

Man Accused In Gator Lounge Slaying Won't Face Murder Charge

The South Carolina man accused of fatally shooting a part-time bartender at a Holden Beach lounge will not be tried for murder, Judge Jerry Jolly ruled in Brunswick County District Court last week.

After hearing testimony in a probable cause hearing Wednesday, Judge Jolly decided there was not enough evidence to prosecute John Allen Martin, 29, of Latta for murder in the May 8 shooting of John Houston "Jet" Puckett, 36, of North Tanglewood Drive. Instead, Martin will face a charge of involuntary manslaughter.

In another charge filed after the killing, Martin was found guilty of assault with a deadly weapon for pressing the barrel of a "nickel-plated derringer handgun" against the cheek of another Tanglewood resident who was with Puckett at the Gator Lounge on Seashore Road that night.

Puckett was killed by a single .22-caliber bullet that passed through his chest and lung. A .22-caliber nickel plated derringer handgun with one spent shell casing was recovered at the scene, according to Brunswick County Sheriff's Detective Gene Caison.

The five-shot derringer, believed to be the murder weapon, was sent to the State Bureau of Investigation laboratory for testing. The SBI report determined that although the bullet that killed Puckett "has the same characteristics to test bullets" fired from the derringer, due to its deformity "there is insufficient microscopic detail to conclusively determine" that it was fired from the derringer.

In his cross examination of witnesses last week, Martin's attorney R.C. Soles noted inconsistencies between their statements made immediately after the shooting and their testimony during last week's hearing. Questions about the state's ability to prove murder led Judge Jolly to rule that the case should proceed to superior court on the lesser charge of involuntary manslaughter.

After finding Martin guilty of assault with a deadly weapon, Jolly sentenced him to six months in prison, suspended on the condition that he pay \$60 court costs. The conviction was appealed to superior court.

Martin is a self-employed logger who claims an annual income of \$400,000. He has been free on a \$25,000 secured bond since his arrest.

Judge Jolly and Judge Ola Lewis presided over three days of district court in Bolivia last week. Assistant district attorneys Lee Bollinger, Rick Green and Marion Warren prosecuted, while Marie Jordan served as courtroom clerk.

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

Nanci Michelle Aaron, speeding 95 in a 55 zone, careless and reckless operation, Brunswick County Jail 30 days, suspended sentence two years, \$50 and costs, surrender license for 30 days, not violate any laws for two years; license not in possession, voluntarily dismissed.

Bobby Allen Adams, DWI, Level 5, Brunswick County Jail 60 days, suspended sentence two years, \$100 and costs, surrender license, assessment, 24 hours of community service within 30 days, not violate any laws for two years.

Michael Jan Barbee, failure to wear seat belt/driver, simple possession of less than 1/2 oz. of marijuana, possession drug paraphernalia, consolidated judgment, Brunswick County Jail 30 days, suspended sentence two years, \$50 and costs, not violate any laws for two years, pipe and marijuana destroyed.

Charles Leona Barrier, intoxicated and disruptive, resisting public officer, consolidated judgment, Brunswick County Jail 60 days to run concurrent with any sentence presently serving.

Jerry D. Bashor, DWI, Level 5, Brunswick County Jail 60 days, suspended sentence two years, \$100 and costs, not operate motor vehicle until valid license, 30 days of non-operation in lieu of community service, assessment to anywhere, not violate any laws for two years.

Henry Lewis Bell, failure to yield, costs.

Jeffery Todd Benton, DWI, Level 5, Brunswick County Jail 60 days, suspended sentence two years, \$100 and costs, surrender license, assessment, 24 hours of community service within 30 days, not violate any laws for two years.

Gerald G. Boswell, misdemeanor probation violation out-of-county, suspended sentence activated, probation revoked. Appealed.

Cornelius Bulman Jr., speeding 70 in a 55 zone, costs.

Charles Cain, failure to work after paid, voluntarily dismissed.

Jimmy R. Clemmons, following too closely, costs.

Tad Cordrey, assault on a female, voluntarily dismissed.

Sherry L. Grissett, assault on a government official, Brunswick County Jail six months, suspended

sentence two years, costs, Brunswick County Jail three days to begin 8-23 at 7 p.m. to 8-24 at 7 p.m. next two weeks and 8-29 to 8-31, not interfere with probation officer when they are exercising their duties against her husband, not violate any laws for two years.

