COURT NEWS

COURT
Continued from Page 17

Poss. Cont. Subst. 1st degree cocaine. Guilty plea to both counts. Sent. 6/16/08 at 9:00 a.m.

Angela L. Sexton. PTC. 1. 1st deg TICS/Cocaine, 1st offense. 2. Traffic in marijuana, less than 8 oz- 1st offense. 3. Traffic in marijuana, 8 oz to 5 lbs, 1st offense. Guilty plea to all couts. Sent. 7/7/08 at 9:00 a.m. Drug Court Assessment.

Cecilio Navaro. SH. 1. 1st deg TICS/Coacaine, 1st offense. 2. Traffice in Marijuana, 8 oz to 5 lbs, 1st offense. Motion for suppression OR. Guilty plea to both counts. Sent 7/7/08 at 9:0 a.m. Drug Court Assessment.

Nicholas County Family Court Hon. David Melcher June 3, 2008

Leslie Baker vs. Terry Lee Baker. OH. Testimony taken. Motion returned. Motion to be continued. Child support as set. Review 6/17/08.

Tonya Lee Fryman, vs. Gary Clay Fryman. MH. Testimony taken. Decree and findings TBS. Need FFD. Review for entry 6/17/08.

Tammy L. Biddle vs. Robbie A. Biddle. REV. Testimony taken. Findings signed. Decree to be signed.

Tara G. Carpenter vs. Clinton M. Carpenter. REV. Review. 8/19/08 at 1:00 p.m.

William Dwayne Denton vs. Amanda Ross Denton. MH. Order entered.

Kathy Denny vs. Racheal Newby Flora. MH. Pass to 6/17/08 at 1:00 p.m.

Beth Lee Linville vs. Cecil Wayne Linville. MH. MED 6/10/08 at 9:00 a.m. P/C 7/1/08 at 1:00 p.m.

Nicholas County Circuit Clerk Hon. Jay Delaney June 4, 2008

Jon Talbot Manley. SENT. S.C. by mail 7/9/08 at 2:00 p..m

Estate of: Walter Elmo Myers. PH. Rosa Myers appointed administration. Order entered.

Estate of: William Edward Oneal. INV. Probate notice to Fiduciary 7/16/08 at 1:00 p.m. for inventory.

Estate of: Len Brooks Padgett. SETT. Review 7/16/08 at 1:00 p.m.

Estate of: Margaret B. Wilson. Probate notice to Fiduciary 8/20/08 at 1:00 p.m. copy of calendar to Atty.

In RE: Christopher Lee Hagan. PH. Pass to 6/11/08 at 12:00 p.m.

LVNV Funding LLC. vs. Melanie C. Lyons. MH. Def. Judgment granted for Princ. Amount of $3,905.45 and post Judgment at 12%.

Betty L. Mordford vs. Jason Rathbone. CT. Hearing held. Forc. Detainer granted. Defendants did not pay utilities as agreed. Defendants to vacate on or before 6/11/08 at 4:00 p.m.

Cartmell Lester vs. Damon Ritchie. CT. Hearing held. Forcible Detainer granted. Defendant to vacate on or before 6/11/08 at 4:00 p.m.

Pattie Clay Hospital vs. William Whaley Sr. MH. Defendant Judgment granted. Order entered.

David G. Tubbs. OH. Hardship granted.

Richard C. Morris. ARR. Speeding 12 mph over limit. MOC dismissed on completion of C.S.

Mechele L. Perkins. ARR. Speeding 14 mph over limit. Cont. to June 25, 2008. at 12:00 p.m.

Daniel True. ARR. 1. Speeding 15 mph over limited. G.P. STS Req. and approved. 2. License to be in possession. MOC dismiss on proof. S.C. 7/9/08 at 10:00 a.m.

Angelique R. Beatty. OH. Apply bond to fines and costs. S .C. 8/13/08 at 10:00 a.m.

Jamie L. Buckler. ARR. Assault 4th degree domestic violence minor injury. Bond to be released. Waive form Arr. N.G. Plea PTC 9/3/08 at 1:00 to be dismissed without appearance on cond. of no similar offenses.

David Alan Craycraft. OH. Flagrant non support. Apply bond to child support arrears. Def. to appear for PTC 6/11/08 at 1:00 a.m. with attorney.

Danelle. N. Evans. ARR. 1. No/expired registration plates. MOC dismiss on proof. 2. No/expired Kentucky registration receipt. MOC dismiss on proof. 3. Failure of non-owner operator to maintain req. insurance, 1st. MOC dismiss on proof without prejudice.

