

Private Citizens Killed by Concealed Handgun Permit Holders
May 2007 to the Present

This subset of the total number of people killed by concealed handgun permit holders contains vignettes describing the circumstances for incidents in which individuals with permits to carry concealed handguns killed private citizens. The descriptions include the current, known status of any charges filed against the permit holder as well as noting instances where the perpetrator committed suicide.

The Violence Policy Center welcomes any new information regarding the status of any case (with verifiable source(s)). Use this link to contact the VPC: <http://www.vpc.org/contact.htm>.

Alabama

- **Concealed Handgun Permit Holder:** Michael McLendon

SUICIDE

Date: March 10, 2009

People Killed: 11 (including shooter)

Circumstances: On March 10, 2009, Michael McLendon, a self-proclaimed survivalist, killed his mother at their family home, beginning a shooting rampage that stretched across 24 miles. By the time McLendon took his own life in the midst of a police shootout at a factory where he had previously worked, he had shot four more relatives, including his 74-year-old grandmother, and five strangers, including the wife and 18-month-old daughter of a local sheriff's deputy. McLendon had a concealed handgun permit for two handguns. Police later found at the home he shared with his mother numerous how-to DVDs on committing acts of violence.

Source: "Officials: Alabama shooter depressed over failures," *Associated Press* at philstar.com, March 13, 2009.

California

Concealed Handgun Permit Holder: Aubrey Louis Berry

PENDING

Date: May 18, 2009

People Killed: 1

Circumstances: On May 18, 2009, Aubrey Louis Berry allegedly shot and killed Roderick Burton, a 21-year-old rapper who performed under the stage name Dolla. Berry and Burton had reportedly had a previous encounter on May 6, 2009, at the Platinum 21 Adult Entertainment club in Atlanta, Georgia, where Berry alleges that Burton and members of his crew assaulted him. On May 18, Berry was at the P.F. Chang's restaurant in the Beverly Center in Los Angeles for a business meeting where he happened upon Burton who he claims was "verbally assaultive." Berry left the restaurant, and was followed to the valet parking area by Burton and his companions. Berry claims that he thought Burton was reaching for a gun so he shot Burton as well as firing on the two other people who were accompanying Burton. No other weapons were recovered at the scene and Burton was unarmed. Berry had a concealed handgun permit issued in his home state of Georgia and claimed that he thought the permit allowed him to carry in California as well as Georgia. Charges against Berry include one count of murder and two counts of assault with a firearm.

Source: "Atlanta man charged in murder of rapper Dolla," *Los Angeles Wave*, May 21, 2009; "Murder suspect alleges that rapper Dolla threatened him, admits opening fire, attorney says," *latimesblogs*, May 20, 2009.

Colorado

Concealed Handgun Permit Holder: David Lee Noriega

PENDING

Date: September 16, 2008

People Killed: 1

Circumstances: On September 16, 2008, David Lee Noriega allegedly shot and killed Clay Frank Eldred at 11:00 PM outside a scrap yard where Noriega was employed as a security guard. Noriega said he fired five shots from his AR-15 assault pistol to warn Eldred—who he claimed charged him with a baseball bat—and another unidentified man. Detectives stated, however, that there were no signs Eldred had tried to enter the scrap yard. According to an affidavit, after the shooting Noriega reportedly made comments to a fellow security guard that they needed to move Eldred's body onto the scrap yard property and "make it look like the guy he shot had a weapon." The fellow security guard eventually pled guilty to a misdemeanor count of prohibited use of a firearm. Felony charges of accessory to reckless manslaughter and tampering with physical evidence were dismissed as part of a plea agreement. The night of the shooting Noriega was also armed with a 454 caliber handgun and had loaned his fellow security guard a 40 caliber handgun. Noriega, who had a concealed handgun permit, was charged with reckless manslaughter and tampering with physical evidence.

