

# Former deputy pleads not guilty to perjury

By **STEPHEN FOUTES**  
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A former undercover narcotics investigator today was arraigned and pleaded not guilty to three counts of perjury.

In May, Michael Isenberg was charged with perjury for allegedly telling the court he was present when drug transactions took place; prosecutors say they have evidence indicating he wasn't.

During a brief hearing this morning, Isenberg's attorney, Rob Trowbridge, asked Judge Thomas Brown III to consider several motions.

Among them was a motion to

set aside Cole County Prosecutor Bill Tackett's request to disqualify himself from the case in lieu of a special prosecutor. Tackett filed that motion on May 16 and it was ruled on May 19.

Trowbridge said that motion should not have been granted, for many reasons, including the fact he wasn't present for the proceeding.

"The hearing was held and the prosecutor's motion was taken up outside the presence of the defendant's counsel and the defendant was thereby prejudiced," Trowbridge wrote in his motion.

Trowbridge added: "I wasn't

present to be a part of the hearing, to make a record or to see a proper record was made. Without a proper record, you can't appeal issues."

Trowbridge also asked Brown to: set aside the order appointing David Fry as the special prosecutor; issue an order staying any further proceedings or orders in the case; recuse himself from the case; appoint a special judge and special prosecutor to preside over the case.

Brown, who indicated he didn't immediately intend to recuse himself from the case, scheduled a July 24 hearing to review the motions.

During the hearing, Fry, a former Jackson County prosecutor, agreed to Trowbridge's request for special discovery.

Trowbridge said that request would give him access to confidential informant files and agreements, prosecutor's files and trial transcripts from the three cases

cited in the indictment against Isenberg.

"There are some things we are seeking that may or may not be encompassed by the routine discovery request," Trowbridge said. "I didn't want there to be any disputes over that."

According to the Cole County Prosecutor's Office, Isenberg, 28, allegedly perjured himself during three different trials dating back to May 7, 2002.

As a result of an investigation by the prosecutor's office, three men have been released from prison. In addition, several convictions have been set aside, and 14 people are scheduled to be released from probation terms on Thursday.

A former corporal with the Cole County Sheriff's Department, Isenberg was an undercover officer assigned to the MUSTANG drug task force. He resigned from the department after the charges were filed.