Edsel Gray. ARR. one headlight. MOC dismiss on proof of repair.

Wray J. Hunt. ARR. 1. theft by deception inlc cold checks under $300. 2. Theft by deception-incl cold checks under $300. Pass to 6/11/08 at 12:00 p.m.

John Jacobs. REV. S.C. 7/9/08 at 10:00 a.m.

Brandon E. Jolly. REV. 1. menacing. 2. resisting arrest. 3. possession of marijuana. 4. use/possess drug paraphernalia, 1st offense. 5. public intoxication controlled substance (excludes alc. MOC case dismissed on compliance with prior agreement.

Celia J. Jolly. ARR. Theft by deception-incl cold checks under $300. Arr. held. N.G. plea PTC 6/25/08 at 1:00 p.m.

Anthony Wayne Kerr. ARR. Alcohol intoxication in a public place- 1st and 2nd offense. Def. incarcerated in Fayette County. Arr. Continued to 7/2/08 at 1:00 p.m.

Christopher Michael Major. Rev. Fines and cots converted to 56 days in jail (credit for 56 served).

Christopher Michael Major. Rev. Finds and costs converted to 6 days in jail. (credit for 6 served).

Christopher Michael Major. REV. Fines and costs converted to 55 days jail. (credit for 55 served.)

Codi Mitchell. ARR.1. theft by deception-incl cold checks under $300. 2. theft by deception-incl cold checks under $300. 3. theft by deception-incl cold checks under $300. 4. theft by deception-incl cold checks under $300. 5. theft by deception-incl cold checks under $300. 6. theft by deception-incl cold checks under $300. 7. theft by deception-incl cold checks under $300. 8. theft by deception-incl cold checks under $300. 9. theft by deception-incl cold checks under $300. 10. theft by deception-incl cold checks under $300. 11. theft by deception-incl cold checks under $300. Arr. held N.G. plea PTC 8/6/08 at 1:00 p.m.

Michael A. Puckett. REV. Remanded from docket.

Michael L. Purvis. ARR. 1. Local city ordinance. 2. Harboring a vicious animal, Waive form arr. N.G. plea PTC 7/2/08 at 1:00 p.m.

Larry Schumacher. ARR. Speeding 11 mph over limit. G.P. 22.00 f plus ct costs. Recall FTA S.C. 7/9/08 at 10:00 a.m.

James E. Slade. PTC. S.C. 7/9/08 at 10:00 a.m.

Ruthie J. Strong. OH. Apply bond to fines and costs. Refund any remainder.

Ruthie J. Strong. ARR. 1. 1st degree possession of CS/ Cocaine 1st offense. 2. use/ posses drug paraphernalia, 1st offense. Waive 10/20 PTC 6/25/08 at 1:00 (to appear with atty).

Jamie G. Treadway. ARR. 1. OP MV under/influence of alcohol/drugs, etc. .08 1st offense. GP $200.00 fines plus serv fee and costs 90 days lic. Susp. ADE School $10.00 restitution to Carlisle PD. 2. Poss cont Sub 3rd degree- 1st offense- drug unspecified: GP 90 days jail Prob. 2 yrs. Unsup on conditions a) 50 hours C.S. b) S.A. assessment and follow treatment received. C) no drug related offenses. 3. Possession of Marijuana. Concurrent with Count 2. G.P. 30 days jail. Probation 2 yrs unsup on conditions 1). $100.00 fine 2) S.A. assessment and follow treatment received. 3) no drug related offenses. 4. Use/possess drug paraphernalia, 1st offense. GP $100.00 fine. 5. Controlled substance prescription not in orig. container. MOC dismiss. 6. Failre to notify address change to Dept. of transportation. MOC dismiss .Apply bond to fines and costs. refund any remainder. S.C. 8/13/08 at 10:00 (Counseling and C.S.).

Jamie G. Treadway. ARR. 1. disregarding stop sign. 2. failure to wear seat belts. 3. possession of marijuana. 4. Use/possess drug paraphernalia, 1st offense. MOC case dismissed on plea to 08-M-04.

Robert Clark. ARR. Receiving stolen property under $300. Waive form arr. waive counsel. GP 60 days jail. (credit for 60) waive CT costs.

Michelle L. Glass. OH. Bond amended by agreement to $500.00 3rd party surety to Marsha Glass. Contempt hearing 6/25/08 at 2:00 p.m.