Source: "Police arrest second guard as accessory: The man is held on suspicion of tampering with physical evidence in a fatal shooting at a scrap yard," *The Pueblo Chieftain*, September 20, 2008; "Security guard pleads guilty to misdemeanor," *The Pueblo Chieftain*, February 27, 2009.

Florida

Concealed Handgun Permit Holder: Paul Michael Merhige

PENDING

Date: November 26, 2009

People Killed: 4

Circumstances: On Thanksgiving Day, November 26, 2009, Paul Michael Merhige allegedly opened fire at his family's Thanksgiving dinner shooting six relatives, killing four. The deceased victims were his twin sisters (one of whom was pregnant, his 76-year-old aunt, and a six-year-old cousin. As he left the scene, Merhige was quoted by one witness as saying, "I have been waiting 20 years for this." Merhige then fled, and has since been featured on "America's Most Wanted." Merhige bought two pistols and a rifle the day before the shooting according to the gun shop owner who sold them to him. Merhige had a concealed handgun permit.

Source: "Thanksgiving Massacre Gun Bought in Fort Lauderdale: Merhige bought three guns a day before killing four family members," *NBC Miami*, December 4, 2009; "4 Killed at Dinner; Florida Police Seek Gunman," *New York Times*, November 28, 2009.

Florida

Concealed Handgun Permit Holder: Unidentified
PENDING

Date: October 19, 2009

People Killed: 1

Circumstances: On October 19, 2009, Latrecia Levine was shot and killed at The Allied Veterans Cyber Center Internet Café when a man's handgun fell out of his waistband, hit the floor and discharged, striking her in the back. The shooter, who had a concealed handgun permit, apparently had ignored a sign on the door that included firearms among the items prohibited from inside the business. Additional signs inside the café said that no firearms were allowed on the property. No charges were immediately filed in the case, but the police characterized it as an "active ongoing investigation."

Source: "New Info in Internet Café Shooting," *wokv.com*, October 23, 2009; "Woman Killed in Cyber Café Identified," *news4jax.com*, October 22, 2009; "No charges filed against man when gun went off at Jacksonville business, killing woman," *jacksonville.com*, October 22, 2009.

Florida

- **Concealed Handgun Permit Holder:** Narcisse “Nas” Antoine

PENDING

Date: June 1, 2009

People Killed: 1

Circumstances: On June 1, 2009, Narcisse “Nas” Antoine allegedly shot and killed Brandon Thomas and wounded Jeffrey Thompson after an incident outside the Mystique Lounge in West Palm Beach. Antoine had a concealed handgun permit. According to his lawyer, Antoine was threatened by the two men and acted in self defense. Antoine was arrested and charged with second-degree murder and attempted first-degree murder.

Source: “Club Shooting was Self-Defense, Lawyer Says,” *Palm Beach Post*, June 7, 2009.

Florida

Concealed Handgun Permit Holder: Andrew Sherman Conley

CONVICTED

Date: October 24, 2008

People Killed: 1

Circumstances: On October 24, 2008, Andrew Sherman Conley was showing his girlfriend, assistant public defender Theresa Anderson, a .22 handgun when the weapon went off, the bullet striking her in the chest. She was treated by paramedics but died at the scene. Conley, who considered himself an “amateur gunsmith,” had attended a firearms safety course in 2005 and had a concealed handgun permit. Conley told deputies his girlfriend had encouraged him to take the safety course after a previous incident in which he had accidentally fired into the bed in the master bedroom. Conley pleaded no contest to manslaughter and was sentenced to 13 years in prison.

Source: “Live-in boyfriend gets 13 years after fatal shooting of assistant public defender,” *The Orlando Sentinel*, November 9, 2009; “Seminole Deputies: It was her boyfriend’s fault,” *The Orlando Sentinel*, November 4, 2008; “Trial in manslaughter case set for Feb. 23,” *The Orlando Sentinel*, December 5, 2008.

