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No. 4: Carson Starkey trial proceedings approaching

Nick Wilson

The countdown continues for the Top 10 Stories of 2009 selected by The Tribune editorial staff.

More than a year after his death, Cal Poly freshman Carson Starkey's alcohol overdose from an alleged fraternity hazing will be the focus of two criminal trials expected to take place in the coming year.

Four Cal Poly students face trials in 2010 after being charged with crimes in connection with Starkey's Dec. 2, 2008, death after a party hosted by the Sigma Alpha Epsilon fraternity.

Haithem Ibrahim and Zacary Ellis have pleaded not guilty to felony hazing causing death and a misdemeanor charge of furnishing alcohol to a minor causing death.

Two other members of the fraternity — Russell Taylor and Adam Marszal — have denied similar misdemeanor charges.

Trial dates have not been set, but the men are due back in court Jan. 11. At the preliminary hearing held in August, Sigma Alpha Epsilon members described a night of extreme consumption of hard alcohol and beer leading to the death that police determined was from alcohol poisoning.

Ibrahim was Starkey's purported "big brother" who chose the alcohol for him.

Pledges of the fraternity were told to drink all of the alcohol given to them by older members, according to testimony at the hearing.

Witnesses said that Starkey, an 18-year-old from Austin, Texas, downed the alcohol in a matter of minutes, including rum and the 75.5 percent-alcohol version of Everclear.

Ellis is said to have been the pledge educator who organized the event, which was attended by the pledges and 20 fraternity members.

Fraternity brother Christopher Perkins testified that after Starkey lost consciousness, he and two other members put Starkey in a car and started to take him to the hospital.

But Starkey regained consciousness and the brothers brought him back into the house where they had been partying, where he was found unresponsive the next morning. Starkey was later pronounced dead.

Defense attorneys seek to show that each of the pledges had the choice to drink as much as or as little as they wanted — an argument they likely will present during trial.

At the next hearing, however, Ibrahim and Ellis are expected to argue that insufficient evidence was presented at the August preliminary hearing; Taylor and Marszal are expected in court for a trial setting conference that day.

Deputy District Attorney Craig Van Rooyen said he believed Starkey died during a "hazing ritual."