Michelle L. Glass. OH. See 07/M-096.

Michelle L. Glass. OH. Failure to wear seat belts. GP $25.00 fine. S.C. 6/25/08 at 2:00 p.m.

Beulah M. Jones. ARR. 1. failure to wear seat belts. 2. possess controlled substance 2nd or offense. 3. operating on suspende/revoked operators license. 4. op MV under/ influence of alcohol/drugs, etc. .08 1st offense. PD appointed waive form arr. NG plea bond amended to $5,000.00 10% authorized PH 6/11/08 at 1:00 p.m.

James William Krystynak. ARR. Oper Non-motor vehicle under influence of intoxicants. G.P. $100.00 fine –ct. cots. (credit for 5 days served at $20.00 per day). Waive form arr. Waive counsel. Waive Ct. Costs.

Donald Ray Sparks. OH. 1. Flagrant Non support. 2. flagrant non support. PD appointed. Bond amended by agreement to $1,500.00 unsecured. Review Dec. 10/08 at 1:00 p.m.

Anthony E. Vickers. ARR. Receiving stolen property under $300. PD appointed waive form arr. N.G. plea bond amended by agreement to $1,000.00 3rd party surety to Ima Eversole. PTC 7/9/08 at 1:00 p.m.

James R. Baxter. PTC. Falsely reporting and incident. Final PTC 6/18/08 at 11:00 a.m. C.A. to file response to motion in limine by 6/6/08/

Adam Joseph Bowles. PTC. parent/custodian send child to school 1st and 2nd. Bench trial 7/2/08 at 2:00 p.m.

Lacey M. Brock. PTC. parent/custodian send child to school, 1st and 2nd. MOC case dismissed.

Terry Lane Carpenter. PTC. 1. Theft by deception incl cold checks under $300. 2. theft by deception-incl cold checks under $300. 3. theft by deception-incl cold checks under $300..4. theft by deception-incl cold checks under $300. 5. theft by deception-incl cold checks under $300. PTC 6/25/08 at 1:00 p.m.

Thomas Edward Clifton. OH. Giving officer false name or address. GP 10 days jail, 3 to serve (credit for 3) bal. probation one year unsup conditions a) Ct costs b) no similar offenses. Apply bond to fines and costs. refund any remainder.

Brent E. Gaunce. PTC. criminal trespassing- 3rd degree. Order entered.

James B. Glass. PTC. 1. One headlight. 2. operate MV u/influ of alc/drugs, w/.08 aggravator 1st offense. 2. possess open alcohol beverage container in a motor vehicle. PTC 7/30/08 at 1:00 p.m.

Joshua Hunt. PTC. criminal possession forged instrument- 2nd degree. GP to amended charge 60 days jail probation 2 years unsup on conditions. 1) no similar offenses. 2) restitution TBD. 3) 25 hours C.S. 4) Complete S.A. counseling. 5) Ct Costs 6) $50.00 contribution to Dale. MOC amend to attempt. S.C. 7/9/08 at 10:00 a.m.

Erin Lynn Kendall. PTC. parent/custodian send child to school, 1st and 2nd. S.C. by sheriff 7/2/08 at 1:00 p.m.

Anthony Wayne Kerr. PTC. 1. op MV under/influence of alcohol/drugs, etc. .08 1st offense. 2. possess open alcohol beverage container in a motor vehicle. PTC continued to 7/2/08 at 1:00 p.m.counsel for defendant to appear. Clerk to mail copy of calendar to counsel.

Melissa M. Martin. PTC. OBS operating on susp license while habitual violator. PTC 8/6/08 at 1:00p.m. (to bring valid O.L)

Marilyn Marie Mitchell. PTC. Parent/custodian send child to school, 1st and 2nd. MOC case dismissed.

Daniel A. Pergram. PTC. operate MV u/influ of Alc/ drugs w/.08, aggravator 1st offense. GP $200.00 fine plus service fee and costs ADE School 120 days jail (credit for 50. S.C. 8/13/08 at 10:00 a.m. (pay $200.00) to report to Montgomery County Jail for service fo 2 days 6/10/08 at 6:00 p.m. and be released 6/12/08 at 6:00 p.m.

Daniel A. Pergram. PTC. 1. failure to report traffic accident. 2. leaving scene of accident/failure to render aid or assistance. MOC case dismissed.

