

Former BP Worker Claims Evidence Proves Innocence

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NEW ORLEANS (AP) — A former BP engineer charged with deleting text messages about how much oil was leaking from the company's blown-out well in the Gulf of Mexico claims evidence not given to federal investigators will prove his innocence.

In court documents, Kurt Mix asks U.S. District Judge Jane Triche Milazzo to review evidence from an unnamed third party that is "capable of fully exonerating him." His defense lawyers added that the evidence "exculpates Mix in a particularly direct and unambiguous manner."

FBI agents did not see the information because it was considered privileged under a client-lawyer agreement, according to court documents filed Monday in New Orleans. The court documents did not identify the third party or the evidence.

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

He has been accused 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 U.S. Justice Department's probe of the deadly blowout of BP PLC's Macondo well on April 20, 2010, and the company's response to the nation's worst offshore oil spill.

Mix was on a team of BP engineers trying to stop the leak. The FBI has said 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 an initial court appearance in Houston.

The indictment said 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 a contractor who also worked on the spill response.

Mix resigned from BP in January.

His lawyers also argued Monday that they have "thousands and thousands of emails, text messages, other electronic information and hard-copy documents that Mix preserved" that show Mix did not intend to hide evidence from investigators. They said he had "wholly innocuous reasons for the two text message string deletions."

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