# Two Charged With Attempted Murder Freed After Witness Fails To Show

Attempted murder charges against two men were dismissed in Brunswick County District Court last week after a prosecuting witness failed to show up to testify.

Timothy Wayne Thomas and Kid Earl Caison had been charged with assault with a deadly weapon with intent to kill, inflicting serious injury. Although the alleged victim was subpoenaed to testify, he was not in court Wednesday when the case was called.

Judge Napoleon B. Barefoot Jr. refused to grant the prosecution's request to postpone the trial to a later date.

Barefoot presided over three days of court in Bolivia last week, with Assistant District Attorney Lillian Salcines offering evidence for the state and Marie Jordan serving as courtroom clerk.

Other defendants who appeared in court last week, with their charges, pleas and judgments include:

Avella Mae Ballard, worthless check/closed account to Jones #40 for $129.07, Brunswick County Jail five months, suspended sentence one year, restitution, $15 service restitution charge, not violate any laws for one year, costs of court.

Henry Blevins, indecent exposure, N.C. Department of Corrections six months, suspended sentence two years, supervised probation two years, Brunswick County Jail 60 days, not go back around, assault, harass, threaten or communicate with plaintiff for two years, not go back on premises of R&R Video for two years, assessment-(Carolina Psychology)to determine any sexual problems he has and follow any recommended treatment, $250 and costs, violations are to be brought back before presiding judge, submit to warrantless searches, not violate any laws for two years.

Chris Bowers, worthless check/closed account to Minuteman Food for $35, Brunswick County Jail five months, suspended sentence one year, restitution, $15 service charge, costs.

Jason Eugene Brayboy, simple possession Schedule VI Controlled Substance, Brunswick County Jail 30 days, suspended sentence one year, supervised probation one year, costs, 24 hours of community service within 30 days to Rockingham County, assessment to Rockingham County, be enrolled in school and work towards his GED or high school diploma, submit to test, not use, possess or consume any illegal drugs or controlled substance, submit to warrantless searches.

Faye M. Burckhalter, expired registration card/tag, Brunswick County Jail 30 days, suspended sentence one year, costs, not violate any laws for one year; expired operators license, voluntarily dismissed.

Kenneth Lane Canady, registration documents fictitious/cancelled /etc., Brunswick County Jail 30 days, suspended sentence one year, costs; larceny, voluntarily dismissed, no plaintiff.

Scott Dixon, assault on a female, communicating threats, both voluntarily dismissed at request of plaintiff.

Eddie Dudley, second degree trespassing, prayer for judgment continued and costs, not go back on premises or have any contact with plaintiff for two years.

Gina Loresa Floyd, expired registration card/tag, voluntarily dismissed, complied.

Hope Allison Gottlieb, simple assault, voluntarily dismissed at request of plaintiff.

James Edward Hancock, assault on a female, communicating threats, both voluntarily dismissed at request of plaintiff.

James A. Lee, simple worthless check to Randy Roller for $300, Brunswick County Jail 60 days, suspended sentence one year, restitution, costs, $15 service return charge.

Eugene Lysack, inspection violation, owning and operating vehicle with non insurance, DWI, consolidated judgment, Level 5, Brunswick County Jail 60 days, suspended sentence two years, supervised probation two years, $100 and costs, assessment within 30 days, not operate motor vehicle until valid license, 24 hours of community service within 30 days, submit to test; driving while license suspended/revoked-not permanent, voluntarily dismissed.

Willie James McCoy, larceny, N.C. Department of Corrections two years to run at expiration of Superior court cases, supervised probation, restitution $125 to plaintiffs, $100 attorney fees, costs, not violate any laws for two years, submit to warrantless searches, submit to test.

Dana Grant Newton, assault on a female, voluntarily dismissed at request of plaintiff.

Martin Ray, simple assault, Brunswick County Jail 30 days, suspended sentence one year, $37 to Atlantic Radiology, $229 J.R. Dosher Hospital in Southport, $4.29 to plaintiff, costs, not go back around, have any contact with, assault, harass or threaten plaintiff for one year.

Timothy Earl Street, contributing to the delinquency of a minor, N.C. Department of Corrections two years, pay back any restitution to any homeowner that was broken into and property was stolen by juvenile between 3-93 to 8-93.

Arlyn Deion Vernon, second degree trespassing, Brunswick County Jail 30 days. Appealed.

