Ex-BP Engineer Pleads Not Guilty in Spill Probe

MICHAEL KUNZELMAN,Associated Press

NEW ORLEANS (AP) — A former BP engineer charged with deleting text messages about the company's response to the 2010 oil spill in the Gulf of Mexico was arrested in Texas last week because federal authorities feared he would leave the country for a job in Australia and not return, prosecutors said Thursday.

Assistant U.S. Attorney Richard Pickens said Kurt Mix, 50, of Katy, Texas, applied for a green card to Canada as recently as March and intended to leave for Australia, "never to return."

Joan McPhee, one of Mix's attorneys, said her client had a job with Apache Corp. waiting for him in Australia but "sat patiently at home for several months" because he knew he was the target of a federal probe.

"He was entirely compliant with what was a request by the government to remain in this country," McPhee said.

However, Justice Department prosecutor Derek Cohen said investigators learned from Mix's lawyers that he was no longer willing to wait and planned to accept the job offer. Cohen also noted that Mix's wife is a native of China who has family in that country.

Cohen cited both as factors in deciding to arrest Mix.

"We didn't chase him through the plains of Texas," Cohen added.

McPhee said her client wasn't home when FBI agents showed up to arrest him on April 24. After his wife called to inform him, Mix telephoned an FBI agent and arranged to meet him at a constable's office, where he was arrested, according to McPhee.

Mix pleaded not guilty Thursday in New Orleans to two counts of obstruction of justice. Each count is punishable by up to 20 years in prison and a $250,000 fine.

U.S. Magistrate Daniel Knowles III ordered Mix to restrict his travel to Louisiana, Texas, Massachusetts and New York. Mix has attorneys based in the latter two states. His lawyers had asked Knowles to allow Mix to travel throughout the continental U.S. while his case is pending.

A grand jury's indictment Wednesday accuses Mix of deleting text messages to a supervisor and a contractor to prevent them from being used in a federal grand jury probe of the Gulf oil spill.

The criminal charges against Mix are the first in the Justice Department's

investigation of the deadly blowout of BP's Macondo well on April 20, 2010, and the company's response to the nation's worst offshore oil spill.

Mix worked on BP's efforts to stop the leak. The FBI says a text message Mix deleted indicated BP's blown-out well was spewing far more oil than the company was telling the public.

Mix was freed on $100,000 bond following his initial court appearance in Houston.

The indictment says BP had repeatedly notified Mix that he needed to retain all of his spill-related records, including text messages, but he allegedly deleted about 300 texts he sent to a supervisor who served as BP's drilling engineering manager for the Gulf and an outside contractor who also worked on the spill response.

Mix, a native of New Roads, La., and LSU graduate, resigned from BP in January. Cohen said BP suspended Mix after learning of the deleted texts. A company spokeswoman who attended Mix's arraignment declined to comment after the hearing.

McPhee said Mix preserved thousands of electronic records, including duplicates of the texts he allegedly deleted.

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