

'Smart answers' aside, judge rules not

guilty in DWI case

An attorney predicted it would be one of the top five moments ever in Dare County Criminal District Court, and the trial of Charles George Schroeder, 23, did not disappoint.

Represented by defense attorney Kris Felthousen, Schroeder pleaded not guilty to charges of driving while impaired (DWI) and driving an unregistered vehicle at the Thursday, April 3, court session, as Assistant District Attorney Allan Grimsley prosecuted for the state and Heather Austin served as courtroom clerk.

The arresting officer testified that he witnessed Schroeder exit the Kill Devil Hills Red Apple store, get into his car, and pull out onto the bypass and eventually the beach road, where he followed him for about a mile.

The officer said he did not speed, but crossed the fog line twice and was constantly drifting back and forth between the fog and center lines.

At this point in the case, Felthousen objected to the initial stop, arguing that there was not sufficient suspicion to pull Schroeder. "Most every car on the road is drifting within its lane of travel," he said.

Judge Donald W. Overby, of Raleigh, however, disagreed and overruled Felthousen's objection.

The officer's testimony continued that when he pulled Schroeder near Kmart his speech was slurred and eyes bloodshot, and he detected an odor of alcohol. While he successfully completed two field sobriety tests, including the walk-and-turn, he failed to complete the rest and refused to take a breathalyzer test. The officer

The highlight of the trial came when the officer recited, word-for-word, Schroeder's answers to the interview questions he was given at the time of his arrest. Virtually every answer was "profane, insulting, and cocky," as the officer described it.

As an example, when asked what he had been doing for the last three hours, Schroeder responded, "'messing' with you," though he used a much more offensive "F" word than "messing," said the officer. When asked where he had been drinking, he responded, "at your house."

When asked if he had seen a doctor lately, the officer said Schroeder responded, "twice a day for three years," and when asked who, he said, "Gengis Khan." He also said he had false teeth, "just like George Washington."

"In my opinion," stated the officer, "he responded the way an impaired subject would."

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