



**OFFICE OF THE COMMONWEALTH'S ATTORNEY
COMMONWEALTH OF KENTUCKY
30th JUDICIAL CIRCUIT**

THOMAS B. WINE, COMMONWEALTH'S ATTORNEY

Weekly Media Release: April 18 – April 22, 2016

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NOTE: These represent only a few of the many cases which the Office of Jefferson County Commonwealth's Attorney is handling. If you have any comments, or need further information concerning these or any other matters please do not hesitate to call. An indictment is only an accusation. A defendant is presumed innocent until or unless found guilty. **The enclosed court actions are subject to change.**

According to the Rules of Criminal Procedure (RCr 3.02, 3.05, and 8.01), the arraignment of individuals whose case has been submitted directly to the grand jury shall take place within a reasonable time after the return of an indictment. If you are interested in a case that has been submitted directly to the grand jury, then please contact the court division in which it has been assigned to obtain the time and date of the arraignment.

SIGNIFICANT EVENTS

FEATURED PROSECUTOR – NICK MUDD

- Assistant Commonwealth's Attorney Nick Mudd over the last four months has earned four consecutive murder trial convictions. Mr. Mudd has been at the Office of the Jefferson County Commonwealth Attorney since 2011. Currently, he utilizes his extensive trial advocacy background as the Deputy Division Chief for the Violent Crimes Unit.

Kevin Franklin- 14CR1318 (Murder, Possession of a Handgun by a Convicted Felon, and Tampering With Physical Evidence)

- Franklin (DOB 7/31/91) was convicted at jury trial last week for the March 10, 2014, shooting death of Nicholas Baker. Mr. Franklin shot Mr. Baker at the parking lot located at 12400 Parkfield Road. The trial was in Jefferson County Circuit Court Division Thirteen. On April 4, the jury found the defendant guilty and on April 5 the penalty was determined to be 30 years. Nick Mudd was the prosecutor.

John Watkins – 13CR2619

- Watkins (DOB 8/27/80) was convicted at jury trial this week in connection with a September 22, 2013 business robbery. Mr. Watkins entered the Berry Petroleum store located at 1871 Berry Boulevard. Once inside, he walked behind the counter with his hand concealed inside his shirt, approached the victim, store owner and demanded that she open the cash register. The defendant began to assault her by punching her about the face and head, pushing her to the floor, and dragging her to the register. When he was unable to open the register, he ripped it from the counter and fled on foot. He then threw the cash register to the ground to break it open and removed the cash. The trial has entered into sentencing phase in Jefferson County Circuit Court Division Two. Alex Gaddis and Mauricus Lofton are the prosecutors.

ARRAIGNMENTS

Brian A. Hutchings and Marquice Hamilton – 16CR0930 (Murder [Two Counts], Robbery in the First Degree [Two Counts], Tampering with Physical Evidence, Trafficking in a Controlled Substance in the First Degree While in Possession of a Firearm)

- Mr. Hutchins (DOB 5/21/97) and Mr. Hamilton (DOB 6/15/97) are charged in connection with a March 31, 2016 double shooting. Jermaine Simmons and Kamal Lawson were killed while sitting in a vehicle located at 2001 Appleton Lane. After the shooting, one defendant opened the driver door and removed a small, plastic grocery bag. The bag, later recovered, contained some miscellaneous items along with a small baggie of suspected heroin. Each defendant currently has a bond of \$100,000 full cash. Their arraignment is scheduled for Monday, April 18 at 9:30 am in Division 3 of Jefferson County Circuit Court. Alex Gaddis is the Prosecutor.

PRETRIAL CONFERENCES

Robert Wayne Poppe, John Zachery and Heather Zachery - 15CR1847 (Burglary in the Third Degree (**Twenty Counts** against Poppe, **Fourteen Counts** against John Zachery, **Four Counts** against Heather Zachery) and Persistent Felony Offender in the First Degree against Robert Wayne Poppe)

- Mr. Poppe (DOB 1/19/66), Mr. Zachery (DOB 8/04/73), and Ms. Zachery (9/10/85) are charged in connection with the burglaries and thefts from local businesses such as Subway, Party City and Feeder's Supply, mainly along Dixie Highway between May 19, 2015 and July 2, 2015. A pretrial conference is scheduled to occur on Tuesday, April 19,

2016, at 9:00 a.m. in Division One of the Jefferson Circuit Court. Ms. Stacy Greive is the prosecutor.

Robert Wayne Poppe - 16CR0595 (Burglary in the Third Degree (**Ten Counts**), Escape in the Second Degree, Tampering With a Prisoner Monitoring Device and Persistent Felony Offender in the First Degree)

- Mr. Poppe (DOB 1/19/66) is charged with escaping from Home Incarceration while out on bond in the above case. While escaped from Home Incarceration, Mr. Poppe committed ten additional burglaries and thefts from local businesses in February of 2016. A pretrial conference is scheduled to occur on Tuesday, April 19, 2016, at 8:30 a.m. in Division Seven of the Jefferson Circuit Court. Ms. Stacy Greive is the prosecutor.

Andre A.K. Richards, Jarrell Fletcher, and Lionel Fletcher- 15CR3156 (Assault in the First Degree)

- Richards (DOB 6/25/95) and the twin Fletcher brothers (DOB 11/19/00) have been indicted in connection with the June 2, 2015 severe beating of a local homeless man. The beating occurred in the context of a “knock-out game” the defendants were playing. The defendants continued to kick and attack the victim as he lay on the pavement after he had been knocked down. The victim remains paralyzed and is currently receiving skilled care in a nursing home from which he may never leave. The case is set for pretrial on Friday April 22 at 9:00 am in Jefferson County Circuit Court Division 8. Critt Cunningham is the prosecutor.

HEARINGS

William T. Mattingly – 15CR3102 (Murder, Criminal Attempt Murder and Persistent Felony Offender First Degree)

- Mr. Mattingly (DOB 05/09/75) is charged with the murder of Thomas Grismer and the attempted Murder of Christopher Bloyd on November 13, 2015 at the Red Roof Inn located on Preston Highway. A competency hearing is scheduled for Wednesday, April 19th at 11:00 am in Division 9 of Jefferson Circuit Court. Stacy Greive and Chris Foster are the prosecutors.

TRIALS

Julius Thomas - 13CR3085 (Rape in the Third Degree, Sodomy in the Third Degree, Incest [Two Counts], Unlawful Transaction with a Minor in second, Sexual Abuse First [Two Counts])

- Thomas (DOB 9/17/69) is on trial for having sex with his step-daughter since she was 14 years old. She disclosed that he had anal sex with her in the past. Her forensic interview revealed specific details including that she was made to clean up evidence with her socks after. A blue light search of her bedroom revealed substantial evidence. Cut outs from the carpet also produced evidence which tends to support the victim. The trial is on-going in Jefferson County Circuit Court Division Five. Alicia Gomez and Courtney Straw are the prosecutors.

Jerone Sanders – 14CR1603 (Burglary in the First Degree and Robbery in the First Degree)

- Mr. Sanders (DOB 06/14/91) on March 4, 2014 along with an unknown co-defendant invaded a home, armed with a handgun, and robbed the homeowner. The case is set for jury trial on April 18 at 1:00 pm in Division Four of the Jefferson Circuit Court. Jennifer Murzyn Yancey is the Prosecutor.

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