



LYNN PRYOR
COMMONWEALTH'S ATTORNEY
 THIRD JUDICIAL CIRCUIT/CHRISTIAN COUNTY, KY

March - April, 2011

Newsletter

Volume 25

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Helpful links:

<http://www.kentuckystatepolice.org/>
 (Kentucky State Police)
<http://www.kentuckystatepolice.org/sor.htm>
 (Sex Offender Registry)
<http://www.corrections.ky.gov/kool.htm>
 (KY Online Offender Lookup)
<http://irc.state.ky.us/statrev/frontpg.htm>

“Leading the Fight for Public Safety”

Hello Everyone! Welcome to the 25th Edition of our newsletter.

Our goal is to provide information about the judicial system and to update you on the criminal cases here in Christian County. We would like to get this information out quicker and more frequently, but we are working with limited resources. If there is a particular topic you are interested in learning more about, please let us know. And, as always, if you have any questions, please contact any member of our staff.

Our newsletter is being distributed to those of you who are currently on our email list. If you like receiving this, please keep us updated if you change your email address. If you know of someone who would be interested in receiving our email newsletter, please forward their email address to us or feel free to forward this email to them. If you do not wish to continue receiving these emails, just reply back and ask us to unsubscribe you.

As always, thank you for your support!



Have a safe & wonderful summer!

**Safety Tips from Commonwealth's Detective
 Kenny Over**

Boating Safety

To ensure a safe boating season, make sure you have all of the proper safety equipment on board in case of emergencies.

- Keep a first aid kit on board - check it to make sure it is updated.

(Kentucky Revised Statutes)

<http://apps.kycourts.net/courtrecords/>
(Court Case Information)

<http://courts.ky.gov> (Docket Information)

<http://www.dea.gov/seizures/kentucky.html>
(Locations of Meth Labs)

<http://www.bop.gov/> (Federal Inmate
Locator)

<http://ag.ky.gov> (KY Attorney General)

<http://www.usdoj.gov/dea/index.htm>
(DEA)

<https://www.vinelink.com> (KY Statewide
Offender custody status)

- Personal flotation devices - have an approved flotation device for each passenger - also have a ring or cushion that can be thrown overboard to a person in distress.
- Signaling devices - keep some device on board for signaling day or night (horn/whistle/flag/flare/etc.)
- Fire extinguisher - required by law - check to make sure it is fully charged and not out of date.
- Boat anchor - make sure it is adequate for your size boat, and check that the rope is not frayed or dry rotted and is tied off.
- Tow ropes/dock lines - make sure you have enough good quality ropes and lines.
- Marine radio/cell phone - make sure both are fully charged.
- Make sure skis, tubes, etc. are in good shape.
- Go over boat and safety rules with passengers every time - before you go out on the water.
- Have fun.

GRAND JURY:

The March-April Grand Jury effectively and proficiently returned **124** "True Bill" Indictments, **0** "No True Bills," and **5** cases were referred to District Court. As always, the Grand Jury was very dedicated, and we appreciate their service to our community. Their report is attached.

COURT PROCEEDINGS:

From March 1, 2011, through April 30, 2011, our office handled **129** arraignments, **122** probation revocation hearings, and **80** sentencing hearings.

GUILTY PLEAS/SENTENCINGS:

This section of our Newsletter includes a brief description of sentencing hearings that took place during the previous two-month period. While many consider "plea-bargains" as a negative way to resolve cases, defendants typically plead guilty to the same charges they are indicted for. When the defendant is sentenced following a guilty plea, they stand convicted of the charges just as if a jury had found them guilty. Therefore, the only thing they bargain away is their right to a jury trial and right to appeal. You will also see the jail-intake photos of these Defendants, when available.

Once the Commonwealth makes an offer and the Defendant enters a guilty plea, it is up to the Circuit Judge to determine if the Defendant will be probated or sentenced to prison. Another option that the judge has is one that must be agreed upon by the Defendant and by the Commonwealth – Pretrial Diversion.