Florida

Concealed Handgun Permit Holder: William Garrido

PENDING

Date: July 3, 2008

People Killed: 1

Circumstances: On July 3, 2008, William Garrido confessed to shooting and killing fellow cab driver Josue Reyes. Garrido allegedly shot Reyes in the parking lot of the Bass Museum of Art in Miami Beach following a confrontation. Reyes then tried to run away, but Garrido shot him a second time, in the back, causing him to collapse and die beside a parking meter. Garrido and Reyes had been arguing for the last three weeks. Garrido told police that in the lot, stepping out of his cab, he took out his six-shot revolver with the intention of killing Reyes. Garrido had a concealed handgun permit despite having pled no contest in 1997 to charges of aggravated assault with a weapon and being sentenced to two months in jail and a year of probation. Garrido was charged with second-degree murder in the shooting of Reyes.

Source: "Murder charge for cabbie; a Miami Beach cab driver was arrested and charged with first-degree murder in the death of another cab driver," *The Miami Herald*, July 5, 2008; "Blood Beach: The Murder Rate in Miami Beach Pushes a Record for This Decade," *www.miamisunpost.com*, September 18, 2008.

Florida

Concealed Handgun Permit Holder: Max Wesley Horn, Jr.

PENDING

Date: March 29, 2008

People Killed: 1

Circumstances: On March 29, 2008, Max Wesley Horn, Jr. allegedly fired six shots at Joe Martell with a .45 pistol equipped with a laser sight outside the Hot Shotz bar during the Chasco Fiesta street festival, fatally wounding him. The two had “scuffled” prior to the shooting. While Horn claimed self-defense, a police detective stated that based on the forensic evidence, Martell “was either turning away, being pulled away or he was not in direct confrontation with the person with the gun.” In the wake of the shooting, Martell’s mother wrote to the court, “Even though he [Horn] had a concealed weapons permit he should not have had a gun at a family event like the Chasco Fiesta. He should have had more self-control than that. He shot to kill, not for protection.” Horn, who had a concealed handgun permit, had a criminal record but had never been adjudicated guilty of any charge. Horn was charged with second-degree murder.

Source: “Shooter in Chasco fight to argue self-defense,” *St. Petersburg Times*, May 30, 2008; “Fatal Chasco shooting case will go to trial,” *St. Petersburg Times*, January 30, 2009; “Was shooter justified in ‘08 slaying? Jury to decide,” *St. Petersburg Times*, February 1, 2009.

Florida

Concealed Handgun Permit Holder: Arthur Burroughs

SUICIDE

Date: March 8, 2008

People Killed: 2 (including shooter)

Circumstances: On March 8, 2008, Christine Burroughs, naked and covered with blood, ran to neighbor Alice and Lance Lather's house seeking refuge from her enraged husband, Arthur Burroughs. Burroughs followed his wife to the home, fatally shooting Lance Lather. Burroughs then barricaded himself in the neighbors' bathroom with his wife. A SWAT team and hostage negotiator were called to the house. Burroughs eventually shot and killed himself. Christine Burroughs had previously told Alice Lather that her husband wanted to kill her because she wanted a divorce. Burroughs had been previously employed in loss prevention and security for T.J. Maxx and had possessed a concealed handgun permit since at least 1999.

Source: "Domestic Dispute Spurred Shooter," *Palm Beach Post*, March 10, 2008.

Florida

Concealed Handgun Permit Holder: Tony Villegas

PENDING

Date: March 5, 2008

People Killed: 1

Circumstances: On March 5, 2009, Tony Villegas allegedly strangled Melissa Britt Lewis after a struggle ensued in her garage. Her body was found in a canal two days later. Lewis was the best friend of Villegas' estranged wife, and had been supportive of her efforts to end the abusive relationship with Villegas. Villegas had possessed a concealed handgun permit since 2000. Villegas was indicted on a charge of premeditated first-degree murder.

Source: "Arrest made in slaying of attorney; Suspect is estranged husband of the victim's best friend," *Sun-Sentinel*, March 16, 2008; "Lawyer: Suspect in Attorney's Killing Framed; Police Say Woman Strangled by Best Friend's Estranged Husband," *www.justnews.com*, March 17, 2008; "Suspect indicted in Ft. Lauderdale lawyer's murder," *Miami Herald*, March 26, 2008.