Larry Moore Hill, intoxicated and disruptive, Brunswick County Jail 30 days, suspended sentence two years, costs, not go on property of Food Lion for two years, not violate any laws for two years.

Timothy Roy Hughes, driving while license suspended/revoked-not permanent, voluntarily dismissed.

Gregory R. Jackson, owning and operating vehicle with no insurance, voluntarily dismissed.

Michael Lee Linkous, expired registration card/tag, voluntarily dismissed, complied.

Jimmy Nelson, simple assault, Brunswick County Jail 30 days, suspended sentence two years, costs, restitution \$211.95 to plaintiff, not communicate with or go about the person or property of plaintiff, not violate any laws for two years. Appealed.

James K. Newkirk, speeding 70 in a 55 zone, DWI, consolidated judgment, Level 5, Brunswick County Jail 60 days, suspended sentence two years, \$100 and costs, surrender license, not operate motor vehicle until valid license, assessment, not violate any laws for two years, 30 days of non-operation in lieu of community service.

Luis Humberto Olguin, DWI, Level 5, Brunswick County Jail 60 days, suspended sentence two years, \$100 and costs, surrender license, not operate motor vehicle until valid license, assessment, 24 hours of community service within 30 days, not violate any laws for two years.

Timothy C. Pennington, DWI, Level 5, Brunswick County Jail 60 days, suspended sentence two years, \$100 and costs, surrender license, assessment, Brunswick County Jail 24 hours, not violate any laws for two years.

Cathryn M. Robertson, reckless driving/endanger, voluntarily dismissed.

Jimmy Semmens, assault on a female, communicating threats, consolidated judgment, N.C. Department of Corrections two years, suspended sentence five years, costs, \$176 restitution to plaintiff, not communicate with or go about the person or property of plaintiff for five years, not violate any laws for five years.

Webster Dean Simmons, no drivers license, voluntarily dismissed, complied.

Alterek Hyson Simpson, unsafe passing/yellow line, costs. Appealed.

Alan B. Steele, driving while license suspended/revoked-not permanent, registration documents fictitious/cancelled/etc., owning and operating vehicle with no insurance, consolidated judgment, N.C. Department of Corrections two years, suspended sentence two years, \$250 and cost, not violate any laws for two years.

Susan O. Taylor, misdemeanor possession of stolen property, N.C. Department of Corrections two years to run at the expiration of any sentence presently on probation for, supervised probation two years, costs, \$50 restitution to plaintiff jointly and severally with co-defendant, \$100 attorney fees, 24 hours of community service within 30 days, not violate any laws for two years.

Carol Ann Tooker, unsafe movement, failure to report accident, consolidated judgment, Brunswick County Jail 60 days, suspended sentence two years, costs, not violate any laws for two years.

Terrence James White, simple possession Schedule VI Controlled Substance, possession of drug paraphernalia, failure to wear seat belt/driver, consolidated judgment, Brunswick County Jail 60 days, suspended sentence two years, \$50 and costs, not violate any laws for two years; one count of possession drug paraphernalia, inspection violation, both voluntarily dismissed.

Bruce Lee Williams, second degree trespassing, disorderly conduct, consolidated judgment, Brunswick County Jail 30 days. Appealed.

Johnny Wilson, driving while license suspended/revoked-not permanent, N.C. Department of Corrections two years, suspended sentence two years, \$250 and costs, not violate any laws for two years; expired registration card/tag, voluntarily dismissed.

Michael Wayne Arno, carrying a concealed weapon, voluntarily dismissed.

Harold W. Hornaday, DWI, voluntarily dismissed, duplicate charge.

Franklin Eugene Young, driving while license suspended/revoked-not permanent, prayer for judgment continued and costs; inspection violation, voluntarily dismissed.

Kenneth B. Bailey, no drivers li-

cence, voluntarily dismissed; improper passing on right, prayer for judgment continued and costs.

Wendy Ann Barron, exceeding safe speed, failure to report accident, consolidated judgment, costs.

David Alan Bevesoff, dealing in crabs without license, voluntarily dismissed.

Joel B. Bravo, exceeding safe speed, failure to report accident, consolidated judgment, costs.

Kevin Paul Brittain, possession fortified wine/liquor/mixed beverage under 21, intoxicated and disruptive, consolidated judgment, Brunswick County Jail 30 days, suspended sentence two years, \$25 and costs, not violate any laws for two years.