Pretrial Diversion: Kentucky Revised Statutes allow for a person to be placed on a "Pretrial Diversion" under certain circumstances. 1) All charges which they are pleading guilty must be Class D felonies (1-5 years); 2) The person must enter a plea of guilty, or a plea pursuant to North Carolina v. Alford before becoming eligible for pretrial diversion; 3) Persons ineligible for probation, parole or conditional discharge under KRS

532.045 shall be ineligible; 4) a person convicted of a Class D felony for which early release is disallowed by statute including KRS 189A.010(8) and KRS 189A.120(2) [DUIs] shall be ineligible 5) No person shall be eligible for this program more than once in any five (5) year period. A person who is placed on diversion is considered a convicted felon during the period of their diversion and is subject to the same conditions as someone who is on felony probation. If someone completes that period of diversion/probation without any infractions or new charges, they can move the court to have their case dismissed/diverted, and they are no longer a convicted felon.

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COMMONWEALTH V. STEVEN GARL

Judge: Andrew Self
Prosecutor: Lynn Pryor
Police Agency: Kentucky State Police
Guilty Plea Date: January 26, 2011
Sentencing Date: March 2, 2011
Charges: Manufacturing Methamphetamine; Possession of Methamphetamine; Possession of Drug Paraphernalia
Disposition: 12 Years in Prison



COMMONWEALTH V. BRIAN BAKER

Judge: Andrew Self
Prosecutor: Lynn Pryor
Police Agency: Hopkinsville Police Department
Guilty Plea Date: March 2, 2011
Sentencing Date: March 2, 2011
Charges: Facilitation to Manufacture Methamphetamine; Burglary, 3rd Degree; Theft of a Controlled Substance less than \$300
Disposition: 10 Years in Prison



COMMONWEALTH V. TIFFANY FINLEY

Judge: Andrew Self
Prosecutor: Michael Cotthoff
Agency: Hopkinsville Police Department
Guilty Plea Date: January 26th, 2011
Sentencing Date: March 2nd, 2011
Charges: Fraudulent Use of a Credit Card; Unlawful Access to a Computer, 2nd Degree
Disposition: 5 years - probated & diverted for 5 years with restitution



COMMONWEALTH V. EDWARD POINDEXTER

Judge: Andrew Self
Prosecutor: Duncan Cavanah
Agency: Hopkinsville Police Dept.
Guilty Plea Date: March 2, 2011
Sentencing Date: March 2, 2011
Charges: Knowingly Receiving Stolen Property under \$500.00,



Disposition: Theft by Deception under \$500.00
12 months in Jail

COMMONWEALTH V. CHARLES DANIEL

Judge: Andrew Self
Prosecutor: Lynn Pryor
Agency: Kentucky State Police
Guilty Plea Date: March 7, 2011
Sentencing Date: March 7, 2011
Charges: Attempt to Manufacture Methamphetamine; Trafficking in Methamphetamine; Possession of Methamphetamine Subsequent Offense; Possession of Drug Paraphernalia



Disposition: 10 years in Prison

COMMONWEALTH V. GEORGE GRACE

Judge: John Atkins
Prosecutor: Lynn Pryor
Agency: Hopkinsville Police Department
Guilty Plea Date: January 20, 2011
Sentencing Date: March 8, 2011
Charges: Possession of a Handgun by a Convicted Felon; Possession of Adderall; Possession of Marijuana, while Armed; Possession of Drug Paraphernalia, while Armed; Cultivating Marijuana, while Armed; Possession of Valium



Disposition: 7 years - Probated

COMMONWEALTH V. JUSTIN RIVERA

Judge: John Atkins
Prosecutor: Michael Cotthoff
Agency: Oak Grove Police Department;
Christian Co. Jail
Guilty Plea Date: February 1st, 2011
Sentencing Date: March 8th, 2011
Charges: Promoting Contraband, 1st Degree; Possession of Cocaine, 2 counts; Possession of Oxycodone; Knowingly Receiving Stolen Property Over \$500; Possession of Drug Paraphernalia, 2 counts; Possession of Marijuana; Theft By Unlawful Taking Under \$500, 2 counts; Criminal Mischief, 3rd Degree