Leamon Corbett Ward Jr., owning and operating vehicle with no insurance, voluntarily dismissed, complied.

Marie Wyatt Whitworth, simple assault, prayer for judgment continued and costs, not go back around or have any contact with, assault, harass or threaten plaintiff for two years.

Wayne T. Whitworth, two counts of communicating threats, both voluntarily dismissed.

George K. Williams, simple worthless check to Wilsons for $122.39, N.C. Department of Corrections six months, suspended sentence two years, supervised probation two years, Brunswick County Jail six days, restitution, $15 service charge, monies paid in full within 60 days, costs of court, not violate any laws for two years, not write any worthless check for two years; simple worthless check to Western Auto for $56.41, N.C. Department of Corrections six months to run at the expiration of previous sentence, suspended sentence two years, supervised probation two years; simple worthless check to Kurt Sheetz for $162, N.C. Department of Corrections six months to run at the expiration of previous sentences.

Jason H. Lynch, speeding 64 in a 55 zone, $10 and costs.

Daniel Cary Atkinson, DWI, Level 1, N.C. Department of Corrections two years, supervised probation two years, Brunswick County Jail 14 days to begin 1-24-94 at 9 a.m., $150 and costs, not violate any laws for two years, assessment, not operate motor vehicle until valid license, submit to test, $165 attorney fees, submit to warrantless searches, not use, possess or consume any alcoholic beverages or controlled substances; driving while license suspended/revoked-not permanent, N.C. Department of Corrections two years to run at expiration of previous sentence, supervised probation two years, $200 fine.

Duane William Baker, speeding 70 in a 55 zone, $40 and costs.

Thomas Mark Beavers, DWI, Level 5, Brunswick County Jail 60 days, suspended sentence two years, $100 and costs, surrender license, assessment, 24 hours Brunswick County Jail Sunday 1-23-94 at 12 p.m. submit to test.

John Mark Benton, misdemeanor breaking and entering, N.C. Department of Corrections two years to run at expiration of previous sentence, supervised probation two years, Brunswick County Jail seven days, $100 and costs, submit to warrantless searches, submit to test, not violate any laws for two years; larceny pursuant breaking and entering, voluntarily dismissed.

Kid Earl Caison, assault with deadly weapon with intent to kill/seriously injury, voluntarily dismissed, no plaintiff.

Truman Eugene Canipe, reckless driving-to endanger, Brunswick County Jail 30 days, suspended sentence one year, not operate motor vehicle until proper license to do so, not violate any laws for one year, $25 and costs.

Linda Kay Carithers, two counts of breaking and/or entering, voluntarily dismissed.

Robert Leonard Coombs, misdemeanor breaking and entering, N.C. Department of Corrections two years to run at the expiration of previous sentence; supervised probation two years, Brunswick County Jail seven days, $100 and costs, pay any restitution to plaintiff to be determined by probation officer, not violate any laws for two years, submit to warrantless searches, submit to test; larceny pursuant breaking and entering, voluntarily dismissed.

Kevin M. Council, speeding 45 in a 35 zone, $10 and costs.

Joshua Crothurs, simple possess Schedule VI Controlled Substance, Brunswick County Jail 30 days, suspended sentence one year, $50 and costs, substance abuse assessment within 30 days, 24 hours Jail to begin 1-22-94 at 9 a.m., submit to test, submit to warrantless searches, not associate with any know users, sellers or possessors, not use, possess or consume any illegal drugs or controlled substances.

Christine Lynn Frisby, failure to stop/steady red light, voluntarily dismissed.

Eleanor E. Haverly, DWI, Level 5, Brunswick County Jail 60 days, suspended sentence two years, $100 and costs, surrender license, assessment, 30 days of non-operation in lieu of community service, submit to test.

Chad Edward Hickman, DWI, Level 5, Brunswick County Jail 60 days, suspended sentence two years, $100 and cost, assessment to Cumberland County, surrender license, Brunswick County Jail 24 hours to begin 1-28-94 at 7 p.m., submit to test.

Laparry Hill, communicating threats, voluntarily dismissed, no plaintiff.

James Gerald Holden, assault on a female, voluntarily dismissed, no plaintiff.

Pecola Holmes, simple affray, prayer for judgment continued and costs, not violate any laws for two years.

Thomas Wayne Ivey, improper equipment, $20 and costs.

