

55 INDICTMENTS HANDED DOWN AGAINST 10 SUSPECTS

Four Charged With First-Degree Murder In Davis Slaying

BY ERIC CARLSON

A Brunswick County Grand Jury last week heard some of the evidence against nine men and a woman, aged 16 to 24, who are accused of fatally shooting and beating a Bolivia man last month.

The panel agreed that four of the men should be prosecuted for first-degree murder in the killing of Charles Wayne "Butch" Davis.

The other six suspects face a range of felony charges that include conspiracy to attempt murder, first-degree kidnapping, aiding and abetting an assault with a deadly weapon, armed robbery and accessory after the fact to murder. A total of 55 indictments were handed down against the 10.

Prosecutors are not releasing detailed accounts of what each of the nine men and one woman are accused of doing on the night of Nov. 28. But, as Assistant District Attorney Rick Green said last week, comparing the charges to the theory of what happened will give some indication of their alleged roles in the killing.

Investigators say the ten acted with a "gang mentality" when they piled into two cars and drove to Davis's home on Albright Road with the intention of exacting revenge for a dispute that occurred earlier that evening.

Some of them helped drag Davis from the car. One of the men allegedly shot him in the back. Then, as Davis struggled on the ground, gasping his last breaths, members of the gang kicked him, beat him with their fists and hit him with a machete. One of them even stole his wallet.

Not everyone in the group physically participated in the murder. However, prosecutors say they all joined in the conspiracy to hurt Davis. And none contacted police to report witnessing a murder that night.

Green disputed a published report that Davis "was beaten to death" and said the final autopsy report has not been received. Preliminary results indicate that a bullet

entered Davis's lower back, passed through his aorta and exited his chest.

"I think it's fair to say that the gunshot had something to do with it," he said.

Green also said a recent *Wilmington Star* article misquoted him as indicating that on the evening of the murder, Davis went to a home on Randolphville Road, "apparently to buy drugs." While at the home, Davis allegedly had words with Frank Lenail Ford, the man who is accused of shooting him. But investigators say they don't know why Davis went there.

"It does not appear that the confrontation involved a drug transaction," Green said.

Davis and a friend apparently drove to the home at around dusk and met Ford, who allegedly told Davis that the person he came to see was not inside. The two got into a verbal altercation when Davis insisted on checking the residence for himself, Green said.

Investigators say some of the other suspects in the case were with Ford and witnessed the confrontation. Others arrived later and allegedly joined in the plan to settle the score with Davis.

"At some point they all got together and went looking for Butch Davis," Green said.

Davis's body was found the next morning lying in the driveway, where his car sat partially blocking the dirt roadway. In addition to the gunshot wounds, the indictments say he suffered "bruises, abrasions, trauma and lacerations to the body and head."

The suspects indicted last week were:

■ Ford, 22, of Oakley Trail, Bolivia, charged with murder, conspiracy to commit murder, assault with a deadly weapon with intent to kill inflicting serious injury, conspiracy to commit assault with a deadly weapon with intent to kill inflicting serious injury, first degree

kidnapping, conspiracy to commit kidnapping, simple assault and injury to personal property.

■ Byron Henry Knowles, 24, of Wilmington, charged with murder, conspiracy to commit murder, assault with a deadly weapon with intent to kill inflicting serious injury, conspiracy to commit assault with a deadly weapon with intent to kill inflicting serious injury, first-degree kidnapping and conspiracy to commit kidnapping. Knowles has not been arrested and is thought to be in the Bahamas.

■ Terrance LaQuinn Jones, 18, of Randolphville Road, Bolivia, charged with murder, conspiracy to commit murder, assault with a deadly weapon with intent to kill inflicting serious injury, first-degree kidnapping, conspiracy to commit kidnapping and robbery with a dangerous weapon. Jones is accused of taking Davis's wallet.

■ Nicholas Lavoir Smith, 16, of U.S. 17, Bolivia, charged with murder, conspiracy to commit murder, assault with a deadly weapon with intent to kill inflicting serious injury, conspiracy to commit assault with a deadly weapon inflicting serious injury, first-degree kidnapping and conspiracy to commit kidnapping.

■ Victor Conway Randolph, 21, of Tobes Road, Bolivia, charged with conspiracy to commit assault with a deadly weapon with intent to kill inflicting serious injury, aiding and abetting an assault with a deadly weapon with intent to kill inflicting serious injury, accessory after the fact to the felony of murder, first-degree kidnapping and conspiracy to commit kidnapping. Randolph is accused of driving Jones away from the scene of the murder.