Alexander Brown, possession Schedule II Controlled Substance, voluntarily dismissed; possession drug paraphernalia, Brunswick County Jail 32 days credit.

Charles Kelly Cain, littering not greater than 15 lbs., costs.

Mark Caison, shoplifting/concealment of goods, Brunswick County Jail 30 days, suspended sentence two years, costs, not go on premises of Wilsons for two years, 24 hours of community service within 60 days-pay fee.

Jeffrey Dale Carter, DWI, Level 2, N.C. Department of Corrections one year, suspended sentence two years, \$100 and costs, surrender license, assessment, Brunswick County Jail seven days (8-19-94 at 7 p.m. to 8-21-94 at 7 p.m. next 2 1/2 weekends), not violate any laws for two years.

Justin Adrian Deal, improper equipment, \$25 and costs.

Torrence Lamont Dixon, improper equipment, \$25 and costs.

Richard Lynn Ennis, DWI, Level 5, Brunswick County Jail 60 days, suspended sentence two years, \$100 and costs, surrender license, assessment, 24 hours of community service within 60 day to Catawba County, not violate any laws for two years; reckless driving/endanger, voluntarily dismissed.

Nancy T. Flowers, DWI, resisting/obstructing public officer, vehicle not registered/titled, failure to stop stop sign/flashing red light, consolidated judgment, Level 5, Brunswick County Jail 60 days, suspended sentence two years, \$100 and costs, surrender license, assessment, 24 hours of community service within 30 days to Parks and Rec in Southport, not violate any laws for two years. Appealed.

Assault on a government official, Brunswick County Jail six months to run at expiration of previous sentence, suspended sentence two years, costs, Brunswick County Jail one day, not violate any laws for two years. Appealed. Hit/run failure to stop/property damage, dismissed at the close of state's evidence.

Kathi B. Fogleman, speeding 64 in a 55 zone, costs.

Dennis Ray Fueller, speeding 80 in a 55 zone, prayer for judgment continued and costs.

Thomas R. Hawkins, speeding 75 in a 55 zone, Brunswick County Jail 10 days, suspended sentence two years, \$10 and costs, not operate motor vehicle until privilege restored, not violate any laws for two years.

Wesley C. Hendrickson, misdemeanor larceny, N.C. Department of Corrections two years, suspended sentence two years, costs, restitution \$51.69 to plaintiff, not violate any laws for two years, 48 hours of community service within 60 days to Onslow County.

Norman L. Hewett Sr., assault on a female, Brunswick County Jail six months, suspended sentence two years, costs, not communicate with or go about the person or property of plaintiff without her permission, not violate any laws for two years.

Tonya Lynn Hewett, communicating threats, voluntarily dismissed by request of plaintiff; simple assault, voluntarily dismissed.

William Earl Holden, selling shrimp without bill of purchase, prayer for judgment continued and costs.

Robert Holmes, no drivers license, Brunswick County Jail 30 days, suspended sentence two years, \$25 and costs, not violate any laws for two years; improper loading/coversing vehicle, voluntarily dismissed.

James Michael Howard, simple possession Schedule VI Controlled Substance, second degree trespassing, consolidated judgment, Brunswick County Jail 30 days, suspended sentence two years, costs, not go on property of Express Stop for two years, not communicate with or go about the person or property of Harper Newber, not violate any laws for two years.

Jeffrey Lee Howard, simple assault, voluntarily dismissed; second degree trespassing, Brunswick County Jail 30 days, suspended sentence two years, costs, not go on property of Express Stop for two years, not communicate with or go about the person or property of Harper Newber, not violate any laws for two years.

Shane Michael Johnson, posses-

sion cocaine, voluntarily dismissed.

Marvin Dion Jones, DWI, Level 5, Brunswick County Jail 60 days, suspended sentence two years, \$100 and costs, surrender license, assessment, 24 hours of community service within 30 days, not violate any laws for two years.

Harry Anthony Joye II, DWI, hit/run, consolidated judgment, Level 5, Brunswick County Jail 60 days, suspended sentence two years, \$100 and costs, pay for damages to automobile, assessment, surrender license, 24 hours of community service within 30 days, not violate any laws for two years, no operators license, voluntarily dismissed.

Jeffrey A. Kneeland, possession of stolen good, voluntarily dismissed, no plaintiff.

Larry Lee, assault on a female, Brunswick County Jail six months, suspended sentence two years, costs, not communicate with or go about the person or property of plaintiff, Brunswick County Jail 48 hours to begin immediately, not violate any laws for two years.

