

Welcome to The Advocate - Newark, Ohio

Customer Service: [Subscribe Now](#) | [Place an Ad](#) | [Make us your Homepage](#)[newarkadvocate.com](#) [Weather](#) [Jobs](#) [Cars](#) [Apartments](#) [Shopping](#) [Classifieds](#)Search Newark:  All 

Wednesday, March 19, 2008

- » Home
- » News
- » Video
- » Customer Service
- » Communities
- » Entertainment
- » RSS Feeds XML
- » Newspaper Network

Select a site 

**Email**  
**Newsletter**

» ADVERTISEMENT



» ADVERTISEMENT



## 'Major drug dealer' gets nine years

By RUSS ZIMMER  
 Advocate Reporter

NEWARK — A 29-year-old man, described by Common Pleas Judge Thomas Marcelain as a principal player in the county's drug trade, was sentenced to nine years in prison this morning.

Marcelain said the prison term, in step with the recommendation tendered by Licking County Assistant Prosecutor Tracy Van Winkle, was a "cost of doing business" for Monte E. Smith, last known address 295 Montgomery Ave., Apt. E2, Newark.

"Any way you cut it, in this court — in this county — you are a major drug dealer," Marcelain said before issuing the judgment.

Smith pleaded guilty to one count each of trafficking in crack cocaine, a first-degree felony; trafficking in crack cocaine, a third-degree felony; and two counts of possession of cocaine, a third-degree felony, moments before his trial was set to begin Jan. 24. The charges were from two separate indictments.

Felony charges of illegal manufacture of cocaine and possession of cocaine along with a count of misdemeanor possession of drug paraphernalia were dropped in exchange for the plea.

On Dec. 9, 2006, Smith sold 61.1 grams of crack cocaine to a confidential informant working with the Central Ohio Drug Enforcement Task Force, according to statements at an earlier hearing by Licking County Assistant Prosecutor Dan Huston.

After another large crack cocaine sale in December 2006 and more intelligence gathering, police stopped Smith's vehicle Feb. 21.

He was observed before the stop trying to dispose of the cocaine out of his window, Huston said. About 30.9 grams of cocaine was recovered, he added.

During a subsequent raid of two residences, on the 200 blocks of Montgomery and Williams streets in Newark, authorities found "numerous items consistent with the manufacture of cocaine," as well as a bulletproof vest.

Through his attorney, Robert Cesner Jr., Smith denied ever living at the Montgomery Road address attributed to him and where the search warrant was executed.

Today, Smith said he accepted responsibility for his actions and added that he could be a productive member of society.

"I got wrapped up with the wrong people and this is what happened," he said. "I understand I've got to go to jail for what I've done."

Cesner said that a lengthy sentence would demean the punishment for violent offenders and that the sentencing guidelines, which required at least three years of incarceration for the most serious trafficking charge, were not equally applied to crack and powder cocaine.

He also urged Marcelain to think of the rehabilitation aspect in considering the minimum sentence.

"(Three years) is a long time for a person who has never been to prison before," Cesner said.

Marcelain countered that another purpose of sentencing is protecting the public from the defendant's chosen criminal enterprise.

"You've got people sticking up places to buy your product and that's the real problem here," he said.

The judge also ordered Smith pay all court costs and fees and imposed \$5,000 in fines. More than \$4,100 and a 2000 Cadillac DeVille used in the commission of the felony drug offenses were forfeited. Credit for 148 days already served was granted.

**Russ Zimmer can be reached at (740) 328-8548 or [razimmer@newarkadvocate.com](mailto:razimmer@newarkadvocate.com).**

**STORYCHAT**

[Post a Comment](#)

This article does not have any comments associated with it

Originally published March 19, 2008

 Print this article  E-mail this to a friend  Subscribe Now



[Terms of Service](#) and [Privacy Policy/Your California Privacy Rights](#)  
(Terms updated March 2007)

[Subscribe](#) | [Place an ad](#)  
Copyright ©2008 Newark Advocate  
All rights reserved.  
Users of this site agree to the