Disposition: 2 years in Prison

COMMONWEALTH V. JENNIFER MEYER

Judge: John Atkins
Prosecutor: Michael Cotthoff
Agency: Kentucky State Police
Guilty Plea Date: October 6th, 2010
Sentencing Date: March 8th, 2010
Charges: Possession of Ecstasy;
Possession of Drug Paraphernalia; Possession of



Disposition: Marijuana; Prescription Not In Original Container
5 years - probated & diverted for 5 years

COMMONWEALTH V. TIMOTHY BROCK

Judge: John Atkins
Prosecutor: Michael Cotthoff
Agency: Oak Grove Police Department
Guilty Plea Date: January 19th, 2011
Sentencing Date: March 8th, 2011
Charges: Possession of Firearm by
Convicted Felon; Fleeing/Evading
Police, 2nd Degree
Disposition: 3 years in Prison



COMMONWEALTH V. SHAWN BLAINE, JR.

Judge: John Atkins
Prosecutor: Michael Cotthoff
Agency: Hopkinsville Police Department
Guilty Plea Date: January 19th, 2011
Sentencing Date: March 8th, 2011
Charges: Possession of Cocaine; Carrying a
Concealed Deadly Weapon
Disposition: 3 years - probated for 2 years



COMMONWEALTH V. CHRISTOPHER ALDRIDGE

Judge: John Atkins
Prosecutor: Michael Cotthoff
Agency: Christian County Sherriff's Off.
Guilty Plea Date: February 1st, 2011
Sentencing Date: March 8th, 2011
Charges: Burglary, 3rd Degree
Disposition: 3 years - probated & diverted for 5 years with
restitution



COMMONWEALTH V. HEATH STAMPS

Judge: John Atkins
Prosecutor: Michael Cotthoff
Agency: Christian County Sherriff's Off.
Guilty Plea Date: January 12th, 2011
Sentencing Date: March 8th, 2011
Charges: Cultivating Marijuana Less than
5 Plants, 2nd Offense; Possession of Marijuana;
Possession of Drug Paraphernalia
Disposition: 5 years - probated & diverted for 5 years



COMMONWEALTH V. JERIMY GARLAND

Judge: Andrew Self
Prosecutor: Michael Cotthoff
Agency: Oak Grove Police Department
Guilty Plea Date: December 1st, 2010
Sentencing Date: March 9th, 2011



Charges: Facilitation to Robbery, 1st Degree; Facilitation to Robbery, 2nd Degree; Criminal Possession of a Forged Instrument, 2nd Degree; Receiving Stolen Property under \$500

Disposition: 8 years - probated & diverted for 5 years with restitution

COMMONWEALTH V. JASON D. BURNETT

Judge: Andrew Self
Prosecutor: Whitney H. Westerfield
Agency: Oak Grove Police Department
Guilty Plea Date: February 9, 2011
Sentencing Date: March 16, 2011



Charges: Assault 3rd Degree; Tampering with Physical Evidence; Resisting Arrest; DUI 2nd Offense (Aggravated); Escape 3rd Degree

Disposition: 3 years - Probated & diverted for 5 years

COMMONWEALTH V. CHRISTOPHER CHRISTIE

Judge: John Atkins
Prosecutor: Lynn Pryor
Police Agency: Oak Grove Police Department
Guilty Plea Date: March 16, 2011
Sentencing Date: March 16, 2011



Charges: Trafficking in Marijuana greater than 8 oz.; Possession of a Handgun by a Convicted Felon; Giving Officer a False Name

Disposition: 7 Years in Prison

COMMONWEALTH V. MARCUS COMPERE

Judge: John Atkins
Prosecutor: Lynn Pryor
Police Agency: Oak Grove Police Department
Guilty Plea Date: February 2, 2011
Sentencing Date: March 16, 2011