Stacey L. Porter. PTC. op MV under/influence of alcohol/drugs, etc. .08 1st offense. Defendant not present Aff and plea form submitted. GP by counsel on behalf of defendant. $200.00 fine plus service fee and costs ADE school private to operate Ky suspended 90 days. Apply bond to fines and costs. Refund any remainder.

Chase D. Puckett. PTC. 1. alcohol intoxication in a public place 1st and 2nd. MOC merge into count 2. Assualt 4th degree domestic violence minor injury. GP 30 days jail probation 2 years unsup on conditions a) no unlawful contact Kayla or Ashely Pruitt. B) S.A. assessment and follow treatment received. C) $100.00 fine plus costs. d) no similar offenses. S.C. 8/13/08 at 10:00 a.m. (pay at least $200.00 and bring counseling report.

Michael L. Purvis. PTC. local city ordinance. PTC 7/2/08 at 1:00 p.m.

Jason K. Rathbone. PTC. failure to notify address change to dept. of transp. MOC charge dismissed.

William E. Ritchie. PTC. Failure to non-owner operator to maintain req. insurance, 1st. MOC dis on proof without prejudice.

Chrstel A. Roberts. PTC. 1. speeding 21 mph over limit. 2. operate mV u/influ of alc/drugs w/.08, aggravator, 1st offense. PTC continued to 7/2/08 at 1:00 p.m.

Beverly Sue Strausbaugh. PTC. 1. changing drivers-car in motion (reckless driving). 2. failure to wear seat belts. 3. permit unlicensed operator to operate motor vehicle. 4. op Mc under/influence of alcohol/drugs, etc. .08 1st offense. 5. use/possess drug paraphernalia, 1st offense. Jury trial 7/31/08 at 9:00 a.m. Final PTC 7/2/08 at 1:00 for jury instructions and all pretrial motions.

Beverly Sue Strausbaugh. SCD/IP.

Beverly Sue Strausbaugh. SCD/IP. S.C. 7/2/08 at 1:00 p.m.

Beverly Sue Strausbaugh. SCD/IP. S.C. 7/2/08 at 1:00 p.m.

Beverly Sue Strausbaugh. SCD/IP. S.C. 7/2/08 at 1:00 p.m.

Beverly Sue Strausbaugh. SCD/IP. S.C. 7/2/08 at 1:00 p.m.

Anthony F. Tolliver. PTC. 1. speeding 26 mph over greater. 2. reckless driving. PTC 7/9/08 at 1:00 p.m.

Jerry D. Watkins. PTC. failure of owner to maintain required insurance/sec 2nd or. GP $1,000.00 fine plus costs $300.00 probation 2 years unsup. on conditions of no similar offenses. S.C. 8/13/08 at 10:00 a.m. (pay $200.00)

Mary A. White. MH. falsely reporting an incident. Motion for bill or particulars filed. C.A. to file any objections by 6/18/08 . PTC 7/2/08 at 1:00 p.m.

Donna K. Williams. PTC. failure to notify address change to Dept. of transportation. MOC dis. on proof.

John H. Wrenn. PTC. OBS operating on susp license while habitual voloator. MOC amend to no ops in possession KRS 186.510 . GP $25. fine plus costs. S.C. 8/13/08 at 10:00 a.m.

Kenneth H. Hunt Jr. SH. Use/possess drug paraphernalia, 1st offense. Parties appeard for suppression hearing. Commonwealth presented no evidence. Suppression motion granted. MOC case dismissed.

Kenneth J. Medley. SENT. S.C. 7/9/08 at 10:00 a.m.

Roy J. Payne. OH. Apply bond to fines and costs . Darlene Hamm to sign releasing bond. Defendant to pay another $40.00 today. S.C. 8/13/08 at 10:00 a.m. (pay another $100.00).

Jennifer L. Peters. OH. Contempt motion withdrawn. Review 7/9/08 at 10:00 (for inpatient treatment.)

Karen A. Reed. OH. Contempt hearing 7/2/08 at 2:00 (payment in full)

Karen A. Reed. OH. S.C. 7/2/08 at 2:00 p.m.

Nicholas County District Court Hon. Jay Delaney June 11, 2008

Larry Gene Sargent Jr. OH. SCO 8/13/2008 at 10:00 a.m. Defendant to be bonded out for that day and time on $800.00 surety bond by Frances Gilvin, Conditions; no new offenses.

Lora Ann Abney. SCD/IP. S/C 7/9/08 at 10:00 a.m.

