IN THE SUPERIOR COURT OF CLARKE COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

vs.

WILLIAM WILSON HEATON, JR.,
Defendant

FILED IN CLERK'S OFFICE SUPERIOR/STATE COURT
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* CASE NO. SU-13-CR-0495-S
*
* APRIL TERM, 2013
*
* Charges: Serious Injury by Vehicle (6 counts);
* Driving under the Influence of Alcohol;
* Driving with an Unlawful Alcohol Concentration;
* Reckless Driving;
* Leaving the Scene of an Accident
* Involving Serious Injury;
* Failure to Report Accident Resulting in Injury;
* Failure to Maintain Lane;
* Open Container

INDICTMENT

Returned in Open Court,

True Bill

Foreperson

Don Eckert and Von Anderson, Prosecutors

KENNETH W. MAULDIN, District Attorney

****

ARRAIGNMENT

The Defendant, WILLIAM WILSON HEATON, JR., hereby waives formal arraignment and pleads _____

_____

_____

This _____ day of _____, 20_____

_____ Defendant

_____ Attorney for Defendant

_____ KENNETH W. MAULDIN, District Attorney

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GEORGIA, CLARKE COUNTY

IN THE SUPERIOR COURT OF SAID COUNTY

The Grand Jurors selected, chosen and Sworn for the County of CLARKE, to wit:

I, Lori M. King, FOREPERSON

2. Emily R. Adams	14. Carvin J. Moreland
3. Jessie J. Clarke	15. William T. Nearhood
4. Paullee Egley	16. Sherry L. Ogg
5. Susan E. Estes Reed	17. Carol J. Powell
6. William C. Goulden, Jr.	18. ~~Glenda E. Rucker~~
7. Erica L. Gilbertson	19. Robert A. Serna
8. ~~Cynthia D. Griffith~~	20. Karen S. Simonton
9. Erin S. Johnson	21. Daniel M. Smith
10. Wesley R. Johnson	22. Sherman M. West
11. ~~Renisha R. Juniors~~	23. Chiwanta U. Woods
12. Bennie M. McKinley	24. ~~Dennie E. Wright~~
13. Michael L. McWhorter	25. ~~Shannon N. Wright~~

Count 1: In the name and on behalf of the citizens of the State of Georgia, do hereby charge and accuse **WILLIAM WILSON HEATON, JR.** with the offense of **SERIOUS INJURY BY VEHICLE** for that the said **WILLIAM WILSON HEATON, JR.** on the 16th day of February, 2013, in the County aforesaid, did, without malice, cause bodily harm to Emily Bowman by causing organic brain damage, which rendered her body useless, through a violation of O.C.G.A. § 40-6-391(a)(1) as alleged in Count 7 of this Indictment; in violation of O.C.G.A § 40-6-394, Contrary to the laws of said State.

Count 2: And, We the Grand Jurors aforesaid, do further charge and accuse the said **WILLIAM WILSON HEATON, JR.** with the offense of **SERIOUS INJURY BY VEHICLE** for that the said **WILLIAM WILSON HEATON, JR.** on the 16th day of February, 2013, in the County aforesaid, did, without malice, cause bodily harm to Emily Bowman by depriving her of a member of her body and by rendering a member of her body useless through a violation of O.C.G.A. § 40-6-391(a)(1) as alleged in Count 7 of this Indictment; said body member of Emily Bowman being her pelvis, which was fractured; in violation of O.C.G.A. § 40-6-394, Contrary to the laws of said State.

Count 3: And, We the Grand Jurors aforesaid, do further charge and accuse the said **WILLIAM WILSON HEATON, JR.** with the offense of **SERIOUS INJURY BY VEHICLE** for that the said **WILLIAM WILSON HEATON, JR.** on the 16th day of February, 2013, in the County aforesaid, did, without malice, cause bodily harm to Emily Bowman by causing organic brain damage, which rendered her body useless, through a violation of O.C.G.A. § 40-6-391(a)(5) as alleged in Count 8 of this Indictment; in violation of O.C.G.A § 40-6-394, Contrary to the laws of said State.

Count 4: And, We the Grand Jurors aforesaid, do further charge and accuse the said **WILLIAM WILSON HEATON, JR.** with the offense of **SERIOUS INJURY BY VEHICLE** for that the said **WILLIAM WILSON HEATON, JR.** on the 16th day of February, 2013, in the County aforesaid, did, without malice, cause bodily harm to Emily Bowman by depriving her of a member of her body and by rendering a member of her body useless through a violation of O.C.G.A. § 40-6-391(a)(5) as alleged in Count 8 of this Indictment; said body member of Emily Bowman being her pelvis, which was fractured; in violation of O.C.G.A. § 40-6-394, Contrary to the laws of said State.

Count 5: And, We the Grand Jurors aforesaid, do further charge and accuse the said **WILLIAM WILSON HEATON, JR.** with the offense of **SERIOUS INJURY BY VEHICLE** for that the said **WILLIAM WILSON HEATON, JR.** on the 16th day of February, 2013, in the County aforesaid, did, without malice, cause bodily harm to Emily Bowman by causing organic brain damage, which rendered her body useless, through a violation of O.C.G.A. § 40-6-390(a) as alleged in Count 9 of this Indictment; in violation of O.C.G.A § 40-6-394, Contrary to the laws of said State.

