

# Daily Edition

Serving Loudon, Monroe and Surrounding Counties

Tuesday, November 9, 2010

## Out of service then off to jail after driving

A Kentucky truck driver was jailed after he reportedly violated a out of service order by continuing to drive even though he as told by officials to take a ten hour break.

Clark M. Cain, 31, McKinney Lane, Richmond, Kentucky was charged Saturday with driving on out of service order.

According to records, Mr. Cain , a truck driver for DC Transport, was given a com-

(see Cain pg. 3) Cain



## Revoked x3 & DUI

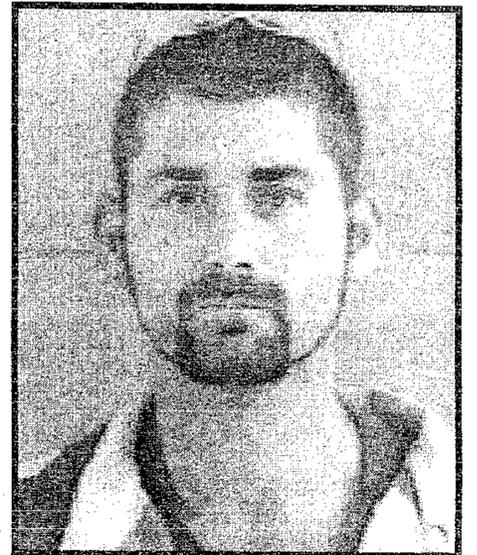


Burchfield

A revoked driver was charged with DUI after officers stopped his vehicle for a light violation and discovered he was under the influence of alcohol and has prior revoked charges.

(see Burchfield pg. 6)

## Man charged with theft of pens



Littleton

A Loudon man was charged with theft after he reportedly stole ink pens belonging to city government.

Bobby Lee Littleton, 30,

(see Littleton pg. 7)

## Veteran James McNeece Donates York Sword to Museum of Appalachia



Andrew Jackson York (left), son of Sgt. Alvin C. York receives a World War I German sword from Veteran James McNeece (see Sword pg. 6)

## Kentucky Lake Fatal Accident Results in Conviction

NASHVILLE --- A Henry County jury took less than 30 minutes to convict David Ray Phelps, of Woodlawn, Tenn., of charges stemming from a fatal boating accident on Kentucky Lake last July.

Phelps was found guilty of vehicular homicide, aggravated assault, reckless operation of a vessel and boating under the influence (BUI). The con-

(see Conviction pg. 7)

## Home burglarized

A local woman called authorities Thursday when she returned home to find someone had burglarized her home, garage and barn and stolen numerous items of property.

According to reports, Thursday, around 6:24 PM, Deputy Brad Rayfield, LCSO was dispatched to the Highway 72, Loudon residence of Ms. Jill D. Thearp who advised she had just gotten home and found her back glass door busted out. A walk-thru of the

(see Burglary pg. 3)

### Verse of the Day

*"For I desired mercy, and not sacrifice; and the knowledge of God more than burnt offerings."*  
Hosea 6:6

### Obituaries

Kenneth L. (Nig) Hines  
Daniel DeWayne Daulton  
Mae D. Donaldson  
Yvonne I. Temple

### Wazzup

To all you "Nozellas" in Lenoir City and Loudon

spreading lies and to the women who told my parents that Scott would beat on me: He's never threatened me! So go talk about someone else and look in the mirror!!! Thanks,  
Wanda Faye

### Weather

Today: Sunny skies. High 72. Winds light and variable.  
Tonight: Clear skies. Low 36. Winds light and variable.  
Wednesday: Plenty of

sun. Highs in the mid 70s and lows in the upper 30s.

### Horoscopes

Scorpio 10/23-11/21  
Try not to worry too

(see More pg. 2)

**Cain**

mercial vehicle inspection on November 6th, 2010, at 8:55 am, in Forrest Park, Georgia.

He was declared out of service and prohibited from driving for ten hours.

Mr. Cain was caught driving after he left that location, in violation of

the order. He signed the inspection report and initialed the section stating he was not to drive for 10 hours.

Mr. Cain told Trooper Woody, THP he was

going to Kentucky no matter what. Cain was taken into custody, however because the offense was likely to continue. Trooper Daniel Morton, THP made the arrest.

**Burglary**

home revealed two rifles were missing from an upstairs gun rack.

Thearp advised another room was ransacked and a small wood jewelry box had been taken.

Deputy Rayfield reported he checked out a barn about 100 yards from the house and discovered the tack room door was open and two saddles were missing.

A check of the garage found a weed trimmer and air compressor also gone.

The missing items were described as a Marlin 30.30 cal. lever action with scope and wood stock, Marlin .22 auto, a jewelry box with assorted costume jewelry, two black Big Horn horse saddles, a red weed trimmer and a red air compressor with a yellow hose. The value of the two saddles was estimated at \$1400. The value of the rest of the stolen property was unknown at the time of the report. A possible suspect was named. The crime was turned over to an investigator.

