

## Ex-Forest Service Worker Must Pay \$14.7M

By ERIN GARTNER, Associated Press Writer

DENVER - A federal appeals court Tuesday ordered an imprisoned former Forest Service employee responsible for the largest wildfire in Colorado history to pay \$14.7 million in restitution.

A three-judge panel of the 10th U.S. Circuit Court of Appeals (news - web sites) sided with federal prosecutors who argued Terry Lynn Barton should pay the cost of emergency restoration of national forest southwest of Denver.

U.S. District Judge Richard Matsch rejected the government's request for the sum last year, saying setting the value of the forest was impossible and that he would not condemn Barton to a life of poverty.

The appeals court said, however, prosecutors and defense attorneys had agreed on the \$14.7 million figure and that Barton's financial circumstances were not relevant.

"The government pursued this appeal because it felt an important principle was at stake," said Jeff Dorschner, spokesman for the U.S. attorney's office in Denver.

Barton's attorney, Warren Williamson, did not immediately return a message seeking comment.

The 2002 Hayman fire charred 138,000 acres, including 117,000 in the Pike National Forest, and destroyed more than 100 homes.

Barton, who was patrolling the forest during a season of high fire danger, pleaded guilty to federal arson charges. She said the fire began after she tried to burn letters from her estranged husband.

Matsch sentenced Barton to six years in federal prison. She also pleaded guilty to state arson charges, and was sentenced to 12 years in prison. Barton is serving the sentences concurrently in a Texas facility for prisoners with health problems.

A state judge ordered Barton to pay \$27.5 million in restitution to residents whose homes were destroyed or damaged.

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