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**Correction:**\* A Thursday Local News article about Wayne County drug prosecutor Karen Plants should have said that after charges were withdrawn against Ricardo Pena because of possibly false testimony, he later pleaded guilty to a drug conspiracy charge and agreed to testify against codefendant Alexander Aceval. Pena is serving a 5- to 15-year prison term.

### **WAYNE COUNTY: COX TO TAKE OVER INQUIRY OF PROSECUTOR**

*SHE'S ACCUSED OF USING PERJURED TESTIMONY*

*JOE SWICKARD*

*FREE PRESS STAFF WRITER*

The Michigan attorney general will take over the criminal investigation of Wayne County's lead drug prosecutor, who is accused of using perjured testimony in a major Downriver cocaine case.

Mike Cox's office confirmed Wednesday it is stepping into the case against Wayne County Assistant Prosecutor Karen Plants after the state Prosecuting Attorneys Coordinating Council spent two months trying to find a prosecutor from another county to handle the probe. Four counties declined the investigation.

"Obviously it is a complex case," said Kim Warren Eddie of the Coordinating Council.

Plants, who heads the drug case prosecution unit, was suspended with pay in April when the Michigan Attorney Grievance Commission charged her with professional misconduct for using false police testimony to prosecute Ricardo Pena and Alexander Aceval for possession of 47 kilos of cocaine.

Wayne County Prosecutor Kym Worthy asked that another agency investigate Plants for possible criminal prosecution.

Kenneth Mogill, Plants' lawyer, said Wednesday that "any fair-minded investigation will come to the same conclusion: Karen did not do anything that violated any law."

But David Moffitt, an Oakland County defense attorney who has urged criminal and professional investigations of Plants' conduct in the 2005 drug case, said Wednesday he hopes it doesn't stop with her.

Plants knew Inkster officers lied, according to court records, in testifying that they didn't know the driver of a vehicle carrying the cocaine when he was actually their paid informant, who tipped them off.

During the trial, according to secret sealed transcripts, Plants met privately with now-retired Wayne County Circuit Judge Mary Waterstone and told her the cops lied to hide the informant's role.

Pena's case was dropped in 2006. Court records indicate his conviction was vacated in "the interest of justice" because of "possible false or misleading testimony" and the informant's "undisclosed financial interest."

Aceval, who pleaded guilty after a hung jury, is seeking release.

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MEMO: CORRECTION RAN JUNE 6, 2008.

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