — Over the lunch buffet at Shoney's, some of the most successful trial lawyers in coastal Carteret, Craven and Pamlico counties decided it was time to get rid of a local judge.

Chief District Court Judge Lee Lumpkin was known for treating drunken drivers firmly and showing no favoritism to attorneys.

But in the fall of 1995, a group of lawyers known as the Hope Foundation embarked on a plan to defeat Lumpkin. Those who opposed Lumpkin included Marc Chesnutt, Roger Crowe and John Nobles, three of the most successful DWI defense lawyers in North Carolina.

The Hope Foundation lawyers recruited Paul Quinn, a small-town mayor five years out of law school, to run against Lumpkin, a veteran judge of 13 years. Local attorneys contributed more than \$14,000 to Quinn's campaign.

Quinn and other lawyers began to attack Lumpkin's work ethic in local newspapers, contending he too often worked short hours.

"We went to work to kill (Lumpkin)," recalls attorney Claud Whealy Jr., a Quinn supporter who is the senior partner of Carteret County's largest law firm.

That November, Quinn won a close race – 25,478 votes to 24,517.

Defense lawyers keep Quinn busy these days. From 2000 to mid-2004, he acquitted more DWI suspects than any other judge in the three-county judicial district, and more than all but a few judges statewide.

Carteret, Craven and Pamlico counties have the highest DWI trial acquittal rate of any judicial district in North Carolina.

In this region of fishing villages, Victorian homes and pirate history, prominent lawyers have worked for years to shape the judicial bench. They've handpicked candidates and backed them with campaign checks and letters to the governor.

They say they expect no favors from the judges they support.

Four District Court judges declined to be interviewed. The fifth, Judge Peter Mack, said he treats the lawyers who supported his judicial appointment the same as those who didn't.

"We make decisions based on the facts and circumstances in each case, regardless of who the lawyer is," Mack said.

But an Observer investigation into judges' rulings on DWI cases in the district raises questions about a legal system where lawyers often work successfully to help judges get and keep their jobs.

SEE DWI | 8A