Florida

Concealed Handgun Permit Holder: Charles Podany

CHARGES DISMISSED

Date: February 29, 2008

People Killed: 1

Circumstances: On February 29, 2008, Charles Podany allegedly killed Casey Landes following a dispute over a speeding pickup truck in which Landes was a passenger. The incident began when Podany, on a bicycle, approached the truck and asked the driver to slow down. Landes became upset, got out of the truck, and punched Podany in the face. Podany fell to the ground and Landes prepared to strike him again. Podany then pulled a .40 Glock pistol and fired two shots, hitting Landes once in the face. Detectives reported that Podany's injuries were abrasions and a cut to the left side of his lower lip, "which does not justify deadly force." In 1994, Podany was charged with misdemeanor battery, and in 1999 with felony aggravated assault with a weapon. He pleaded no contest to the assault charge and adjudication was withheld. Podany, who had a concealed handgun permit, was charged with manslaughter.

UPDATE: On September 1, 2009, Hillsborough Circuit Judge Robert Foster agreed to toss out the manslaughter charge after Podany's attorneys argued that Podany fired in self-defense under Florida's "stand your ground" law. This case is not included in the statistics cited on the Concealed Carry Killers website.

Source: "Man Shot After Speeding Confrontation," *The St. Petersburg Times*, March 2, 2008; "Win for stand your ground," *tampabay.com*, September 1, 2009.

Florida

Concealed Handgun Permit Holder: Gabriel Mobley

PENDING

Date: February 28, 2008

People Killed: 2

Circumstances: On February 28, 2008, Gabriel Mobley allegedly shot and killed Jason Jesus Gonzalez and Rolando Carrazana during an argument in the parking lot of a Chili's restaurant in Miami Lakes. Police said the men were arguing over a woman inside the restaurant and the argument escalated in the parking lot. Mobley, who had a concealed handgun permit, initially claimed that he had shot only one of the men and was acting in self defense. But a review of surveillance video by prosecutors showed Mobley shooting both men, and that one of the men had his hands "raised and free from any objects or weapons." Mobley was charged with two counts of second degree murder.

Source: "Confusion reigns over Florida's 'Stand Your Ground' law," *Miami Herald*, December 28, 2009; "Man Charged in Fatal Chili's Shootings," *justnews.com*, June 26, 2008.

Florida

Concealed Handgun Permit Holder: Paul Kallenbach

CONVICTED

Date: February 2008

People Killed: 1

Circumstances: In February 2008, Paul Kallenbach shot and killed Jon Teko Howard following an argument at a convenience store. After a verbal dispute, Kallenbach, who was armed with two pistols, pulled one of them on Howard who then began backing out of the store before lunging to try and disarm Kallenbach. A struggle ensued and Howard managed to wrestle one pistol away from Kallenbach. Howard was shot in the arm and back, and returned fire on Kallenbach, wounding him in the shoulder and leg. Howard was pronounced dead at the scene and Kallenbach was taken to the hospital for treatment. Kallenbach had a concealed handgun permit and told police he felt safer when he was carrying guns. Police had confiscated several firearms and hundreds of rounds of ammunition from Kallenbach six months prior to the shooting, but a judge returned the weapons in November 2007. Kallenbach pled guilty to second degree murder and was sentenced to 18 years in prison.

Source: "A sobering picture of crime; Homicides doubled last year and county is on track to match that in '08," *Sarasota Herald-Tribune*, April 15, 2008; "Fatal shootout brings 18-year term," *HeraldTribune.com*, December 12, 2008; "Death at a convenience store," *Sarasota Herald-Tribune*, December 13, 2008.