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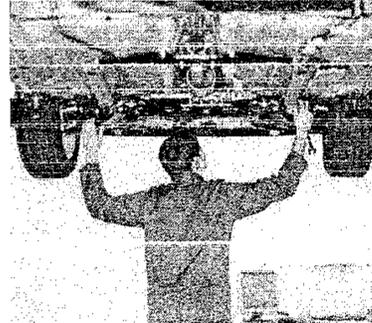


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### Burchfield

Jeremiah C. Burchfield, 35, Matlock Bend Road, Loudon was charged with DUI 1st offense and driving on revoked 3rd offense.

According to reports, Saturday, around 7:55 PM, Officer Colby Cannon, LPD noticed a green Saturn with a headlight out while traveling East on Highway 72. Officer Cannon initiated a traffic stop at Holt Drive.

The driver, Mr. Burchfield, stated he didn't have a drivers license and moments later, he said he had consumed several alcoholic beverages earlier that evening.

Burchfield reportedly had a strong odor of an alcoholic beverage on his person, bloodshot eyes and was unsteady on his feet. He was giv-

en several field sobriety tasks on which he performed poorly.

A check of Burchfield's license through NCIC came back revoked for a prior DUI and he has two prior arrests for driving on revoked license. He was placed under arrest and read the implied consent form. He agreed to a Breathalyzer test.

Once at the jail Burchfield was given the test and the results were .09%.

Officer April Farmer, LPD, was also on scene.

Mr. Burchfield was also charged with failure to appear.

### Sword

A veteran, a member of the Tellico Lake American Legion and resident of Loudon James McNeece recently donated the historic sword, which

once belonged to Sgt. Alvin C. York to the Museum of Appalachia for the special Sgt. Alvin C. York exhibit.

McNeece received the ceremonial sword years ago as a gift. It came from an older friend, "Mr. Joe," who knew James admired the sword even as a young child and would safeguard its historical value.

McNeece said, "It's an honor to pass on this memorabilia to the museum where it will be shared with others and preserved as a piece of history associated with the American Hero, Sgt. York."

Sgt. York was one of the most decorated American soldiers in World War I. He received the Medal of Honor for leading an

attack on a German machine gun nest, taking 32 machine guns, killing 28 German soldiers and capturing 132 others.

### Police Beat

Robert Ray Thompson, 39, Hatley Road, Lenoir City was charged with failure to pay child support.

Corporal Pete McGinley, LCSO made the arrest Saturday.

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**Littleton**

Pathkiller Trail, Loudon was charged with theft under \$500.

According to records, Thursday, at approximately 8:30 am, Bobby Littleton took two ink

pens out of a drawer while he was at Lenoir City Court. He put the pens down in his jumpsuit.

Mr. Littleton did not have permission to take the ink pens, which belonged to the City of Lenoir City.

When Littleton was asked what he put in his jumpsuit he pulled out two ink pens. He also had a third pen that was found on him when he was brought back to the jail.

The value of the pens was estimated at \$1.50.

Sgt. Eddie Range, made the arrest.

**Conviction**  
viction came during

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an Oct. 25 trial held in Paris.

A bass boat Phelps, 37, was operating, struck a pontoon boat occupied by seven family members. Sandra R. Adams, 47, was killed and her daughter, Meghan Adams, 16, was seriously injured. The pontoon boat was being operated at the time by the 11-year old son of Jeffrey Adams, who was seated beside the youth at the time of the accident. The accident occurred on the lake about a mile south of the Hwy 79 bridge.

Tennessee Wildlife Resources Agency officers on the scene subjected Phelps to field

sobriety tests, which he failed. Phelps was placed under arrest for BUI and asked to submit a blood test. A result of the blood alcohol test was .13 percent, almost twice the legal limit. Adams also submitted to a blood alcohol and drug test, both of which were returned with negative results.

During Phelps' trial, TWRA officer Brad Jackson presented an animated re-creation of the crash based upon the finding from the crime scene investigation. The court and jury were also transported to see the extent of damage to each of the boats at the location of their storage at the Henry County Fairgrounds. Expert testimony during the trial gave the

opinion that Phelps' boat was traveling almost 60 mph at the time of the collision.

Adams testified that he was ejected from the boat at the time of the accident, and found his daughter face down in the water. He was able to pull her to safety and revive her, but his wife died even though another family member performed CPR on her while in the water.

As a result of the conviction, Phelps was fined \$2,500 for the BUI and a sentencing hearing on the remaining charges has been scheduled for Dec. 6, 2010. Phelps was ordered incarcerated, pending sentencing under a \$125,000 bond, due to the severity of the crimes for which he was convicted.

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