Tabitha L. Alexander. SCD/IP. SC 7/9/08 at 10:00 a.m. balance to be paid.

Marvin Bailey. SCD/IP. Contempt hearing 7/2/08 at 2:00 p.m.

David P. Bascom. SCD/IP. SC 7/9/08 at 10:00 a.m.

Ashley D. Beaty. SCD/IP. Paying restitution SC 7/9/08 at 10:00 a.m.

Kelly Shawn Branderburg. PTC. Speeding 14 mph over limit. Dismissed MOC on completion 14 hours C.S. remand from Docket.

Kenneth Owen Brockman. SCD/IP. SC by sheriff 7/9/08

Kenny Ray Brumagen. SCD/IP. Pd in full.

Anthony Shane Bussell. SCD/IP. SC 7/9/08 at 10:00 a.m.

Michael Joshua Campbell. SCD/IP. SC 7/9/08 at 10:00 a.m.

William D. Crain. REV. pd $50.0 on 6/10/08. SC 7/9/08 at 10:00 a.m.

Cammellia A. Culbertson. SCD/IP. SC 7/9/08 at 10:00 a.m.

Barbie L. Davis. SCD/ IP. SCO by mail 6/25/08 at 12:00 p.m.

William D. Denton II. SCD/IP. Contempt hearing by mail 7/9/08 at 2:00 p.m.

Eric Brandon Earlywine. SCD/IP. SC 7/9/08 at 10:00 a.m.

David Frederick. SCD/IP. SC 7/9/08 at 10:00 a.m.

David Shayne Frederick. SCD/IP. SC 7/9/08 at 10:00 a.m.

David Shayne Frederick. SCD/IP. SC 7/9/008 at 10:00 a.m.

David Shayne Frederick. SCD/IP. SC 7/9/08 at 10:00 a.m.

David Shayne Frederick. SCD/IP. SC 7/9/08 at 10:00 a.m.

David Shayne Frederick. SCD/IP. SC 7/908 at 10:00 a.m.

Vaughn E. Fritts. SCD/IP. SC by mail for counseling report 7/9/08 at 10:00 a.m.

Vaughn E. Fritts. SCD/IP. Contempt of Court, violation of emergency protective order. SC by mail 7/9/08 at 10:00 a.m.

Vaughn E. Fritts SCD/IP. SC by mail 7/9/08 at 10:00 a.m.

Chad W. Fryman. SCD/ IP. Contempt hearing 7/9/08 at 2:00 p.m.

Chad William Fryman. SCD/IP. SC 7/9/08 at 2:00 p.m.

Geneva Lee Fryman. SCD/ IP. Pd in full.

Kendall L. Fryman. SCD/ IP. SC 7/9/08 at 10:00 a.m.

Phillip D. Fryman. SCD/ IP. S/C 7/9/08 at 10:00 a.m.

Jose Abel Lopez Garcia. SCD/IP. SC 7/9/08 at 10:00 a.m.

Anna Nicole Gilvin. SCD/ IP. Contempt Hearing 7/908 at 2:00 p.m.

Arnold Ra[illegible] Guy. SCD/IP. Paid in full.

Chasitey Faith Hayes. SCC/IP. Paid in full.

Daniel A. Hayes. SCD/IP. Pd in full.

Michael S. Hess. SCD/IP. Pd in full.

Jessica Renee Hillock. SCD/IP. SCO by mail 7/9/08 at 10:00 a.m. as FLA address to be provided by PD.

Jessica Renee Hillock. SCD/IP.

James Arthur Howard. SCD/IP. SC by sheriff 7/9/08 at 10:00 a.m.

Jimmy R. Hunt. SCD/IP. SCO 7/9/08 at 10:00 a.m. to pay $30.00 today, defendant to pay NLT $75.00 month with first payment due by 7/8/08.

Crystal Lynn Hutchison. SCD/IP. Paid In Full.

Jara Agustin. SCD/IP. Judgment satisfied. Remand from docket.

Ashley Nicole Jolly. SCD/ IP. SC 7/9/08 at 10:00 a.m.

Rocky Lee Kennedy. SCD/ IP. SC by mail. 7/9/08 at 10:00 a.m.

Jamie Nicole Lawson. SCD/IP. SC by Sheriff 7/9/08 at 10:00 a.m.

Dwayne A. McCall. SCD/ IP. Paying restitution. SC by mail for fines and costs 7/9/08 at 10:00 a.m.