Bryan Lane Lanier, breaking/entering a motor vehicle, larceny, both voluntarily dismissed; possession of stolen goods, N.C. Department of Corrections two years, supervised probation two years, restitution $350 jointly and severely with Travis Murrell, 48 hours of community service within 60 days-pay fee, $290 attorney fees, not violate any laws for two years, not go about or contact Barry Adkins for two years, costs; one count of possession of stolen goods, N.C. Department of Corrections two years to run at expiration of previous sentence.

Levi Jefferson Lewis, littering not greater than 15 lbs., $100 and costs.

Gene Raymond Martin Jr., speeding 69 in a 55 zone, voluntarily dismissed; DWI, Level 4, Brunswick County Jail 120 days, suspended sentence two years, $150 and costs, surrender license, assessment, Brunswick County Jail 48 hours to begin 1-21-94 at 6 p.m., submit to test.

Larry Mason, misrepresentation to obtain Employment Security Commission Benefits, N.C. Department of Corrections two years, supervised probation two years, restitution $722, 48 hours of community service within 60 days, not violate any laws for two years, not violate any of the Employment Security Laws for two years, costs; one count of misrepresentation to obtain Employment Security Commission Benefits, N.C. Department of Corrections two years to run at expiration of previous sentence; one count of misrepresentation to obtain Employment Security Commission Benefits, N.C. Department of Corrections two years to run at expiration of previous sentence; one count of misrepresentation to obtain Employment Security Commission Benefits, N.C. Department of Corrections two years to run at the expiration of previous sentences.

Timothy Geary McGee, simple possession Schedule VI Controlled Substance, Brunswick County Jail 30 days, suspended sentence two years, $50 and costs, substance abuse assessment within 30 days, 24 hours of community service within 30 days, submit to test, not use, possess or consume any illegal drugs or controlled substances, not associate with any previous users, convictors or sellers, not frequent any place where such illegal drugs are sold, kept or used, submit to warrantless searches.

James Joseph McNelis, assault with a deadly weapon with intent to kill/serious injury, voluntarily dismissed, no plaintiff.

Felicia Morgan, simple affray, prayer for judgment continued and costs, not violate any laws for two years.

Travis Edward Murrell, two counts of possession of stolen goods, consolidated judgment, N.C. Department of Corrections two years, supervised probation two years, restitution $350 to plaintiff jointly and severely, not violate any laws for two years, not go back about or have any contact with Barry Adkins for two years, costs, $290 attorney fees, 24 hours of community service within 30 days.

Michael Joseph Noble, breaking and/or entering, voluntarily dismissed at request of plaintiff.

Scott Lewis Oleary, speeding 65 in a 45 zone, voluntarily dismissed; resisting/obstructing public officer, careless and reckless, consolidated judgment, Brunswick County Jail six months, suspended sentence one year, $50 and costs, not violate any laws for one year, submit to test.

James Forest Propst I, no drivers license, Brunswick County Jail 60 days, suspended sentence one year, $25 and costs, not violate any laws for one year, not operate motor vehicle until valid license.

Anthony D. Reed, misrepresentation to obtain Employment Security Commission Benefits, N.C. Department of Corrections two years, suspended sentence two years, supervised probation two years, 72 hours of community service within 90 days, $589 restitution, not violate any laws, not apply for or receive any unemployment benefits unless he properly qualifies for same, costs; one count of misrepresentation to obtain Employment Security Benefits, N.C. Department of Corrections two years to run at expiration of previous sentence, supervised probation two years; one count of misrepresentation to obtain Employment Security Benefits, N.C. Department of Corrections two years to run at expiration of previous sentences, supervised probation two years; one count of misrepresentation to obtain Employment Security Benefits, N.C. Department of Corrections two years to run at expiration of previous sentences, supervised probation two years.

Patrick B. Register, owning and operating vehicle with no insurance, voluntarily dismissed.

Frank Edward Reynolds, misdemeanor breaking and entering, N.C. Department of Corrections two years, supervised probation two years, Brunswick County Jail 14 days, cost and $200, not violate any laws for two years, submit to warrantless searches, submit to test; two counts of larceny pursuant breaking and entering, both voluntarily dismissed; misdemeanor possession of stolen goods, N.C. Department of Corrections two years to run at expiration of previous sentence.

