

COUNTY NEWS

HUNTERDON, WARREN & SUSSEX COUNTIES

, Page 30

ids, Page 32

Hunterdon bureau: (908) 782-8326

Warren bureau: (908) 475-3000

Sussex bureau: 201-383-0516 H

Jury clears Washington man of role in deadly crash

By DAVID VANHORN

A Warren County jury yesterday swiftly acquitted Nicholas Glosser of a death-by-auto charge involving a 1994 crash that killed a 16-year-old youth, bucking the prosecution's contention that Glosser should be liable for goading the driver to speed.

"I had a feeling that I would be found not guilty," Glosser, 20, of Washington Borough, said after the jury reached its verdict following 25 minutes of deliberations.

Glosser was a back-seat passenger in a Chevrolet Camaro driven by Glenn Howell Jr. when the car skidded, went airborne and crashed into trees at Bryans and Asbury-Anderson roads in Washington Township on March 5, 1994. Township resident Jason Lindner, 16, a front-seat passenger, was thrown from the car and died.

Prosecutor John O'Reilly urged the jury to find Glosser criminally liable for the accident

because he egged on Howell to go 140 mph on Bryans Road. But defense attorney Leonard Artigliere said Glosser was not criminally responsible for the tragic end to the high-speed joyride and contended key witnesses for the prosecution were unreliable.

After his grand jury indictment in April, Glosser could have entered the county's pretrial intervention program, in which defendants have their charges dismissed if they comply with certain conditions. Howell also was indicted for death by auto and was admitted to the probationary program, but Glosser decided to go to trial to prove his innocence.

"He did it as a matter of principle," Artigliere said. "I have a lot of respect for him for doing that."

Glosser's father, Rick, said his son "should have never been charged" because the responsibility for speeding rested with Howell, the driver.

"We all knew all along he wouldn't be

found guilty. The charge didn't match up to the facts," the father said. "He felt right from the beginning he was not responsible and would be found not guilty. That's why he took his chances."

Glosser hugged his mother and father after the verdict as his two brothers and girlfriend looked on. Rick Glosser said the trial was "very hard" on the family, and his son has had no luck finding work because of the time he had to spend in court.

O'Reilly said the jury may have decided Howell and Glosser were not accomplices in the crash.

"When the jury makes a decision, the jury makes a decision. I never quarrel when a jury makes a decision," the prosecutor said.

Artigliere said the two key witnesses, Howell and back-seat passenger Kari Hackett, conceded they did not take Glosser's remark seriously. But O'Reilly contended that according to testimony, Howell sped up after he heard Glos-

ser's statement.

Glosser, who was drunk and suffered a head injury in the crash, said yesterday he does not remember saying anything or even getting into Howell's car.

Glosser said he and Lindner were friends, adding, "I think about it (the crash) every day."

After the verdict, Superior Court Judge John Kingfield ruled Glosser was guilty of underage possession of alcohol in a motor vehicle, a disorderly persons offense. Glosser did not contest the charge and is scheduled to be sentenced on March 29.

Glosser also has to defend himself against a civil lawsuit filed by Lindner's parents during the trial. They claimed Glosser contributed to the crash by encouraging Howell to drive faster.

Artigliere said he will defend Glosser "vigorously."

"I find that despicable for that to be done at the point it was done," he said, referring to the lawsuit.