

## Jamaica Gleaner Online

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Buju Banton - File

### Howard Campbell, Gleaner Writer

#### **Famous legal trials have produced some unlikely partnerships: Clarence Darrow and John Scopes, Johnnie Cochran and O. J. Simpson.**

Add Buju Banton and David Oscar Markus to that mix. Markus, a Harvard Law School graduate and rising star in American law, is lead attorney for the reggae star who has been charged with conspiracy to distribute more than five kilograms of cocaine in Sarasota, Florida.

On Wednesday, Markus will resume his fight to clear Banton, the Rastafarian singer of **Til Shiloh** fame who is also known for clashing with gay rights groups over his scathing lyrics against homosexuals.

Markus will seek bail for the artiste in a Tampa, Florida federal court.

Banton (given name Mark Myrie) has been incarcerated since December 10 when he was arrested by federal agents at his Tamarac, South Florida home.

Federal prosecutors have objected to bail for Banton, saying his lawyers have shown nothing to suggest he would not be a flight risk.

Markus would not comment on the bail proceedings during an interview last week with **The Gleaner**, but admitted that the involvement of the US government is instructive.

"It is not easy to fight the federal government, especially when you are in jail but Buju is strong and is a fighter," he said. "That's why I like him so much, we both like to fight."

Judge Tim Moody declared a mistrial September 27 after the 12-member jury was unable to return a unanimous verdict after three days of deliberations.

A new trial will take place in December on a date to be announced.

Markus supports popular belief among Banton supporters that the artiste was set up.

"To me, it's clear, to a number of the jurors, it was clear," he said.

"Now we have to convince all 12 in December."

Born in Miami, Markus was groomed for a career in law. He remembers 'following around' his father (who is also a lawyer) on court dates as a boy and later gaining acceptance to the Harvard Law School where he found distinguished mentors.

Among them was Alan Dershowitz, one of the US' most acclaimed jurists and legal minds.

Markus returned to practice on the competitive South Florida circuit after graduating from law school. Though still in his 30s, he has established a formidable resume as a trial lawyer.

He has figured in some of the biggest cases in the Sunshine State in the past 10 years. Markus has successfully represented Gilberto and Miguel Rodriguez-Orejuela, founders of the notorious Cali Cartel; Dr Ali Shaygan, a doctor who was accused of illegally selling pain medications; and Roderick Carter, who like Banton was facing a lengthy prison term on drug and gun charges.

### **Leading litigators**

His impressive strike rate has not gone unnoticed. The respected National Law Journal has named him as one of the leading litigators under age 40 in the US; he was also selected this year by Super Lawyers magazine as one of Florida's top 100 attorneys.

That profile encouraged Buju Banton's management to engage Markus shortly after his arrest. The lawyer said he was familiar with the artiste's work prior to their professional link.

"I didn't personally know Buju before he hired me but had heard his music before," he said. "Now, I know all the songs, as do my kids!"

He said **In The Air**, from his client's new [album](#) **Before The Dawn**, is his favourite Buju Banton song.

Markus said he has visited Jamaica several times on vacation, but adds that leisure usually takes a backseat to his career.

"I like to read transcripts of old trials at night, including those of Edward Bennett Williams, the greatest trial lawyer of the 20th century," he said.

The Buju Banton case has stirred passionate debate among his supporters and lawyers in Jamaica and the US. If found guilty, the 37-year-old artiste faces life in prison, something David Oscar Markus is determined to prevent.

"I am confident about our case, I don't believe in negative energy," he said.

"We must remain positive and believe that we can win. And we will."

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