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Trial date for Scharf '08 pushed back - Updated 6:34 p.m.

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Editor's Note appended

Princeton Borough Prosecutor Kenneth Lozier has asked the Borough Court to reschedule former Charter Club president Will Scharf '08's trial after witnesses were not present to testify at the hearing scheduled yesterday due to a clerical error.

Kara Murphy '09, one of the two students involved in the incident that led to the charges against Scharf, had been subpoenaed, but an error on the part of the court clerk's office resulted in the subpoena never reaching her, Borough Police Lt. David Dudeck said.

Murphy said that she was not contacted by the Borough until Monday afternoon.

Princeton Borough Prosecutor Kenneth Lozier has asked the Borough Court to reschedule former Charter Club president Will Scharf '08's trial after witnesses were not present to testify at the hearing scheduled yesterday due to a clerical error.

Kara Murphy '09, one of the two students involved in the incident that led to the charges against Scharf, did not receive a subpoena intended for her due to an error between the police department and the court clerk's office, Borough Police Lt. David Dudeck said.

Murphy said that she was not contacted to appear in court until Monday afternoon.

Scharf has been charged with serving alcohol to minors and maintaining a nuisance following the Borough's investigation into a Dec. 1, 2007, incident at Charter Club. Each offense carries a maximum penalty of six months in prison and \$1,000 in fines.

The investigation was triggered when Paige Schmidt '08 poured beer down Murphy's back on Dec. 1. Murphy then struck Schmidt, and Schmidt called the police, Murphy said.

Murphy obtained no notice of the court date until she received an e-mail at 2:07 p.m. yesterday asking her if she was available to come to a court hearing on that day, she said. Scharf's case was called at around 4 p.m.

After being charged with assaulting Schmidt at Charter, Murphy filed a "countercharge for assault and harassment" against Schmidt, Murphy said.

After charging her with assaulting Schmidt, the Borough Police called Murphy in to inform her that the charges against her were being dropped because they

determined that Schmidt had started the fight, Murphy explained.

The Borough officers then began questioning Murphy about drinking at Charter.

“They used [the incident with Schmidt] as an excuse to question me about underage drinking at the eating clubs,” Murphy said.

Murphy said that she never told the Borough Police that Charter Club was serving alcohol to minors but rather had informed police that Charter was checking identification at the entrance to the club and was using a wristband system to identify students of legal drinking age.

Murphy is under 21 and was neither issued a wristband nor served alcohol on the night in question, she said.

“I’m sort of confused why the prosecution would want me to testify at all,” she said.

Another witness, Borough Police Det. Sgt. Christopher Quaste, was attending a training class and could have been called to testify if necessary, Lozier said. Another officer involved in the incident, Patrol Officer Leonard Thomas, was ready to testify as well.

Scharf, who served as the 2007 Interclub Council president, has requested that the Borough schedule a new court date as soon as possible, citing the stress that the trial has caused him.

“This has had a tremendous effect on my emotional and psychological state, especially as I’m trying to finish my thesis,” Scharf said.

A new date, however, has not been set yet.

Scharf will be ready to appear on any date, Scharf’s lawyer Rocco Cipparone said. “From our perspective, we don’t have any critical witnesses,” he explained.

Several Charter members and friends of Scharf attended the hearing. At least seven students were in attendance during the court session. The students declined to comment on the trial.

Editor's note:

This article was updated to reflect information that Murphy never received a subpoena because of an error by the court clerk's office.

The original version also included a statement by Murphy indicating that she had filed countercharges against Schmidt, but no such charges have been filed. It also implied that Det. Sgt. Quaste was at the trial, when he was in fact at a training session but available to testify if needed.

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