Robert Lee Lewis, expired registration card/tag, voluntarily dismissed, complied.

Marvin Ellis Luther, misdemeanor probation violation out-of-county, transferred to intensive probation and extended for three years.

Wade Allen Maggard, misdemeanor probation violation, continue on probation.

Barton Keith Malpass, DWI, Level 2, N.C. Department of Corrections one year, supervised probation two years, costs, pay or have cause to pay any property damage to plaintiff—determined by probation officer, assessment, surrender license, Brunswick County Jail seven days to begin 8-19 7 p.m. to 8-21 7 p.m. next 2 1/2 weekends, not violate any laws for two years.

Daniel J. Maxwell, speeding 70 in a 55 zone, DWI, driving while license suspended/revoked-not permanent, consolidated judgment, Level 2, N.C. Department of Corrections one year, suspended sentence two years, \$300 and costs, not violate any laws for two years, assessment, not operate motor vehicle until valid license, Brunswick County Jail seven days to begin 8-19 at 7 p.m. to 8-21-94 at 7 p.m. next 2 1/2 weekends.

James Lester Myers, DWI, voluntarily dismissed, deceased.

John Adam Peacock III, DWI, no operators license, consolidated judgment, Level 1, N.C. Department of Corrections seven months to begin 12 p.m. on 8-22-94.

Violet P. Pearson, driving while license suspended/revoked-not permanent, voluntarily dismissed, complied; owning and operating vehicle with no insurance, voluntarily dismissed.

Franklin Blake Potter, failure to yield from private drive, voluntarily dismissed, civil matter.

Jefferson L. Reynolds, misdemeanor probation violation, continue on probation and modified to Brunswick County Jail eight days.

Lewis Lee Rinehart Jr., possession malt beverage by unknown 19/20, speeding 75 in a 45 zone, inspection violation, consolidated judgment, Brunswick County Jail 30 days, suspended sentence two years, \$30 and costs, not operate motor vehicle until privilege restored, not violate any laws for two years.

Immin A. Robbins, simple possession marijuana less than 1/2 oz., voluntarily dismissed, no plaintiff.

Immin Abbul Robbins, possession drug paraphernalia, voluntarily dismissed.

Jammie M. Shaw, speeding 64 in a 55 zone, costs.

William M. Shelton, misdemeanor larceny, voluntarily dismissed.

Alterek Hyson Simpson, possession drug paraphernalia, voluntarily

dismissed, no plaintiff; simple possession marijuana less than 1/2 oz., voluntarily dismissed.

Ronald L. Stokes, simple worthless check to County Line for \$39.44, Leland True Value for \$65.70 and \$79.37, consolidated judgment, Brunswick County Jail 30 days to run concurrent.

John Robert Styers, unsafe movement, costs.

Teagra Hall Tonge, two counts of misdemeanor probation violation, transferred to intensive probation.

Alan Preston Webber, driving while license suspended/revoked-not permanent, DWI, both voluntarily dismissed, no plaintiff.

George P. Sellers, four counts of misrepresentation to obtain Employment Security Commission benefits, consolidated judgment, N.C. Department of Corrections one year, suspended sentence two years, costs, restitution \$569, not apply for or receive any unemployment benefits even if he qualifies, not violate any laws for two years.

Robert L. Murphy, driving while license revoked, Brunswick County Jail six months, suspended sentence two years, \$200 and costs, not violate any laws for two years; DWI, voluntarily dismissed.

William A. Stephenson, no operators license, expired registration, Brunswick County Jail 30 days, suspended sentence two years, \$25 and costs, not violate any laws for two years.

Edward J. Reaves, driving while license revoked, prayer for judgment continued and costs.

Ronnie Ballard, assault with a deadly weapon, voluntarily dismissed.

William Fred Barnes, DWI, Level 3, Brunswick County Jail six months, supervised probation three years, \$250 and costs, 90 days of non operation in lieu of community service, surrender license; owning and operating vehicle with no insurance, vehicle not registered/titled, N.C. Department of Corrections two years to run consecutive, supervised probation three years, pay restitution to plaintiff to be determined by probation officer not to exceed \$1500; driving while license suspended/revoked-not permanent, N.C. Department of Corrections two years to run consecutive, \$200, not operate motor vehicle until properly licensed, supervision fees remitted.

Kenneth Caldwell Bass, speeding 64 in a 55 zone, \$40 and costs; no drivers license, voluntarily dismissed.

