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Moore gave Carter a choice between serving 30 days in jail or paying a \$200 fine

Carter, 45, of Pee Dee and Culp, 63, of Chester were indicted in July on charges of trafficking marijuana. The indictment also accused the men of conspiring to traffic marijuana.

against Carter, resulting in Judge James Moore declaring a mistrial on that

issue

Carter owns Jimmy Carter's Fireworks stores in the Pee Dee area of South Carolina.

Jurors were given five choices of verdicts on each of the two counts against Carter and Culp - trafficking marijuana in excess of 100 pounds or 10 pounds; possession with intent to distribute marijuana; possession of marijuana, and not guilty.

The jury was unable to reach a decision on the conspiracy count against Carter that charged that between May 1988 and July 1991 he knowingly possessed more than 100 pounds of marijuana.

We don't have any quarrel with the verdict of the jury, said Chief Deputy Attorney General Cameron Currie said. We do plan to proceed with the count against Mr. Carter.

J.P. Strom Jr., the Columbia lawyer who defended Culp, said he was pleased with the verdict for his client.

Jack Swerling, a Columbia lawyer who represented Carter, said he isn't sure what the mistrial on the one count means to Carter

During closing arguments Tuesday, Assistant Attorney General Reginald Perry said the evidence surrounding the men's July 17 arrest spoke for itself.

Both Carter and Culp were arrested in Laurens County after Sgt. Eddie McGee, with the state Department of Wildlife and Marine Resources, became suspicious of a parked truck. McGee testified he spotted marijuana and a search later produced nearly 300 plants from 11 plots northeast of Clinton.

Laurens County sheriff's Capt. Tony Lynch had told the jury he arrested Carter after spotting him in the field and finding marijuana leaves in his vest, Perry said. Culp, who had been driving the truck, also was arrested.

Carter and Culp were scouting for deer the morning of their arrests, **Swerling** said. Carter simply used poor judgment when he stumbled across the marijuana and decided to stuff some in his pockets, the lawyer said.

The evidence presented is consistent with a successful businessman who uses marijuana occasionally - not a major drug trafficker, **Swerling** said.

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