



Sun Herald, The (Biloxi, MS)
1994-07-15

COURT RULES IN FAVOR OF EUROPA TRIO *THE ASSOCIATED PRESS*

Three men who were involved with a Coast ``cruise to nowhere'' gambling ship weren't illegally involved in foreign commerce because they never made contact with a foreign country, a federal court said Thursday.

The ruling by a three-judge panel of the 5th U.S. Circuit Court of Appeals threw out the November 1992 criminal convictions of Tommy D. Montford, 49, of Panama City, Fla., and brothers Gregory Adamavich, 48, of Las Vegas, and Daniel Adamavich, 32, of Milwaukee. The three were ordered to jail last year for illegally engaging in foreign commerce by using the Europa Jet gambling cruiser ship for an illicit bookmaking operation, some of it involving bookmaking by telephone, the government said.

Each was sentenced to a year in federal prison and fined \$3,000.

``The government wrecked three families in this case,'' said Gulfport attorney **Wayne Woodall**, who represented Daniel Adamavich.

``It's also a crying shame that vindictive government lawyers wasted hundreds of thousands of dollars on a witch hunt.''

The Europa Jet, a cruise ship that was berthed in Gulfport, took passengers three miles offshore into international waters for gambling from 1990 until it closed in 1992 following the indictment of five members of the enterprise.

Two men -- boat owner Jim Maulden and Gulfport gambler Bertel Ladner -- were acquitted by the same jury that convicted the others.

On appeal, Montford and the Adamaviches questioned whether any of the calls were made from outside the three-mile limit and, even if they were, their lawyers said President Reagan extended the United States' territorial seas to 12 miles in a December 1988 proclamation.

It doesn't matter, the 5th Circuit said in reviewing the case. Its seven-page opinion said the three were never accused of making illegal telephone wagers in interstate commerce and the convictions must be reversed because they were never involved in what technically could be called foreign commerce.

``... we hold that a `cruise to nowhere,' where the vessel has no contact whatsoever with a foreign country or waters within the jurisdiction of a foreign country, and where indeed no such contact is intended, does not involve foreign commerce,'' the opinion said.

The opinion was written by Judge Thomas Reavley of Austin, Texas. He was joined by Judges Edith

Jones of Houston and Fortunato P. Benavides of Austin.

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