Florida

Concealed Handgun Permit Holder: Michael Leopold Phillips

SUICIDE

Date: January 19, 2008

People Killed: 2 (including shooter)

Circumstances: On January 19, 2008, Michael Leopold Phillips shot and killed his wife, Josefina Boza, before turning the gun on himself. Both were shot in the head and a police investigation determined the shooting to be a murder-suicide. Phillips' arrest record showed three charges since 1988 of domestic battery or assault on a spouse. From 1988 through 1990, one of Phillips' ex-wives was granted injunctions for protection against domestic violence. Phillips obtained a concealed handgun permit in 1999 and renewed it in 2006.

Source: "Murder, Suicide Cited in Deaths," *Palm Beach Post*, January 21, 2008.

Florida

Concealed Handgun Permit Holder: Adam Hill

PENDING

Date: January 7, 2008

People Killed: 1

Circumstances: On January 7, 2008, Adam Hill allegedly shot and killed Clayton Patterson as Patterson sat on the couch in a friend's apartment. An eyewitness told police that Hill entered the apartment, pulled out a revolver, and pointed it. Hill then said, "Hey Clayton, you want to get shot?" Hill had a history of mental illness and owned several guns. Two years prior to his obtaining a concealed handgun permit, Hill was arrested for carrying a concealed weapon. He failed to show up for court, but the case was dismissed. Hill obtained a concealed handgun permit in 2007. Hill was charged with second degree murder.

Source: "Family Says Gun Laws are Flawed," *firstcoastnews.com*, May 21, 2009.

Idaho

Concealed Handgun Permit Holder: Jeremy J. Hobbs

PENDING

Date: March 14, 2009

People Killed: 1

Circumstances: On March 14, 2009, Jeremy J. Hobbs, 27, allegedly shot and killed Ahmed Cepalo, 29, in the early morning in the parking lot outside Southwest Boise's Backstreet Billiards. According to witnesses, Hobbs and another man starting arguing inside the pool hall. The argument continued into the parking lot where Cepalo, who knew both men, tried to calm them down. A shoving match then broke out between Hobbs and Cepalo. Hobbs then allegedly pulled out a small revolver and shot Cepalo five times, twice in the hip and three times in the back. Cepalo died in the parking lot of internal bleeding. According to police, witnesses all said that Cepalo appeared to be trying to break up the argument when he was shot. Hobbs, who according to Ada County Sheriff's officials had a concealed handgun permit, pleaded not guilty to second degree murder.

Source: "Man fights second-degree murder charge in Boise pool-hall shooting," *IdahoStatesman.com*, June 9, 2009; "Murder suspect tells Boise police pool hall shooting was self-defense," *IdahoStatesman.com*, March 16, 2009.

Idaho

Concealed Handgun Permit Holder: Jason Kenneth Hamilton

SUICIDE

Date: May 19, 2007

Total Killed: 4 (including shooter)

Total Wounded: 3

Law Enforcement Officers Killed: 1

Circumstances: On May 19, 2007, Jason Kenneth Hamilton, a member of the white supremacist group Aryan Nation, shot and killed his wife, a police officer, and a church sexton, and wounded three others before turning the gun on himself in a shooting spree in Moscow, Idaho. Hamilton had a concealed handgun permit “despite a [previous] domestic violence conviction that should have barred him from owning guns.” He also possessed a federally registered fully-automatic AK-47 machine gun, one of the guns he used in the shooting spree.

Source: “Shooter Linked to Aryans; Killer also had federal license for automatic weapons,” *Spokesman Review*, May 23, 2007; “Authorities investigate Hamilton’s gun purchase; Mass killer apparently obtained the automatic weapon late in 2004 or early in 2005; Ambush aftermath,” *Lewiston Morning Tribune*, May 24, 2007.

Kentucky

Concealed Handgun Permit Holder: William Seidl

PENDING

Date: August 25, 2008

People Killed: 1

Circumstances: On August 25, 2008, William Seidl allegedly shot and killed his wife, Dorene Seidl, in their home. Prior to the shooting, on August 8, 2008, an emergency protection order was issued until Dorene Seidl's petition for a protective order could be heard by a judge. Yet on August 20, 2008, a family court judge denied the order, saying there was not sufficient evidence that domestic violence had occurred. Five days later, Dorene Seidl was shot and died of multiple gunshot wounds. William Seidl, who had a concealed handgun permit, was charged with murder.