Timothy Wayne Thomas, assault with deadly weapon/intent/kill/serious injury, voluntarily dismissed, no plaintiff.

Michael Eric White, simple assault, injury to personal property, both voluntarily dismissed at request of plaintiff.

Kimberly S. Whiteheart, improper equipment, $20 and costs.

Robert Phillip Womack, DWI, resisting/obstructing public officer, Level 2, N.C. Department of Corrections one year, suspended sentence two years, supervised probation two years, Brunswick County Jail 14 days credit for any time served awaiting trial 1-21-94 7 p.m. to 1-23-94 7 p.m. next 2½ weekends, assessment, surrender license, submit to warrantless searches, submit to test, $200 and costs, continue to strive for his GED, not violate any laws for two years, $110 attorney fees; fictitious information to officer, fictitious drivers license, both voluntarily dismissed.

John Woodman, simple possession Schedule VI Controlled Substance, possession drug paraphernalia, consolidated judgment, N.C. Department of Corrections one year, suspended sentence two years, unsupervised probation two years, $50 and costs, substance abuse assessment within 30 days, 24 hours of community service within 60 days, submit to test, not violate any laws for two years, not use, possess or consume any illegal drugs or controlled substance, not frequent any place where such illegal drugs are sold, kept or use, pipe destroyed after 10 days, submit to warrantless searches.

John Ashley Woodman, license not in possession, voluntarily dismissed, valid license.

Daniel Briles, resisting arrest, two counts driving while license revoked, no registration, no insurance, DWI, consolidated judgment, Level 1, N.C. Department of Corrections two years, DART program; breaking and/or entering, N.C. Department of Corrections two years to run at the expiration of DWI, $600 restitution to Max Burroughs if work release or early parole $195 attorney fees

Daniel Wayne Briles, misdemeanor breaking and entering, misdemeanor larceny, injury to real property, consolidated judgment, N.C. Department of Corrections two years to run at the expiration of previous sentences.

Gina Folmsbee, probation violation, probation terminated unsucessfully.

Michael Clemmons, two counts of assault on a female, voluntarily dismissed at request of plaintiff.

Roy Lee Frink, intoxicated and disruptive, resisting/obstructing public officer, consolidated judgment, N.C. Department of Corrections six months, suspended sentence two years, unsupervised probation two years, not go back on premises of Food Lion at Sunset Beach for two years, $50 and costs, not violate any laws for two years, Brunswick County Jail one day 1-23-94 at 12 p.m., substance abuse assessment within 30 days.

Scott Hinkle, larceny, N.C. Department of Corrections two years, DART program, suspended sentence two years, supervised probation two years, substance abuse assessment, 48 hours of community service within 60 days, $61 restitution to Pawn USA, necklace is to be returned to plaintiff, not violate any laws for two years, submit to warrantless searches, submit to test, $200 and costs, remain gainfully employed, not go back on premises of, assault, harass, threaten or communicate with plaintiff for two years.

Valerie Miller, harassing phone call, voluntarily dismissed at request of plaintiff.

Betty Burton Sergeant, misdemeanor larceny, N.C. Department of Corrections two years, suspended sentence two years, supervised probation two years, $300 attorney fees, $400 restitution to plaintiff, costs, not violate any laws for two years, 48 hours of community service within 60 days, not assault, harass, threaten, communicate with, go about premises or property of plaintiff for two years.

Maureen C. Wagner, breaking and/or entering, voluntarily dismissed at request of plaintiff; first degree trespassing, voluntarily dismissed.

Brian C. Willis, probation violation out-of-county, probation extended for one year, order that monies and community service are to be completed within six months.

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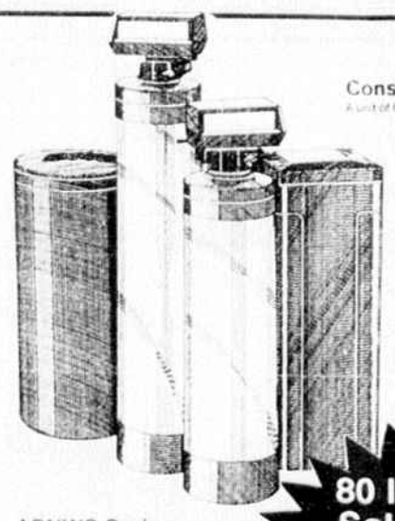
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