

Restaurant owner found guilty on drug charges



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(Photo: Michael Lehmkuhle/The Advocate)

NEWARK - A local restaurant owner was sentenced to spend the next 11 years in prison after being convicted of possessing more than a kilogram of cocaine that was delivered to the business.

A jury found Steven L. Smith, 45, guilty on one count each of possession and trafficking in cocaine, both first-degree felonies.

Seven men and five women deliberated for about 2 1/2 hours before reaching their verdicts. They were brought back into the courtroom briefly to view a piece of video evidence.

Shortly after the verdicts were read in open court, Judge David Branstool imposed a mandatory maximum sentence of 11 years in prison. The sentence is the mandatory maximum because of the amount of drugs involved in the case.

In addition, Branstool ordered \$50,000 seized by police during a search of Smith's home to be forfeited. The money was in vacuum-sealed bags in a closet. Another \$8,000 located in a safe and his vehicle were ordered to be returned.

The jury considered testimony from more than 20 witnesses, including Smith, and more than 40 exhibits submitted into evidence.

The trial, which began Tuesday, centered on a package of drugs that was delivered to Big Mommas' House of Chicken and Fish in Newark. Smith is the owner of the restaurant.

The address of the business became a central issue in the case.

According to testimony offered by 16 witnesses, a package addressed to a Jonathan Smith at 50 N. 11th St. was intercepted by the Columbus Division of Police and a federal drug task force at a FedEx facility on July 9.

Police officers testified they located a kilogram of cocaine in the package. The package then was delivered to Big Mommas' by undercover officers with the Columbus Division of Police and the Central Ohio Drug Enforcement Task Force.

The package was found in the back seat of Smith's vehicle, unopened, after a traffic stop, officials testified.

During closing arguments Thursday morning, Assistant Licking County Prosecutor Paula Sawyers told the jury Smith wanted them to believe he was an "innocent victim" and a entrepreneur.

"He is not an entrepreneur for a legitimate business," she said. "He's a drug trafficking entrepreneur."

Smith's attorney, Ray English, focused his nearly 40-minute closing argument on the lack of direct evidence of drug sales tied to Smith.

English argued police found evidence of what they believed to be drug trafficking, although items such as a mortar and pestle and nutritional supplements found in Smith's home had other purposes.

After the verdict and the dismissal of the jury, English asked for Smith's bond to be continued so he could wrap up his personal affairs and business. Branstool denied that request and proceeded with sentencing.

Smith's family and community members who were there in support of him during the course of the trial took a short recess between the verdict and sentencing to express their displeasure with the verdict.

One community member said the verdict was an "outrageous injustice," while Smith's fiancée, who testified in his defense, accused police and prosecutors of seeking Smith's money.

Smith will have the opportunity to appeal the verdict in the case.

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