Charges: Trafficking in Marijuana greater than 8 oz.; Possession of Drug Paraphernalia; Speeding

Disposition: 5 Years – probated & diverted for 5 years

COMMONWEALTH V. JOSHUA BAGWELL

Judge: Andrew Self
Prosecutor: Duncan Cavanah
Agency: Oak Grove Police Dept.
Guilty Plea Date: February 9, 2011
Sentencing Date: March 23, 2011



Charges: Fleeing and Evading Police, 1st Degree; Driving on a DUI Suspended License

Disposition: 3 years - probated

COMMONWEALTH V. EDDRECUS WILLIAMS

Judge: Andrew Self
Prosecutor: Whitney H. Westerfield
Agency: Hopkinsville Police Department
Guilty Plea Date: February 9, 2011
Sentencing Date: March 30, 2011
Charges: Assault 3rd Degree; Attempted Burglary 2nd Degree, 2 Counts; Resisting Arrest; Terroristic Threatening 3rd Degree; Alcohol Intoxication
Disposition: 3 years in prison



COMMONWEALTH V. MICHAEL AUTRY

Judge: Andrew Self
Prosecutor: Duncan Cavanah
Agency: Hopkinsville Police Dept.
Guilty Plea Date: February 23, 2011
Sentencing Date: March 30, 2011
Charges: Possession of Methamphetamine; Possession of Marijuana, Possession of Drug Paraphernalia
Disposition: 5 years - probated & diverted 5 years



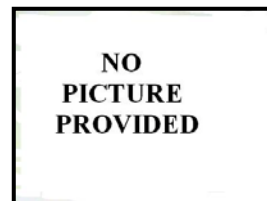
COMMONWEALTH V. GARY DOUTHITT

Judge: Andrew Self
Prosecutor: Duncan Cavanah
Agency: Hopkinsville Police Dept.
Guilty Plea Date: February 23, 2011
Sentencing Date: March 30, 2011
Charges: Possession of Methamphetamine; Possession of Drug Paraphernalia.
Disposition: 5 years - probated & diverted 5 years



COMMONWEALTH V. AARON KING

Judge: Andrew Self
Prosecutor: Duncan Cavanah
Agency: Hopkinsville Police Dept.
Guilty Plea Date: February 9, 2011
Sentencing Date: March 30, 2011
Charges: Possession of Methamphetamine
Disposition: 3 years - probated



COMMONWEALTH V. DONNIE THOMAS

Judge: Andrew Self
Prosecutor: Duncan Cavanah
Agency: Hopkinsville Police Dept.
Guilty Plea Date: February 9, 2011
Sentencing Date: March 30, 2011
Charges: Possession of Methamphetamine; Possession of Marijuana; Possession of Drug Paraphernalia.
Disposition: 5 years - probated & diverted 5 years



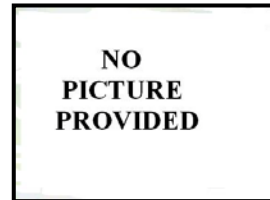
COMMONWEALTH V. CAMPION HAWKINS

Judge: Andrew Self
Prosecutor: Kathi Adams
Police Agency: Hopkinsville Police Department
Guilty Plea Date: March 30, 2011
Sentencing Date: March 30, 2011
Charges: Unlawful Transaction with a Minor 3rd Degree, 2 counts
Disposition: 12 Months



COMMONWEALTH V. JENNIFER CHILTON

Judge: John Atkins
Prosecutor: Michael Cotthoff
Agency: Office of the Inspector General
Guilty Plea Date: January 26th, 2011
Sentencing Date: March 30th, 2011
Charges: Food Stamp Fraud over \$100;
Child Care Fraud over \$100;
Medicaid Fraud over \$100
Disposition: 3 years - probated & diverted for 5 years with restitution



