



THE HILLTOP

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Serving the Mars Hill College Community Since 1926

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O'Brien-Gibson Trial Concluded

DAVID WACHTER

... 4 1/2 months, which included a
 ... of frustrating delays and post-
 ... Mars Hill College's Dr. R.
 ... O'Brien (Dean of Student De-
 ... and former MHC football
 ... Claude "Hoot" Gibson was con-
 ... Saturday, March 31, 1984.
 ... trial began on Friday, March 30,
 ... and was continued into a special
 ... on Saturday, March 31. The
 ... which precipitated this courtroom
 ... trial took place on December 10
 ... December 13, 1983.
 ... December 10, Gibson was alleged
 ... verbally assaulted O'Brien, after
 ... Dr. William Walker (Athletic
 ...) in an abusive manner. Gibson
 ... was alleged to have verbally assault-
 ... Walker and Coach Pat Sams.
 ... December 13, Gibson was alleged
 ... attempted to run down O'Brien
 ... his car at the Mars Hill Post Office.
 ... also alleged that Gibson physical-
 ... assaulted O'Brien while in the Post
 ... Gibson claimed that O'Brien
 ... a gun on him while in the Post
 ... and took out a warrant for
 ... by pointing a pistol.
 ... trial began at 9:30 a.m. Friday
 ... with Gibson being at least 20
 ... late. O'Brien testified first, giv-
 ... following recount of the events
 ... December 10 and 13: "I was walking
 ... the gymnasium during the Mars Hill
 ... basketball game against Lenoir-
 ... College with my 8-year-old son
 ... I saw Gibson, sitting up in the
 ... look at me and say, 'There's the
 ... O'Brien said he ignored
 ... and found a seat on the other

side of the court. "At half-time, I saw
 Gibson and his wife talking to Dr. Wil-
 liam Walker in what appeared to be an
 abusive manner." O'Brien approached
 Walker with Pat Sams, after Gibson and
 his wife had left. Gibson soon returned
 and asked O'Brien if he wanted to get in-
 to the argument. O'Brien said he did
 not, and at that point Gibson cursed
 him. O'Brien responded with a curse
 himself, explaining in court that, "I'm
 from East Tennessee, and if someone
 calls you that, it requires a response."

O'Brien said that Gibson then threat-
 ened Walker, Sams and himself with
 physical violence.

O'Brien said he saw Gibson three days
 later at the Mars Hill Post Office. "I
 was walking into the Post Office lot
 when I heard a car accelerate and tires
 squeal. I looked over my shoulder and
 saw a car coming toward me. I jumped
 onto the curb to avoid being hit," stated
 O'Brien.

O'Brien said that Gibson was in the
 car, which he parked in the Post Office
 parking lot. Upon getting out of his car,
 Gibson stated, "Do you want to get into
 my business now?" an apparent refer-
 ence to the incident on December 10.
 Gibson also asked O'Brien to repeat the
 obscene name he called him at the Satur-
 day ball game, O'Brien testified.

O'Brien said that Gibson began kick-
 ing his shoes and throwing an elbow into
 him. He said he tried to get away but
 Gibson blocked him.

"At that point I started looking into
 my coat pockets to find anything that
 could be used as a weapon. I found a
 magic marker, pulled it out, and Gibson
 said, 'You're going to court, you pulled

a gun on me."

Of two witnesses which were in the
 Post Office, one which came directly be-
 tween the two to break it up stated he
 never saw any gun. The other witness,
 Gordon Randolph, said he saw O'Brien
 with a gun, but he was unable to de-
 scribe it in court. When asked why he
 did not help break up the fight, Ran-
 dolph replied, "I wanted to see a little
 blood first."

O'Brien said he went to the Mars Hill
 Police Department afterward to swear
 out a warrant but was unable to do so at
 that time because a magistrate was not
 available.

Gibson came into the police station
 while O'Brien was still there and told
 Chief Cutshall to search O'Brien for a
 gun. Cutshall replied that he could not
 do that without a warrant.
 Gibson's lawyer, Forrest Ball, produced
 witnesses in an attempt to prove that
 O'Brien had carried guns previous to
 this incident.

