

Jury acquits Ormond-by-the-Sea nightclub developer

Daytona Beach News-Journal (FL)-October 20, 2001

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An Ormond Beach woman was cleared Thursday of a felony charge that she kicked a corrections officer in the groin at the Branch Jail 16 months ago.

Susan Duncan, developer of a controversial nightclub in Ormond-by-the-Sea, was found not guilty of battery on a law enforcement officer after the jury deliberated for just 15 minutes.

Duncan, 43, was arrested at her John Anderson Drive home on June 24, 2000, and charged with disorderly conduct and resisting arrest after she repeatedly made calls to a 911 dispatcher about a problem inside, a prosecutor said.

When police arrived she became unruly and was arrested, said Assistant State Attorney Bradley Sherman. Police took her to the Branch Jail and during the inmate processing procedure she became agitated, two corrections officers testified.

Unable to complete the fingerprinting of Duncan, corrections officer Dean Zimmerman said several officers tried to place her in a cell and they started to remove her handcuffs.

Zimmerman said Duncan began flailing her arms -- with a set of handcuffs hanging from one -- and he went to subdue her, but she kicked him in the groin.

Defense attorney James R. Clayton told the jury that corrections officers humiliated Duncan and that she was upset because she felt her initial arrest was unfounded.

Duncan, who was convicted in 1993 of the felony charge of harming or threatening a public servant, still faces a forgery charge. The pending charge stems from her arrest July 6 when she attempted to obtain a liquor license for her Daytona Nites nightclub at 1550 Oceanshore Blvd.

Duncan is accused of showing a forged court order to a courthouse clerk stating that a previous felony conviction had been overturned. Sherman said Duncan was trying to sidestep a prohibition on felons obtaining liquor licenses. A liquor license was issued for the club, Daytona Nites, this week in the name of Henry Duncan, Susan's father.

Edition: FINAL

Section: News-Journal

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Dateline: DAYTONA BEACH

Record Number: 0110200316

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