■ Archie Lee Williams Jr., 16, of Rutland Road, Bolivia, charged with conspiracy to commit assault with a deadly weapon with intent to kill inflicting serious injury, accessory after the fact to the felony of robbery

with a dangerous weapon, aiding and abetting an assault with a deadly weapon with intent to kill inflicting serious injury, first-degree kidnapping and conspiracy to commit kidnapping. Williams is accused of assisting Jones escape detection and arrest by advising him "concerning the disposal of the wallet."

■ Jessica Lucille Stancil, 16, of Clark Street, Ocean Isle Beach, charged with conspiracy to commit assault with a deadly weapon with intent to kill inflicting serious injury, accessory after the fact to the felony of murder, aiding and abetting an assault with a deadly weapon with intent to kill inflicting serious injury, first-degree kidnapping and conspiracy to commit kidnapping. Stancil is accused of driving Ford and Knowles away from the scene of the murder.

■ Jeremy Javon Smith, 16, of Tobes Road, Bolivia, charged with conspiracy to commit assault with a deadly weapon with intent to kill inflicting serious injury, accessory after the fact to the felony of robbery with a dangerous weapon, aiding and abetting an assault with a deadly weapon with intent to kill inflicting serious injury, first-degree kidnapping and conspiracy to commit kidnapping. He is accused of helping Jones avoid arrest by advising him "concerning the disposal of the wallet."

■ Anthony Alex Smith, 19, of Neck Road, Bolivia, charged with conspiracy to commit assault with a deadly weapon with intent to kill inflicting serious injury, aiding and abetting an assault with a deadly weapon with intent to kill inflicting serious injury, first-degree kidnapping and conspiracy to commit kidnapping.

■ Kevin Kenyata Mitchell, 18, of Old Ocean Highway, Bolivia, charged with conspiracy to commit assault with a deadly weapon with intent to kill inflicting serious injury, aiding and abetting an assault with a deadly weapon with intent to kill inflicting serious injury, first-degree kidnapping and conspiracy to commit kidnapping.

Population Figures Reflect Growth Of Brunswick Towns

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she said. "They send the information to us and ask us to check it. I tell them it's not right, and they don't adjust it."

Fluegel expects no let-up in the rapid growth Sunset Beach is still experiencing a year after the study.

"I expect it to grow even faster," she said Tuesday. "Every year it's grown faster and faster and I don't see it slowing down."

The town has seen explosive growth on both the mainland, in the Sea Trail Plantation subdivisions, and on the island. "It's going really strong again right now," she said of island home construction activity.

During the June 1990-July 1992 study period, Sunset Beach also completed five annexations that increased its land area by 93 acres, from 1,800.3 acres to 1,893.6 acres.

"Our increase in (population) came with Sea Trail, with the King's Trail and Sugar Sands developments, and steady growth on the beach," said Fluegel.

The annexations included mainly commercial areas and areas with potential for permanent residential housing, but little already in existence: the Seaside Center, the South Brunswick postal station, Oyster Point I and II, and the Colony. The Colony has 97 housing units, but few are permanent residences.

The state estimates rank Sunset Beach at the top in growth among the 237 municipalities statewide with populations under 1,000.

Close behind Sunset Beach in estimated growth is the state's third fastest-growing municipality, Whitsett, in Guilford County, at 123.5 percent. That town's population grew from 294 to an estimated 657.

In the same under-1,000 size bracket, three other Brunswick County towns rank in the top 20 in terms of growth—Belville, 24.2 percent (66 to 82); Ocean Isle Beach, 10.5 percent (523 to 578); and Holden Beach, 9.7 percent (626 to 687).

In the 2,500 to 10,000 category,

"Every year it's grown faster and faster and I don't see it slowing down."

—Linda Fluegel

Long Beach ranks 17th, at 8.9 percent, growing from 3,816 to 4,154, while Boiling Spring Lakes ranks 16th in the 1,000 to 2,499 category, at 7.8 percent (1,650 to 1,779).

In a state of predominantly small towns and cities, Long Beach ranks as North Carolina's 107th largest municipality with an estimated population of 4,154.

Brunswick County dropped from its long-held position as the state's second-fastest growing county, and Dare County fell from its No. 1 position. The state estimates Brunswick County's population as 54,519 as of July 1992, an increase of 3,534 or 6.9 percent since April 1990. Brunswick ranked 11th in actual population gain.

Wake County led the state in overall growth from April 1990 to July 1992, the state planning office estimates, with an overall increase of 7.8 percent. It was followed by Pender County, at 7.3 percent, then Brunswick at 6.9 percent. New Hanover County was tied in fifth place with Johnston County, at 6.4 percent. Dare's growth rate fell to 2.3 percent, below the overall rate for the state as a whole.

Wake and Mecklenburg counties accounted for the greatest proportion of the state's population gain during the period. Wake saw an influx of 33,000 people, compared to 24,000 entering Mecklenburg.

