

**SOPER'S  
FAMILY DRUG**  
102 South Broadway Corner  
of Broadway & Market St.  
Phone: (859) 289-8501  
Hours: Mon. - Fri. 8:30 a.m. - 6 p.m.  
Sat. 8:30 a.m. - 1:30 p.m.  
Sun. 10 a.m. - 5 p.m.  
"The Only Pharmacy Your Family Needs"

# The Carlisle Mercury

Vol. 141 No. 35 The Nicholas County News Since 1867 Wednesday, August 29, 2007

## Crash kills one, injures another



Photo by Hank Bond

Nicholas County emergency personnel responded to a deadly crash, Friday at the intersection of Lake Road and US 68. Two motorcycles collided, claiming the life of one man, Nicholas County Fire and Rescue responded to assist in landing a helicopter at the scene, and with Nicholas County EMS personnel. Sheriff Dick Garrett and Deputy Sheriff Bennie Buckler investigated the accident.

By Charles Mattox  
News Editor  
charles@thecarlislemercury.com

A motorcycle accident on US 68 claimed the life of an Ohio man Sunday.

William D. Ross, 61, of Cincinnati, died as a result of injuries he sustained after his 1999 Harley Davidson motorcycle struck the rear of a 2005 Harley Davidson motorcycle driven by Larry Cummins, 59, of Nicholas County.

According to Nicholas County Deputy Sheriff Bennie Buckler, who responded to the scene and continues to lead the investigation into the accident, Ross and Cummins were old friends who had not earlier in the day at Abnee's Grocery at Blue Licks and were going to eat at Ladobee's Restaurant before taking a daylong motorcycle trip.

and the collision resulted in both bikes overturning. "Mr. Ross's motorcycle skidded approximately 64 feet before leaving the roadway," Buckler said.

According to Buckler, Bob Banta, owner of Ladobee's Restaurant, heard the collision, immediately dialed 911 and provided assistance to both Cummins and Ross while emergency responders were in route.

Cummins was treated at the scene by Nicholas County EMS personnel and was transported to the Nicholas County Hospital by ambulance where he was later released.

Ross was treated on the scene and flown by helicopter to the University of Kentucky Medical Center where he was later pronounced dead, having suffered extreme blunt force trauma to his head, officials released.

"Mr. Ross and Mr. Cummins were both wearing helmets," Buckler said.

A witness at the scene said the paramedics worked quickly and diligently in an attempt to save Ross's life.

Aug  
29  
2007

## Paris Attorney Jim Lovell announces candidacy

Paris attorney Jim Lovell, 57, announced today that he has filed his intention to run for State Representative from the 72nd District in the 2008 election. The seat is currently held by Carolyn Belcher, who is a candidate for Bath County Judge Executive in a special election this November.

Lovell, a Democrat, was elected 72nd district representative in 1994 and served 1995-1998. He has also served as Bourbon County Attorney (1978-1990), Assistant Commonwealth's Attorney (1990-1994) and Master Commissioner of the Bourbon Circuit Court (1990-2007).

He indicated that Kentucky's justice system would be a focus of his campaign for the 2008 race. In his previous tenure as state representative, Lovell won praise for his work to revamp the juvenile justice system and to enhance Kentucky's adult criminal justice code. He was a recipient of a Toll Fellowship from the Council of State Governments and a member of the Kentucky Criminal Justice Council's Committee on Corrections/Community Based Sanctions.

Today, he expresses particular concern for the elderly and their protection from physical abuse and financial exploitation.

"I have greater breadth of experience now and I believe

I can contribute even more. We must stand up for those potential victims of crime who are unable to stand up for themselves, like the elderly and the disabled," Lovell said.

"Serving as a prosecutor and as a private practitioner has given me further insight into problems that need fixing," he added. "For example, we have a real need for change in the way we try to prevent animal abuse and the way we deal with the offenders. As with any violent offender, these abusers pose a real threat for escalating their crimes in the future. By being tough on them now, and evaluating them, we should be able to prevent them from continuing to commit crimes."

Lovell's civic activities have included participation to combat child abuse (former president and one of original organizers), the

Cane Ridge Preservation Project (board of trustees), Habitat for Humanity (board of directors) and President of Stoney Creek Trails, Inc., a nonprofit group develops walking and bike paths in Paris.

Lovell is married to Mary Schuman Lovell. They have three daughters: Meredith (28), Rebecca (26) and Sallie (22). He is an elder, member of the choir and former moderator of the church board at First Christian Church of Paris (Disciples of Christ).

