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#### **(S.D.)-Rapid City Man Wants Drug Trial Moved From City**



By: Chris Fankhauser Posted at: 11/01/2013 01:07 PM

RAPID CITY, S.D. (AP) - The attorney for a man convicted in August of manslaughter in Rapid City says his client can't get a fair trial in the city on a drug charge, so he wants it moved.

Defense attorney Jamy Patterson filed a request for a change of venue for the drug trial of Charles Birdshead, who was found guilty of manslaughter for the January shooting death of Eustacio Maruffo.

Patterson says Pennington County State's Attorney Mark Vargo earlier identified Birdshead as a drug dealer, but a drug distribution charge was dismissed during the trial.

Patterson argues the stigma remains and makes it impossible for Birdshead to get a fair trial in Rapid City.

Prosecutors are now pursuing a jury trial on Birdshead's arrest for drug possession.

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