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Criminal side of rock case over for Shaffer

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Jul. 30--GREENUP — -- It took a 90-minute wait after he got into the Greenup County Courtroom, but at 2:30 p.m. Thursday Steve Shaffer heard the words he wanted to hear.

The criminal case against him was over, but not without stern words from Circuit Court Judge Robert Conley, who ruled on the dismissal motion.

"Mr. Shaffer, you are a lucky man," Conley said from the bench. "The commonwealth says they can't prove their case. I think you better be more careful in the future about your actions."

About 14 months ago, a specially called Greenup County grand jury had indicted Shaffer for removing and appropriating an object of antiquity for his part in removing an 8-ton sandstone rock out of the Ohio River.

The Ironton man believed he had found what was considered to be the Indian Head Rock, which had received the sanction of the Kentucky Heritage Council making it a historic artifact protected under state and federal laws. Shaffer faced up to five years in prison for a Class D felony.

The fight between Shaffer and Kentucky focused on the fact that Kentucky owns the portions of the Ohio River that touch its border. Thus the state's position was the rock belonged to it.

However, on Friday Commonwealth's Attorney Cliff Duvall filed a motion dismissing the charges, basically on the argument that Shaffer had not removed the historic artifact, but another rock.

The holdup on the ruling was because the court had to wait for more than an hour for Sebastian Joy, one of Shaffer's lawyers, to appear. Joy is an associate of lead defense attorney Mike Curtis, of Ashland, Ky.

Shaffer now faces a civil case filed by Kentucky's Attorney General Jack Conway for the rock removal. Curtis is expected to file a motion asking for the dismissal of that case.

"I am very pleased with the commonwealth's decision," Shaffer said, acknowledging his legal woes are not over.

"I have some work ahead," he said. "I can't elaborate or comment at this time."