COMMONWEALTH V. JAMES AUSTIN

Judge: John Atkins
Prosecutor: Michael Cotthoff
Agency: Christian County Sherriff's Off.
Guilty Plea Date: January 19th, 2011
Sentencing Date: March 30th, 2011
Charges: Burglary, 3rd Degree; Retaliating Against a Participant In a Legal Process; Terroristic Threatening, 2nd Degree; Resisting Arrest; Disorderly Conduct, 2nd Degree; Operating a Motor Vehicle on a Suspended License; Giving a False Name to an Officer
Disposition: 4 ½ years in prison with restitution



COMMONWEALTH V. DANNY KING

Judge: John Atkins
Prosecutor: Whitney H. Westerfield
Agency: Hopkinsville Police Department
Guilty Plea Date: January 20, 2011 (Open Plea)
Sentencing Date: April 12, 2011
Charges: Possession of Cocaine
Disposition: 5 years - probated for 2 years



COMMONWEALTH V. MALINDA STRUNK

Judge: Andrew Self
Prosecutor: Whitney H. Westerfield
Agency: Hopkinsville Police Department
Guilty Plea Date: September 15, 2010
Sentencing Date: April 13, 2011
Charges: Escape 2nd Degree; Assault 3rd Degree; Criminal



Disposition: Possession of a Forged Instrument 2nd Degree;
Possession of Drug Paraphernalia; Resisting Arrest
8 Years - Probated for 5 years

COMMONWEALTH V. VANCHAIZE BROWN

Judge: Andrew Self
Prosecutor: Kathi Adams
Police Agency: Hopkinsville Police Department
Guilty Plea Date: April 14, 2011
Sentencing Date: April 14, 2011
Charges: Wanton Endangerment 2nd Degree
Disposition: 12 months



COMMONWEALTH V. HUGH CHAMBERS

Judge: Andrew Self
Prosecutor: Duncan Cavanah
Agency: Hopkinsville Police Dept.
Guilty Plea Date: February 16, 2011
Sentencing Date: April 16, 2011
Charges: Possession of Cocaine; Public Intoxication
Disposition: 2 years - probated for 3 years



COMMONWEALTH V. LEANORE MALONE

Judge: John Atkins
Prosecutor: Whitney H. Westerfield
Agency: Hopkinsville Police Department
Guilty Plea Date: February 23, 2011
Sentencing Date: April 20, 2011
Charges: Possession of Cocaine; Possession of Marijuana;
Possession of a Cancelled/Fictitious Operator's
License
Disposition: 3 Years - Probated & diverted for 5 years



COMMONWEALTH V. CHARLES CARDWELL

Judge: Andrew Self
Prosecutor: Whitney H. Westerfield
Agency: Kentucky State Police
Guilty Plea Date: September 16, 2010
Sentencing Date: April 20, 2011
Charges: Wanton Endangerment 1st Degree, 2 Counts; DUI 2nd
Offense with Aggravator; Failure to use Child Restraint
Device
Disposition: 4 Years in Prison



COMMONWEALTH V. HUGH CHAMBERS

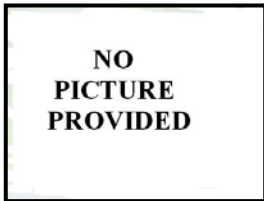
Judge: Andrew Self
Prosecutor: Whitney H. Westerfield
Agency: Hopkinsville Police Department
Guilty Plea Date: February 16, 2011
Sentencing Date: April 20, 2011
Charges: Possession of Cocaine; Public Intoxication



Disposition: 2 years - Probated for 3 years

COMMONWEALTH V. GEORGE HAGENBUCH

Judge: Andrew Self
Prosecutor: Whitney H. Westerfield
Agency: Hopkinsville Police Department
Guilty Plea Date: February 15, 2011
Sentencing Date: April 20, 2011
Charges: Theft of Motor Vehicle Registration



Plates, 2 Counts; Controlled Substance not in Original Container, 3 Counts; Improper Display of Registration Plates

