Written by DENISE A. RAYMO, Staff Writer
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MALONE — A Tupper Lake teen who repeatedly slammed a Tupper Lake Village Police officer to the ground during an arrest attempt will spend seven years in state prison.Brad Eggsware, 19, will serve the sentence for second-degree assault concurrent to the prison term he is already serving in an unrelated case.

He admitted last month that he repeatedly lifted the head and shoulders of Officer Jason Amell and pounded him on the pavement multiple times to get away from the officer's grip while Amell was trying to arrest him.

During the incident, an angry mob of teenagers descended on the pair and began kicking Amell about the face and ribs, but the officer did not let go of Eggsware.

An attempt by defense attorney Lillian Anderson-Duffy to have Eggsware declared a youthful offender so his identity and the facts of the case could be sealed was denied by Franklin County Court Judge Robert G. Main Jr.

He also blocked an attempt to have Eggsware's probation term shortened from five years to three years once he is released from prison.

Anderson-Duffy argued that, since this was her client's first violent felony conviction, he should get the shorter term.

And, she added, Eggsware told her as they entered court that if he didn't get the shorter probation term, he would withdraw his guilty plea and have her removed as his lawyer.

The judge said his interpretation of Jenna's Law concerning post-release supervision mandates that Eggsware, as a second-felony offender, serve the full five years.

Before handing down his sentence, the judge gave Eggsware a chance to speak.

"I just want to do my time and not have to worry about doing more time when I get out," the handcuffed teenager said.

Anderson-Duffy added quickly that her client "expresses remorse."

Main paused briefly, then began:

"The events of St. Patrick's Day 2006 are not likely to be quickly forgotten by the residents of this county and particularly the residents of the Town and Village of Tupper Lake and especially the Police Department of Tupper Lake.

"The unprovoked, violent, vicious and uncalled-for attack by this defendant and others against Police Officer Jason Amell as he attempted to arrest the defendant stands out.

"The defendant's participation in this incident cries out for a strong measure of punishment, which the court hopes serves a duel purpose."

The judge said the seven-year term will protect society from Eggsware and send a message to others not to do the same thing in the future.

"Fueled by excessive alcohol and the use of drugs, a lawless gang prevented Officer Amell from performing his duty in the face of incredible odds," Main said.

Despite the severity of the crime, the judge said, he was convinced — in lengthy consultations with the District Attorney's Office, the defense and a trusted professional — to agree to the seven-year prison term.

Eggsware was ordered to pay a $5,000 fine, $4,983 in restitution and fees, a court surcharge of $250 and a crime victim's fee of $20.

Anderson-Duffy told the judge that Eggsware misunderstood the earlier instructions from the bench and thought that when he was given the chance to speak, his comments had to be confined to the topic of probation.

But Main cut her off, saying Eggsware had already had a chance to speak in his defense.
"I've already imposed sentence," he said.
"He just wanted to say he was sorry, your honor," Anderson-Duffy said.