"I look forward to campaigning in all four counties and listening to the people of the district," Lovell said. "I'll also be letting constituents know that if they need help in dealing with the state bureaucracy, I'll be there for them."

The 72nd Legislative District comprises Bath, Bourbon and Nicholas Counties and part of Fayette County.

Paid announcement by Jim Lovell.



Jim Lovell

## Grand Jury indicts one in hatchet assault

Members of the Nicholas County Grand Jury indicted a local man accused of hitting another man in the head with a hatchet, during the grand jury's Aug. 20 meeting in the Nicholas County Circuit Courtroom.

Albert Junior Hamilton, 34, of Hickory Ridge Road, was indicted by the grand jury for the offense of assault, second degree, for allegedly striking Chris Mitchell in the head with a hatchet earlier this year.

Hamilton was arrested in the evening hours of May 27 after an altercation with Mitchell at Myers Station.

Nicholas County Deputy Sheriff Bennie Buckler was dispatched to the Myers Station location at approximately 8:20 p.m. where he found Mitchell with defensive wounds to his hand and a three to four inch long laceration to the left side of his head, according to that citation.

Also according to that citation, Hamilton allegedly confessed to striking Mitchell with the hatchet.

Mitchell was transported to the local emergency room by private vehicle where he was treated and released later that night.

Hamilton was originally charged with assault, first degree, and remains free after posting 10 percent of an \$8,000 bond.

The members of the Nicholas County Grand Jury issued their final report Aug. 20, having returned a total of 12 indictments during their three days of session in the past quarter of the year. The jury passed on six cases to be heard by the September Grand Jury.

Editor's Note: An indictment is not an indication of guilt or innocence. That is determined in Circuit Court.

## Jury finds Tuney guilty

Lizbeth Tuney, 47, was found guilty of identity theft at the conclusion of a jury trial in Nicholas County Circuit Court Friday. She was also found guilty being a persistent felony offender.

The jury recommended that Tuney be sentenced to four years imprisonment for the charge of theft of identity, and eight years for the charge of persistent felony offender.

Final sentencing for Tuney will be held Sept. 6 and Judge Robert McGinnis, who presided over Friday's jury trial, may accept the jury's recommendation and decide if the charges should run concurrent or consecutive to one another.

Tuney previously entered a plea of guilty to theft by deception on Sept. 24, 1993 and was sentenced to five years' probation. Tuney more recently entered a plea of guilty to two counts of identity or financial condition on Sept. 8, 2005, according to court documents.

Friday's trial stemmed

from Tuney's alleged use of personal information from her former friend Sara Esterhay.

Esterhay admitted on the witness stand that she had helped Tuney with financial matters in the past, but did not authorize her to use any of her personal information to apply for any credit cards or post office boxes.

"I lent her money," Esterhay said at one point of her testimony.

Tuney will be held Sept. 6 and Judge Robert McGinnis, who presided over Friday's jury trial, may accept the jury's recommendation and decide if the charges should run concurrent or consecutive to one another.

Tuney did not take the stand and no witnesses were called to testify by the defense.

Tuney's attorney, La Mer Kyle Griffiths, focused on the friendship between Tuney and Esterhay and giving a false statement as given consent to Tuney for some information in helping her.

See GUILTY Page 16

## LABOR DAY HOLIDAY DEADLINES

Classifieds - 10 a.m.  
Tuesday, September 4  
All other advertising - 12 noon  
Friday, August 31

We will be closed  
Monday, September 3  
for the Labor Day Holiday

Looking to purchase a home, farm or acreage?  
Thinking of building and need a lot to put your new home?  
Call us today!

**Vince Wells**  
Real Estate & Auction  
(859) 289-5594

Vince Wells  
Auctioneer  
Call: 473-8811

Casey Anderson  
Auctioneer  
Call: 473-8999

**Jerry's** FAMILY RESTAURANT  
Lexington Road  
Paris, KY  
859-987-3465

\$5.00 OFF  
any purchase  
over \$20.00  
Expires 8-31-07

**Cheaps**  
714 W. WATER ST. FLEMINGSBURG, KY 41641

Visit us at  
www.cheapsvolvo.com

Phone (606) 845-2261  
Fax (606) 845-2441  
Toll Free 1-888-845-2261

Visit us at  
www.cheapsvolvo.com