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Sun Herald, The (Biloxi, MS)

1996-02-14

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## WOMAN ON TRIAL FOR DUI DEATH SAYS MAN WAS LYING IN U.S. 90 DRIVER, VICTIM BOTH OVER LEGAL LIMIT FOR INTOXICATION

*SHARON FITZHUGH THE SUN HERALD*

A Long Beach woman on trial this week, charged with killing a man while driving drunk, told police that the man was lying in the road when she struck him.

Gulfport police officer Klain W. Garriga II testified Tuesday about what he saw and what Barbara Blackwell told him when he first got to the accident Nov. 8, 1994. It was a foggy morning, around 5 a.m., still dark.

“She basically said she could not see him, the pedestrian, in the road. And she was scared,” Garriga testified.

Blackwell, who was then 27, was charged with felony driving under the influence of alcohol and causing a death. Robert Lang, 23, of Carriere was dragged under the car after being hit.

Attorneys said Tuesday in opening statements that both Blackwell and Lang were legally drunk. Blackwell's blood alcohol level two hours after the accident was .16 percent; Lang's ranged from .11 to .18 percent.

The legal limit in Mississippi is .10.

Blackwell had just left her boyfriend's house in Gulfport and was heading home after a night out when she struck Lang.

Earlier that night, Blackwell had left work at a casino and gone to another casino to wait five hours for her boyfriend to get off work. At midnight, the two went to a club in Gulfport and then to his house.

Blackwell's attorney, R. **Wayne Woodall**, told the jury that she had two drinks, maybe three, while she waited on her boyfriend and shared two drinks with him later.

The accident happened on U.S. 90 a few streets west of Hewes Avenue. A photo taken at the accident showed Lang was wearing a “fairly bright” red or orange shirt, Garriga testified.

Testimony continues today in front of Circuit Court Judge Robert H. Walker.

Lang, who also had been out at a casino the night of the accident, was pronounced dead at Memorial Hospital in Gulfport the morning of the accident.

**Woodall** told the jury that Lang was sitting in the middle of one lane of U.S. 90, with his hands on his knees and in a fetal position.

Said **Woodall**: ``We'll never know why he was seated in the roadway."`

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