Disposition: 3 years - Probated for 3 years

COMMONWEALTH V. KEVIN TAYLOR

Judge: Andrew Self
Prosecutor: Michael Cotthoff
Agency: Hopkinsville Police Department
Guilty Plea Date: February 15th, 2011
Sentencing Date: April 20th, 2011
Charges: Possession of Firearm by a Convicted Felon; Carrying a Concealed Deadly Weapon



Disposition: 1½ years in prison

COMMONWEALTH V. ASHLEY THOMAS

Judge: John Atkins
Prosecutor: Michael Cotthoff
Agency: Christian County Sherriff's Off.
Guilty Plea Date: November 9th, 2010
Sentencing Date: April 20th, 2011
Charges: Theft by Unlawful Taking over \$300; Theft by Deception over \$300



Disposition: 3 years - conditionally discharged with restitution

COMMONWEALTH V. GARY WAYNE BYARS

Judge: Andrew Self
Prosecutor: Lynn Pryor
Police Agency: Hopkinsville Police Department
Guilty Plea Date: February 9, 2011
Sentencing Date: April 20, 2011
Charges: Criminal Possession of a Forged Instrument, 2nd Degree, 3 counts



Disposition: 3 Years in Prison

COMMONWEALTH V. SHEMARKICE MCGOWAN

Judge: Andrew Self



Prosecutor: Whitney H. Westerfield
Agency: Hopkinsville Police Department
Guilty Plea Date: February 8, 2011
Sentencing Date: April 27, 2011
Charges: Trafficking in Cocaine
Disposition: 6 years in Prison

COMMONWEALTH V. DONTE TYSON

Judge: Andrew Self
Prosecutor: Duncan Cavanah
Agency: Private Complaint
Guilty Plea Date: April 27, 2011
Sentencing Date: April 27, 2011
Charges: Theft by Unlawful Taking under \$500
Disposition: 12 months



COMMONWEALTH V. ANDRE JONES

Judge: John Atkins
Prosecutor: Lynn Pryor
Police Agency: Christian County Sheriff's Office
Guilty Plea Date: April 27, 2011
Sentencing Date: April 27, 2011
Charges: Rape, 3rd Degree; Persistent Felony Offender, 2nd Degree
Disposition: 6 Years in Prison



COMMONWEALTH V. MARY BAILEY

Judge: Andrew Self
Prosecutor: Michael Cotthoff
Agency: Hopkinsville Police Department
Guilty Plea Date: February 23rd, 2011
Sentencing Date: April 27th, 2011
Charges: Possession of Cocaine;
Tampering With Physical Evidence;
Possession of Drug Paraphernalia; Operating a Non-Motor Vehicle under the Influence
Disposition: 2 ½ years - probated for 3 years



COMMONWEALTH V. LAMECCA CLEMMONS

Judge: Andrew Self
Prosecutor: Kathi Adams
Police Agency: Hopkinsville Police Department
Guilty Plea Date: November 3, 2010
Sentencing Date: April 27, 2011
Charges: Fraudulently Obtaining Food Stamps over \$100
Disposition: 5 Years – Probated & Diverted for 5 years with Restitution



COMMONWEALTH V. JAMES TRAVIS MITCHELL

Judge: Andrew Self
Prosecutor: Lynn Pryor



Police Agency: Kentucky State Police
Guilty Plea Date: May 4, 2011
Sentencing Date: May 4, 2011
Charges: Attempt to Manufacture Methamphetamine; Trafficking in Methamphetamine; Possession of Methamphetamine; Possession of Drug Paraphernalia; Possession of Marijuana; Speeding
Disposition: 5 years in Prison

* * * * *

THANKS to all of you who have served on any of the jury pools in Christian County. It has been a privilege and an honor to serve you.

If you would prefer not to receive any future email newsletters from us, please reply with "UNSUBSCRIBE" in the subject line. If you did not receive previous volumes and wish to do so, please email us and we will send it to you.

Sincerely,
Lynn Pryor – Commonwealth's Attorney