Jamie Lane McCarty. SCD/IP. Remand from docket.

Travis Dean McFarland. SCD/IP. SC by mail 7/9/08 at 10:00 a.m.

William M. McFarland. SCD/IP. SC 7/9/08 at 10:00 a.m.

Jesus Munoz. SCD/IP. To pay in full today.

Don L. Padgett. REV. Rev 9/10/2008 at 10:00 a.m.

Tina Louise Powell. SCD/ IP. Pd in full.

Robert A. Price. SCD/IP. SC by mail 7/9/08 at 10:00 a.m. for counseling.

Merle A. Ritchie. SCD/IP. Probation revocation 7/9/08 at 2:00 p.m

William E. Ritchie SCD/ IP. Paid in full.

Dewey Clay Robinson. SCD/IP. SC 7/9/08 at 10:00 a.m.

Gilbert A. Robinson. SCD/ IP. SC by mail 7/9/08 due to death in family.

Jesse J. Robinson. SCD/ IP. SC by mail 7/9/08 at 10:00 a.m.

Dewayne D. Stanley. SCD/ IP. SC 7/9/08 at 10:00 a.m.

Justin S. Tubbs. SCD/IP. Sc 7/9/08 at 10:00 a.m.

George Allen Watkins Jr. SCD/IP. SC 7/9/08 SC 7/9/08 at 10:00 a.m.

George Allen Watkins Jr. SCD/IP. SC 7/9/08 at 10:00 a.m.

George Allen Watkins Jr. SCD/IP. SC 7/9/08 at 10:00 a.m.

Thomas Henry Watkins. SCD/IP. SC 7/9/08 at 10:00 a.m.

Heather R. Wiglesworth. SCD/IP. SC 7/9/08 at 10:00 a.m.

Sandy G. Willoughby. SCD/IP. SC 7/9/08 at 10:00 a.m.

Wanda Melissa Wombles. SCD/IP. Pd in full.

Haydan Benson. SCD/IP. SCO 7/9/08 at 10:00 a.m.

James W. Best. SCD/IP. SCO 7/9/08 at 10:00 a.m.

James W. Best. SCD/IP. SC 7/9/08 at 10:00 a.m.

Darrell L. Caldwell. SCD/ IP. SC 7/9/08 at 10:00 a.m.

Candace L. Combs. SCD/ IP. SC 7/9/08 at 10:00 a.m.

Cindy Ellen Fryman. SCD/ IP. SC 7/9/08 at 10:00 a.m.

Michael Thomas Gilvin. SCD/IP. SC 7/9/08 at 10:00 a.m.

Albert Junior Hamilton. SCD/IP. SC 7/9/08 at 10:00 a.m.

Mary Raylynn Hatton. SCD/IP. SC 7/9/08 at 10:00 a.m.

Cynthia G. Kearns. SCD/ IP. SC 7/9/08 at 10:00 a.m.

Paula Lindon. SCD/IP. SC 7/9/08 at 10:00 a.m.

Michael Poe. SCD/IP. SC 7/9/08 at 10:00 a.m.

Michael A. Poe. SCD/IP. SC 7/9/08 at 10:00 a.m.

Michael A. Poe. SCD/IP. SC 7/9/08 at 10:00 a.m.

Michael A. Poe. SCD/IP. SC 7/9/08 at 10:00 a.m.

Loretta Asby Shepherd. SCD/IP. SC 7/9/08 at 10:00 a.m.

GENERAL NEWS

Shooting at Harrison Memorial Hospital kills one

By Charles Mattox
News Editor
charles@thecarlislemercury.com

Police say a domestic shooting Tuesday morning at Harrison Memorial Hospital has claimed the lives of two Nicholas Countians.

"We are still gathering information and we want anyone who was arriving or leaving the hospital and who may have information to contact myself or fellow officers with the Cynthiana Police Department at 234-7100," Sgt. Wilbur Gross said during a press conference held at the hospital early Tuesday afternoon.

According to Gross, who arrived less than one minute after shots were fired at approximately 11:10 a.m. in the maintenance area in the rear of the hospital, a married couple were wounded by multiple gunshots from a large caliber handgun.

The woman died at the scene, according to Gross.

The man was flown to the University off Kentucky Medical Center, where he died at approximately 12:48 p.m., according to Gross.

Police sources confirm that the names of the deceased as Kim and Ricky Neiman of Headquarters Road, in Nicholas County.

Gross said the weapon believed to be have been used in the shooting, a .45 caliber handgun, has been recovered.

