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## GULFPORT DUI CASE GOES TO JURY TODAY

*SHARON FITZHUGH*

*THE SUN HERALD*

The mother of a Gulfport teen-ager killed in an accident in April 1993 did not want to return to court again today and face the pain of her son's death, but she said she would.

This morning, a jury of nine women and three men will decide if the man charged with driving under the influence of alcohol and causing her son's death is innocent or guilty. ``They're making a mockery of my son's death," said Gwen Scarborough of Gulfport, the mother of 17-year-old Roy James Fiveash Jr. ``All of the witnesses have said (Holloway) was drunk."

Fiveash was killed in an accident on Tegarden Road in Gulfport around 5 p.m. on April 25, 1993, when a truck backed up in front of his motorcycle and he swerved and hit a pole.

Police say that Stephen Edward Holloway, 42, of Gulfport, was driving the truck. He was arrested at his apartment that evening.

Witnesses on Tuesday said Holloway had spent the day at a bar, but they could not determine how much beer he had. He had refused a ride home, they said.

Holloway was indicted in October 1993 for causing a death while driving under the influence of alcohol, a felony. His blood alcohol level, tested seven hours after the accident, was nearly twice the legal limit.

Defense attorney R. **Wayne Woodall** contends that prosecutors do not know what Holloway's blood alcohol level was at the time of the accident because Holloway was not tested until much later.

A trial in February ended in a mistrial because a crime laboratory report was not available.

The second trial is in Circuit Court in Gulfport before Judge Robert H. Walker. If convicted, Holloway faces up to 20 years in prison.

``It's not the sentencing that's the most important," Scarborough said Wednesday. ``I hope he learns not to get behind the wheel again under the influence of alcohol. ... I just want it to be over so my son can finally rest in peace."

