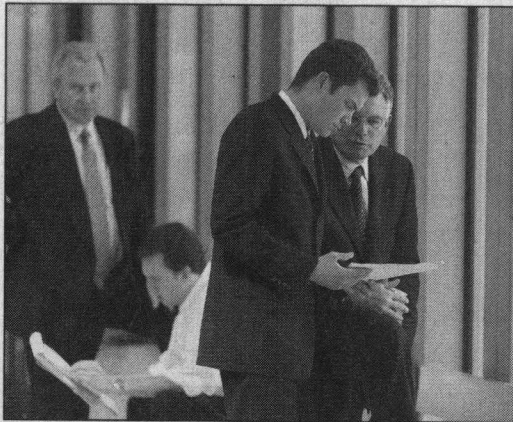


Lawyer Paul Meltzer, left, and client Casey Loop talk while co-defendant Matthew Cox, consults with lawyer Greg Coben, right, on Friday.

JUDITH CALSON —
MERCURY NEWS



Sentences in Santa Cruz fish prank

JUDGE ORDERS PROBATION, COMMUNITY SERVICE FOR TWO MEN WHO KILLED KOI

By David L. Beck
Mercury News

Judgment day came Friday for the confessed Santa Cruz koi killers, and a hushed courtroom awaiting their sentence had a bizarre experience: watching parts of the crime on videotape.

Two men pleaded no con-

test last month to a pair of misdemeanors — grand theft and vandalism — arising from an incident last spring at the University of California-Santa Cruz, in which a 20-pound koi named Midas was taken from a meditation pond at Porter College.

Midas wound up at a fra-

ternity house off-campus, where events were being filmed by MTV for a reality TV show. The footage was never aired.

But it was shown Friday in Judge Jeff Almquist's courtroom.

Eleven minutes long, it showed defendant Casey

Loop in the doorway of the frat house holding up the big red fish in his left hand and yelling, "It's alive!"

It showed defendant Matthew Cox whacking Midas with a 40-ounce beer bottle.

It showed Loop with a knife

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... Cox with a frying pan ... fraternity pledges with forks.

Loop's lawyer, Paul Meltzer, shook his head and smiled as he watched. He later called the incident "stupid and immature and drunken."

But Almquist was not amused.

The sentences: three years of formal probation and 300 hours of community service for Loop, and two years of conditional probation and 200 hours of community service for Cox. Some of the community service for both men is to be at the county animal shelter or Long Marine Lab.

And the case isn't over. Before sentencing Loop and Cox, Almquist took not-guilty pleas from lawyers for two other men charged in the same case, and set a June hearing date for them. Like the first two, Jonathan Bermudez and Jordan Trigg are charged with misdemeanor grand theft and misdemeanor vandalism.

Loop and Cox pleaded no contest in March after being warned about the tape, which the Santa Cruz County District Attorney's Office subpoenaed from MTV. The cable network filmed the events as part of a feature on a UC-Santa Cruz fraternity, Delta Omega Chi, which was partying in an off-campus house rented by MTV.

MTV also provided the minivans in which Loop, Cox and others went off to capture the fish. There were cameras in the vans; Loop, waving a saucepan, says on camera, "We're gonna come back with a catch." He adds, "We have to make sure nobody's around when we do this."

Almquist was critical of the network, which he said gave the fraternity the "incentive" to kill the koi. "Perhaps that's just a reflection of our times — playing to the cameras," he said.

The judge expressed disappointment that the network was not a defendant. But Joe Henard, a district attorney's inspector who investigated the case, said there was no direct evidence of MTV ordering the crime.

People who do stupid things sometimes get even stupider with a camera in front of them, Meltzer said. "But let's keep this in perspective. Was the act of killing a fish so unusual?"

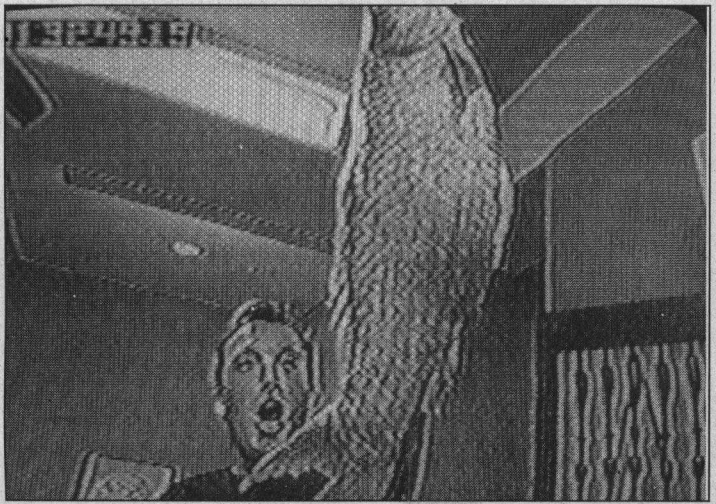
Lawyer Greg Coben, speaking for Cox, stressed Cox's contrition and his admission of culpability. He blamed a volatile combination of fraternity, MTV and alcohol for what happened.

Both sentences included attendance at Alcoholics Anonymous meetings and work with young people in alcohol-related trouble.

Loop's more severe sentence was based on what the judge saw as a defiant attitude that appeared even in his pre-sentence interview with probation officials.

Loop, 23, is a bartender at the Cheesecake Factory at Oakridge Mall in San Jose. Cox, 24, is a psychology major who works at a locked psychiatric facility.

Cox did not speak. Loop said a few words in court: "I am sorry for everything that's happened. When we set out to do this, we were not setting out to damage the



JUDITH CALSON — MERCURY NEWS

Unaired reality-show footage subpoenaed from MTV, played in court Friday, shows defendant Casey Loop holding the stolen koi.

an "sorry for everything that's happened. When we set out to do this, we were not setting out to damage the community. . . . We were setting out to get a fish."

Gretchen Brock, the prosecutor, said after court, "I think he's trying to say the right things. I don't know if he's really sincere."

But Loop said afterward that the case was "much bigger than it should have been," and drew a line between Midas the koi and a puppy.

On Monday, two courtrooms down, another Santa Cruz judge sentenced Steven Jackson to three years' probation for killing a puppy with a golf club.

He said his case could only have happened in Santa Cruz. "There are people in Santa Cruz who believe every fish in the bay is their friend," he said.

"It's a fish," he said. "It's a fish. It was somebody's pet and I'm sorry for that. *But it's a fish.*"

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