Overall, North Carolina saw a 3.1 percent increase in population during the study period. As of July 1992, the state had an estimated 6.84 million residents, up from 6.63 million in April 1990 and 5.88 million in April 1980.



ROBERT QUINN (left), a leader of local opposition to the proposed Martin Marietta limestone quarry, talks with County Commissioners Chairman Don Warren after the board voted to reconsider an ordinance that would have prohibited the mine. See related stories, Pages 1-A and 3-A.

County Again Delays Selection Of Water Project Engineers

BY ERIC CARLSON

Two Brunswick Commissioners were ready to award an engineering contract for a \$2.6 million water system expansion to one of the three firms recommended by its experts in county government Monday night.

But the other three board members want more information before deciding who they will hire to design the capital improvements project, which will provide water service to the Shell Point, Civietown, Sunset Harbor and Mount Misery Road areas.

A committee made up of County Manager Wyman Yelton, County Engineer Robert Tucker and Utilities Operations Director Jerry Webb informed the board that it had narrowed its list of acceptable engineering firms from five to three. Ranked in order of qualifications,

they were Camp, Dresser and McKee (CDM) of Raleigh, McKim and Creed of Wilmington and the Wooten Company of Raleigh.

At board's Nov. 15 meeting, Tucker recommended CDM as the committee's top choice, "based on the presentations of the firms capabilities to complete the project." The took no action on the recommendation.

Commissioners Chairman Don Warren said Monday he had heard that the City of Wilmington "had some problems with a contract" with CDM and expressed reservations about hiring the firm. He also asked Tucker if any of the recommended firms had employees living in Brunswick County.

Tucker said that of three finalists, only McKim and Creed has any local employees. Six of its workers live in the county. However, the oth-

er firms would be likely to hire local surveyors and project managers if selected, he said. He said McKim and Creed is currently designing a special assessment district for the county water system.

After hearing Tucker's remarks, Commissioner Jerry Jones offered a motion to negotiate a contract with McKim and Creed. He was joined by Commissioner Donald Shaw in supporting the motion, which was defeated by the votes of Warren and commissioners Tom Rabon and Wayland Vereen.

Both Warren and Rabon said after the meeting that they wanted more information about the recommended firms before making a decision. Warren said he was surprised to learn that none of the companies had been interviewed during the selection process.

The commissioners spent most of Monday's meeting listening to public comments regarding the board's consideration of an ordinance to prohibit Martin Marietta Aggregates from opening a limestone mine near Southport. (See related stories, Pages 1A and 3A.)

In an unrelated matter, the board voted 3-to-2, with Warren and Vereen opposed, to reappoint Patricia Nutter as the nursing representative on the Brunswick County Board of Health.

Warren, who is also a member of the board, said he "has nothing against Ms. Nutter." He said he voted against her reappointment because he had another nominee in mind, but had not yet talked with her about her willingness to serve on the board.

And in other business, Warren criticized the Brunswick County Board of Education for failing to respond to numerous requests for a joint meeting with commissioners to discuss spending priorities for area schools. He instructed Yelton to "send them a letter saying that we have started the budget process and we would appreciate their attendance."

Plan On A Chilly Christmas

It's going to be cold. Beyond that, Shallotte Point meteorologist Jackson Canady isn't making any promises about Christmas Day.

The probabilities are high there won't be snow, but "it's not impossible," said Canady. "We can definitely say it will be cold and to watch every system that comes along. There's no outright promise of snow in the forecast."

The forecast through Christmas and into the early part of next week calls for temperatures below normal with above average precipitation. At present, Christmas Day is expected to be sunny to partly cloud, and cold.

Canady expects temperatures to range from the lower 30s at night into the lower 50s during the daytime, with about three-fourths inch of precipitation.

For the period of Dec. 14 through 20, Canady recorded a high of 61 degrees on both the 16th and 18th. Temperatures dipped to freezing, 32 degrees, the night of Dec. 20.

An average daily high of 57 degrees combined with a nightly average low of 38 degrees for an average daily temperature of 47 degrees, "pretty close to normal."

Canady recorded forty-six hundredths inch of rainfall.

Officials Laud Highway Plan

(Continued From Page 1-A)

ment to be added when the plan is updated next year because the existing projects haven't been fully funded.

"It will probably take eight to 10 years to do that," said Soles. "U.S. 74 is already four-lane. It wouldn't take a great deal to bring it up to interstate standards. Then we will just keep piecing it together and eventually we will have an interstate highway."

"It's a done deal as far as North Carolina is concerned," Soles elaborated. "Generally the federal people will follow the state recommendation, but it still all has to come together at the federal level. I would say it's pretty near a done deal there."

Goode said the plan must ultimately be approved by Congress, which could take some time.

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