Count 6: And, We the Grand Jurors aforesaid, do further charge and accuse the said **WILLIAM WILSON HEATON, JR.** with the offense of **SERIOUS INJURY BY VEHICLE** for that the said **WILLIAM WILSON HEATON, JR.** on the 16th day of February, 2013, in the County aforesaid, did, without malice, cause bodily harm to Emily Bowman by depriving her of a member of her body and by rendering a member of her body useless through a violation of O.C.G.A. § 40-6-390(a) as alleged in Count 9 of this Indictment; said body member of Emily Bowman being her pelvis, which was fractured; in violation of O.C.G.A. § 40-6-394, Contrary to the laws of said State.

Count 7: And, We the Grand Jurors aforesaid, do further charge and accuse the said **WILLIAM WILSON HEATON, JR.** with the offense of **DRIVING UNDER THE INFLUENCE OF ALCOHOL** for that the said **WILLIAM WILSON HEATON, JR.** on the 16th day of February, 2013, in the County aforesaid, did drive and was in actual physical control of Mazda truck, a moving motor vehicle, on Oak Street (Georgia Highway 10) while under the influence of alcohol to the extent that it was less safe for him to drive; in violation of O.C.G.A. § 40-6-391(a)(1), Contrary to the laws of said State.

Count 8: And, We the Grand Jurors aforesaid, do further charge and accuse the said **WILLIAM WILSON HEATON, JR.** with the offense of **DRIVING WITH AN UNLAWFUL ALCOHOL CONCENTRATION** for that the said **WILLIAM WILSON HEATON, JR.** on the 16th day of February, 2013, in the County aforesaid, did drive and was in actual physical control of a Mazda truck, a moving motor vehicle, on Oak Street (Georgia Highway 10), and within three hours after such driving and actual physical control ended had an alcohol concentration of at least 0.08 grams; said alcohol concentration being the result of alcohol consumed before such driving and actual physical control ended; in violation of O.C.G.A. § 40-6-391(a)(5), Contrary to the laws of said State.

Count 9: And, We the Grand Jurors aforesaid, do further charge and accuse the said **WILLIAM WILSON HEATON, JR.** with the offense of **RECKLESS DRIVING** for that the said **WILLIAM WILSON HEATON, JR.** on the 16th day of February, 2013, in the County aforesaid, did drive a Mazda truck, a motor vehicle, in reckless disregard for the safety of persons and property on Oak Street (Georgia Highway 10); said accused failed to maintain his lane of travel and was under the influence of alcohol while driving said motor vehicle; in violation of O.C.G.A. § 40-6-390(a), Contrary to the laws of said State.

Count 10: And, We the Grand Jurors aforesaid, do further charge and accuse the said **WILLIAM WILSON HEATON, JR.** with the offense of **LEAVING THE SCENE OF AN ACCIDENT INVOLVING SERIOUS INJURY** for that the said **WILLIAM WILSON HEATON, JR.** on the 16th day of February, 2013, in the County aforesaid, did being the driver of a Mazda truck, a motor vehicle, involved in an accident on Oak Street (Georgia Highway 10) resulting in serious injury to Emily Bowman; fail to fulfill the requirements of O.C.G.A. subsection 40-6-270(a); said accident being the proximate cause of the serious injury to Emily Bowman; in violation of O.C.G.A § 40-6-270(b), Contrary to the laws of said State.

Count 11: And, We the Grand Jurors aforesaid, do further charge and accuse the said **WILLIAM WILSON HEATON, JR.** with the offense of **FAILURE TO REPORT ACCIDENT RESULTING IN INJURY** for that the said **WILLIAM WILSON HEATON, JR.** on the 16th day of February, 2013, in the County aforesaid, did being the driver of a Mazda truck, a motor vehicle, involved in an accident on Oak Street (Georgia Highway 10) resulting in injury to Emily Bowman, fail to give notice of such accident to the Athens-Clarke County Police Department, which is the local police department in Athens, Georgia, by the quickest means of communication; in violation of O.C.G.A § 40-6-273, Contrary to the laws of said State.

Count 12: And, We the Grand Jurors aforesaid, do further charge and accuse the said **WILLIAM WILSON HEATON, JR.** with the offense of **FAILURE TO MAINTAIN LANE** for that the said **WILLIAM WILSON HEATON, JR.** on the 16th day of February, 2013, in the County aforesaid, did being the driver of a Mazda truck, a motor vehicle, on Oak Street (Georgia Highway 10) fail to drive as nearly as practicable entirely within a single lane and did move from such lane without first ascertaining that such movement could be made with safety; Oak Street (Georgia Highway 10) being a roadway divided into at least two clearly marked lanes for traffic; in violation of O.C.G.A § 40-6-48, Contrary to the laws of said State.

Count 13: And, We the Grand Jurors aforesaid, do further charge and accuse the said **WILLIAM WILSON HEATON, JR.** with the offense of **OPEN CONTAINER** for that the said **WILLIAM WILSON HEATON, JR.** on the 16th day of February, 2013, in the County aforesaid, did unlawfully possess an open alcoholic beverage container in the passenger area of a Mazda truck, a motor vehicle, while operating said truck on Oak Street (Georgia Highway 10), a public highway; in violation of O.C.G.A § 40-6-253,

Contrary to the laws of said State, the good order, peace and dignity thereof.

Indictment

CLARKE COUNTY SUPERIOR, April Term, 2013

Don Eckert and Von Anderson, Prosecutors

KENNETH W. MAULDIN, District Attorney