Gross said when he arrived at the scene he found the man and woman laying in the rear parking lot.

Both were still alive.

Neither spoke.

Gross said four other officers from the Cynthiana Police Department and two deputies from the Harrison County Sheriff's Office; Dean Hutchinson and Paul Owen, joined him at the scene. He also said Kentucky State Police will join the investigation.

Officials at the hospital were "totally cooperative" with officers, according to Gross.

Gross did not release information regarding how the shooting occurred.

Photo by Charles Mattox

Cynthiana Police Sgt. Wilbur Gross was the first officer to arrive at the scene of the shooting at Harrison Memorial Hospital late Tuesday morning.

Clarification

A quote attributed to Nicholas County Judge-Executive Larry Tincher, and which appeared in a story on page 15 of the June 25 edition of the Carlisle Mercury, was taken out of context.

The article stated that there was "no charge" for citizens to bring trash to the Convenience Center on Concrete Road. There is actually a $1 per bag charge for trash taken to the center.

Judge Tincher was referring to a certain classification of trash, specifically major appliances such as old washers, dryers, refrigerators and similar appliances, which may be taken to the center at no cost to citizens.

News Editor Charles Mattox apologizes for this error of which Judge Tincher should share no blame.

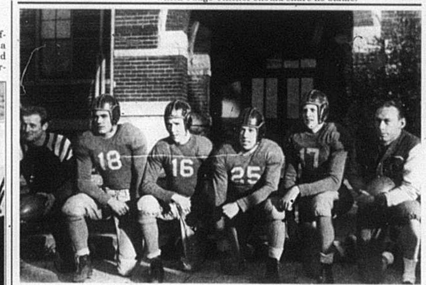

Photo courtesy of Mrs. Ben Pumphrey

Leatherheads from the 40s

From Carlisle High School in 1940, left to right, coach Joe Ed Johnson, seniors – 18 Dick Long, Ben Pumphrey, 25 Ed Champers, 17 Ralph Shearer and coach Donald Fair.

STAMPER
Continued from Page 12

"You took that as an offering, something for a break?" Kelley asked.

"Yes," Graves replied.

State law prohibits KSP detectives from transporting prisoners in an unmarked vehicle for safety purposes and thus Graves called for backup.

He initially called for Nicholas County Deputy Sheriff Benny Buckler, but Buckler was at the hospital with one of his children. KSP Troopers Murrell and Hawkins had departed nearly 45 minutes earlier and were well out of the county. Graves then contacted the Carlisle Police Department and spoke to officer Tim Layne.

"I told him 'you're not going to believe this, but I've got Jamie Stamper at Shell for DUI,'" Graves said. "I smelled alcohol on him. It was very obvious to me that he was under the influence."

Layne testified that he too smelled alcohol on Stamper when he arrived, and he along with Graves observed Stamper being unsteady on his feet.

Layne's son, Sgt. Darrell Layne, a supervisor with the police department, arrived and per standard Carlisle police policy, searched Stamper's vehicle.

Layne found a prescription for alprazalom, generic xanax, in Stamper's vehicle. Inside the prescription bottle were two different colored pills, yellow and blue.

Layne testified that he was able to tell by the markings on the blue pills, after researching the markings, that they were generic xanax. He sent the yellow pills to the Kentucky State Police Northern lab for analysis.

KSP lab analyst Doug Wimshett testified about the procedures and analysis used to verify what the pill was. He testified that the pill was alprazalom, generic xanax.

When Kelley rested his case for the Commonwealth, Guarnieri entered a motion to have the prescription not in proper container charge dismissed and Special Judge Todd Walton ruled in favor of the motion, and gave a direct verdict dismissing the case, as the prescription was for alprazalom and the pill submitted was alprazalom.

After the defense rested Guarnieri called only one witness, Bourbon County Deputy Jailer John Kenney. Kenney testified that he had processed Stamper at the jail and testified that in his experience as a deputy jailer most individuals who were processed with alcohol related charges were hard to fingerprint.

"It's like the alcohol draws the moisture out of the tips of the fingers," he said.

He said he fingerprinted Stamper with no problem and indicated he saw no behavior from Stamper to make him believe he was under the influence.

Stamper did not take the stand in his own defense, but Guarnieri attempted to poke holes in the Commonwealth's case at every opportunity.

He showed jurors a surveillance videotape investigators had taken from Shell after Stamper's arrest.