Vance Stephen Buckner, of Weaver-
 ville testified that O'Brien stopped him
 while he was driving around Mars Hill
 one night in August of 1983. Buckner
 claimed that O'Brien pulled a gun on
 him and ordered him out of his car.

O'Brien said he stopped this man for
 campus security reasons. Buckner had
 been identified by two Mars Hill security
 guards as a man responsible for peeping
 into women's dorms. Buckner was not
 charged because he had a wife and two
 small children. O'Brien also later stated
 he did not charge Buckner because he
 did not want to stir up a scare among
 MHC co-eds after last year's prowler
 scare.

Gibson took to the stand on Saturday
 morning, and during cross-examination
 by O'Brien's lawyer, Steve Huff, he
 called over six witnesses liars, including
 some of his own.

"It's just a big conspiracy against
 you, isn't it?" Huff said.

"You can interpret it any way you
 want," Gibson replied.

Huff introduced into evidence a 1972
 photograph which showed Gibson, then
 head football coach at Tulsa University,
 grabbing an official following a football
 game against the University of Arkan-
 sas. He also asked Gibson about a 1981
 incident in which he was involved in an
 altercation with the business manager at
 Carson-Newman College.

"You have to be in athletics to know
 the tremendous pressure [involved in
 coaching], especially playing a team like
 Arkansas," Gibson said. "It was a
 spontaneous reaction in the heat of bat-
 tle. It happens to the best of coaches,
 even Woody Hayes."

(Hayes was dismissed as head football
 coach at Ohio State University after
 striking a Clemson University football
 player after his team's 17-15 loss to
 Clemson in the 1978 Gator Bowl Game.)

Huff accused Gibson of filing the
 charges against O'Brien to embarrass
 him.

The trial concluded mid-way through
 the day, with the judge delivering ver-
 dicts of not guilty on all charges.

Judge Alexander Lyerly, in announc-
 ing the verdicts, suggested that the two
 men either make friends or avoid one
 another, stating that the two could find
 more constructive things to do with their
 time.

Spring Formal: A Night to Remember

GENA BARONE

... day the 13th usually brings to mind
 ... luck and horror, but this year on
 ... April 13, the broken mirrors and
 ... feet will give way to the pleasure
 ... and fine food.
 ... this night, Mars Hill will hold its
 ... Spring Formal. It will be the
 ... of a year of planning and
 ... work done by the Spring Formal
 ... committee, and SGA.
 ... year's formal will be held at the
 ... Park Restaurant on the Biltmore
 ... The theme for the formal is "All
 ... Long." The restaurant is glass en-

closed and opens up into a center court-
 yard where the dance will be held. The
 Biltmore Estate and Deer Park Restau-
 rant are noted for their glamour and
 elegance.

The Formal's dinner will begin at 7:00
 p.m., and promises to be an excellent
 meal. Deer Park Restaurant will serve a
 prime rib dinner, including fresh green
 salad, oven-browned potatoes, broccoli
 with cheese sauce, and apple pie. The
 price for the dinner and dance is \$17.50
 per person, while those wishing to attend
 only the dance will be charged \$5.00 per
 person.

The dance will begin at 9:00 p.m. and
 will last until 1:00 a.m. "Next Exit" will
 be the featured band at the formal. The
 band is known for its uncanny ability to
 reproduce songs just as they were done
 by the original artists.

Formal-wear (tuxedos and formal
 length dresses) will be most appropriate,
 but not required, as semi-formal will be
 acceptable.

A professional photographer will be
 on hand for portraits. Two 8 x 10 and
 four wallet size photos will cost only
 \$10.00. Candid shots, which will be on
 display and available for purchase at a

later date, will be taken throughout the
 evening.

David Nettles, Chairman of the
 Spring Formal Committee, and SGA
 Vice-President, stated, "Everyone on
 the committee should be commended on
 a job well done. I would also like to en-
 courage students, faculty, and staff to
 attend the formal, so this event can be a
 total college community experience."