Jacqueline Bellamy, simple assault, voluntarily dismissed, no plaintiff.

Lawrence Bennett, possession fortified wine/liquor/mixed beverage under 21, Brunswick County Jail six months, supervised probation two years, complete his GED within six months from today, supervision fees waived as long as he is enrolled in the GED program, Brunswick County Jail 24 hours, not consume any alcoholic beverage until 21, 24 hours of community service within 45 days, fee waived with Long Beach Police Department, remain gainfully employed, \$25 and costs.

Timothy S. Blackmon, misdemeanor larceny, N.C. Department of Corrections two years, supervised probation two years, Brunswick County Jail five days, served under supervision of probation officer but within 90 days of probation, not go back about plaintiff, write letter of apology to plaintiff—Judge to receive copy within 14 days, \$50 and costs.

Ronald Brece, communicating threats, N.C. Department of Corrections six months, suspended sentence two years, Brunswick County Jail 35 days credit, not assault, harass, threaten, communicate with or intimidate plaintiff for two years, not go on or about the premises or

property of plaintiff, costs remitted.

Patrick D. Bryant, no drivers license, voluntarily dismissed, complied.

Keith Scott Bullock, speeding 76 in a 55 zone, prayer for judgment continued and costs.

Elizabeth G. Carlisle, speeding 64 in a 55 zone, \$40 and costs.

Robert W. Carlson, assault with inflicting serious injury, voluntarily dismissed.

James Howard Carroll, exceeding safe speed, voluntarily dismissed.

Michael Shane Causey, simple possession marijuana less than 1/2 oz., Brunswick County Jail 29 days, suspended sentence two years, \$100 and costs, not possess any illegal drugs, controlled substance or drug paraphernalia, submit to warrantless searches, 24 hours of community service within 45 days. Appealed.

John Charles Collins, failure to burn headlamps, \$10 and costs.

Henry F. Comegys Jr., failure to wear seat belt/driver, voluntarily dismissed.

John Edward Cuthbert, possession marijuana, manufacturing/creating marijuana, both voluntarily dismissed.

Douglas F. Day, speeding 54 in a 45 zone, \$40 and costs.

Robert L. Edge, DWI (motor boat/vessel), Brunswick County Jail 60 days, supervised probation three years, Brunswick County Jail 60 days credit while awaiting trial, \$420 attorney fees, no fines or costs, obtain a substance abuse assessment, become and remain gainfully employed, submit to test, not possess or consume any illegal drugs or drug paraphernalia, letter of apology to plaintiff; operating boat in a reckless manner, Brunswick County Jail six months to run consecutive with previous sentence; misdemeanor assault with deadly weapon, N.C. Department of Corrections two years.

Bethany Eve Eversole, failure to reduce speed, voluntarily dismissed, insurance accepted.

Johnnie Hemmingway, first degree burglary, voluntarily dismissed; breaking or entering a motor vehicle, voluntarily dismissed, insufficient evidence.

James Aaron Holmes, misdemeanor larceny, N.C. Department of Corrections two years, suspended sentence two years, restitution \$1000, costs, 48 hours in the Brunswick County Jail to begin 7 p.m. on 8-27-94 to 8-28-94 next one weekend, not violate any laws for two years, not go back about property or Express Stop or any of the plaintiffs, letter of apology—Judge to receive copy within seven days, not assault, harass, threaten or communicate with plaintiff.

Todd Hunter, assault inflicting serious injury, voluntarily dismissed.

Mary E. Jackson, simple assault, voluntarily dismissed at request of plaintiff.

Barry Ray Johnson, driving left of center, voluntarily dismissed.

Alex King, communicating threats, voluntarily dismissed, no plaintiff.

Jay Allan Klus, driving while license suspended/revoked-not permanent, voluntarily dismissed.

Charles J. Lanthear, possession marijuana, manufacturing/creating marijuana, both voluntarily dismissed.

Robert Lowe, assault on a female, voluntarily dismissed, no plaintiff.

Annie Lyles Maples, improper equipment, \$25 and costs.

Keith R. McKay, speeding 70 in a 55 zone, \$40 and costs.

Tracie P. Mitchell, failure to return rental property, voluntarily dismissed.

Raymond Bernard Moore, no drivers license, Brunswick County Jail six months, suspended sentence two years, \$25 and costs.

(See JUDGES, Page 9-A)

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