Many of the minutes from the videotape were mysteriously missing.

"Any idea where those minutes are?" Guarnieri asked Graves as he played the video, which had segments missing in excess of 10 minutes.

"I have no idea," Graves said, and testified that he had never personally viewed the tape.

A portion of the video that Guarnieri played to the jurors showed Stamper entering the store, waiting at the counter, paying for the cheeseburgers and exiting the store directly in front of Murrell.

Jurors saw that Stamper did not stagger, sway or even fumble for his wallet and credit card when he paid for the meal. His actions were crisp and smooth as depicted on the video, which seemed to directly contradict the testimony of Myers and others.

Myers also had trouble recalling specific statements he made to investigators following the arrest, but was adamant in that he said he saw Stamper staggering and even fall against a truck.

Guarnieri also elicited testimony from Tim Layne and Denton that indicated Tim Layne and Stamper had a heated verbal exchange three months prior to Stamper's arrest. That exchange led to Layne's suspension from the force for three days.

Chief Denton testified, on questioning from Guarnieri, that Stamper had contacted him about rumors he had heard of retribution or payback for Layne's suspension several weeks before his arrest.

The jury leaned forward, listening intently during the day-long trial.

They paid particularly close attention during closing arguments.

Guarnieri asked that they examine the entire case, especially the testimony that appeared to be in direct conflict with what they had seen on the video. He asked that they focus on reasonable doubt while blasting away at those who testified.

"Along came Pancake Myers who put his crime-fighting skills to work," Guarnieri said. "He went into that store and raised cane, that's how this whole thing got started."

Guarnieri also pointed out the missing segments of video and "dissention" that existed among members of the police force.

"It's out there in the open in all of its glory," Kelley said to the jurors in his closing statements in regard to the "dissention." But he also reminded jurors of the supportive testimony, including testimony given by Chief Denton regarding a statement he heard from Stamper the night of the arrest during which Stamper said he had "three or four drinks."

Kelley also noted that "innocent people don't need to be 'cut a break.'" As Graves had testified that Stamper had asked for the night of the arrest.

According to one of the jurors, who spoke to The Mercury on the condition of anonymity after the trial, all testimony was considered, but a strong hinge point for the not guilty verdict was the fact that the initial conversation between Graves and Stamper did not illicit any "red flags" from Graves.

"We thought if he was as drunk as he was supposed to be, with him allegedly staggering, we thought if he was that drunk it would have been easy to notice in a 30 or 40 minute conversation, but it wasn't. There was no mention of any beer cans being found in the vehicle either."

The juror also said the videotape did not seem to show Stamper under the influence and there was discussion about the missing segments of the tape.

The juror said the "dissention" that existed among members of the police force was briefly discussed but did not seem to be a direct factor in the decision to render a not guilty verdict.

The jury deliberated approximately one hour before returning its verdict.

"I don't know if he'll get his reputation back, but today can be a good start," Guarnieri said of his client immediately after the trial.

Stamper spoke to The Mercury the day after the trial. The extended conversation contained the following things Stamper wished to share with the public.

"I thank God," he said. "I think the videotape played a crucial role in the jury's decision. It clearly showed that I wasn't staggering. I think Tim Layne was a good officer he just didn't like me. I think Chief William Denton is an honorable man. I wanted to testify on my own behalf, but my attorney advised me not to, he said it wasn't necessary. My attorney did an awesome job. If a person is innocent they shouldn't ever take a plea agreement. I was innocent and I didn't cut a deal. Today is a beautiful day."

County Attorney Dawn Letcher commented on the appointment of the special judge and special prosecutor to replace her.

"Jamie Stamper was a local police officer at the time of his arr[illegible]nd he was working several cases that were pending in court," Letcher said. "It was a clear conflict of interest."

Kelley agreed with Letcher, in that it would have been inappropriate for the county attorney of any county to proceed under those circumstances, as it would have been for any judge, hence the special appointments.

Stamper said he looks forward to wearing a police uniform in the future, though he made no specific reference to serving and protecting in Carlisle.

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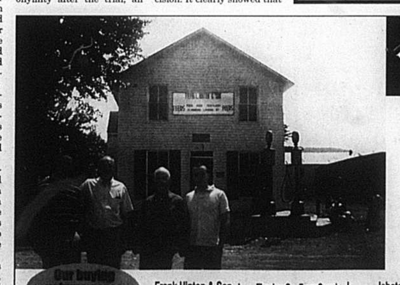
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