Source: "Slain woman feared husband," *The Louisville Courier-Journal*, August 28, 2008; Media Release, Louisville Prosecutor's Office, September 8, 2008.

Michigan

Concealed Handgun Permit Holder: Tigh Croff

PENDING

Date: December 27, 2009

People Killed: 1

Circumstances: On December 27, 2009, Tigh Croff allegedly shot and killed Herbert Silas after Silas and another man were reportedly attempting to burglarize his home. While one of the pair escaped, Croff confronted Silas—who was unarmed—in his backyard. According to a news report, Silas asked Croff, “What are you going to do? Shoot me?” To which Croff replied, “Absolutely,” before firing a bullet into Silas’ chest. Croff, who had a permit to carry a handgun, was charged with second degree murder.

Source: “Family defends Detroit homeowner charged after shooting unarmed burglary suspect,” *MLive.com*, January 4, 2010.

Michigan

Concealed Handgun Permit Holder: Jamar Pinkney, Sr.

PENDING

Date: November 16, 2009

People Killed: 1

Circumstances: On November 16, 2009, Jamar Pinkney, Sr. allegedly shot and killed his 15-year-old son after the teen confessed to inappropriate sexual contact with a three-year-old. Witnesses said that Pinkney, Sr. seemed calm at a family meeting to discuss the incident but then suddenly erupted in a rage, punching, kicking, and pistol whipping the teen before stripping off the boy's clothes, marching him to a nearby field, and shooting him fatally once in the head. Pinkney is charged with first-degree premeditated murder, three counts of felonious assault, and one count of felony firearm.

Source: "Aunt says slain teen pleaded for life," *The Detroit New*, December 1, 2009.

Michigan

Concealed Handgun Permit Holder: Harlan Drake

PENDING

Date: September 11, 2009

People Killed: 2

Circumstances: On September 11, 2009, Harlan Drake, 33, allegedly opened fire from a passing vehicle, killing anti-abortion activist James Pouillon, 63. The shooting occurred at 7:20 AM outside Owosso High School, a site of frequent anti-abortion protests by Pouillon. Multiple witnesses, including high school students, gave police the license plate number of Drake's vehicle. Arrested approximately an hour after the shooting, Drake reportedly told authorities that he had been involved in an earlier shooting. Police were soon made aware of the murder of Michael Fuoss, owner of Fuoss Gravel. Fuoss was found dead in his office with multiple gunshot wounds. A 22 caliber gun and 45 caliber gun were sought in the killings. Pouillon and Fuoss were two of the three people police say Drake wanted to kill. Drake, who had a concealed handgun permit, was charged with two counts of murder, possession of a firearm during the commission of a felony, and possessing a weapon with unlawful intent.

Source: "UPDATE: Owosso man charged in fatal shootings," *BattleCreek Enquirer.com*, September 11, 2009; "UPDATE: Victims identified in Owosso shootings," *ConnectMidMichigan.com*, September 11, 2009.

Michigan

Concealed Handgun Permit Holder: Kevin Hoover

PENDING

Date: July 21, 2009

People Killed: 1

Circumstances: On July 21, 2009, Kevin Hoover, 23, allegedly shot his father-in-law, Andre Settler, 43, during an argument that occurred during Hoover's backyard birthday party. According to his wife Cassaundra, Hoover was carrying the 45 caliber handgun during the party: "He had the handgun on his side since he woke up that morning...on his right hip in a holster." At approximately 9:50 PM Hoover and Settler, both of whom had been drinking, got into an argument, with Settler striking Hoover. According to Hoover's wife, "It just happened out of nowhere....He got struck a couple of times and he fell back and I heard gunshots." Hoover fled after the shooting and visited his mother, giving her the handgun. According to his mother, Hoover "was holding his face in his hands and crying and saying, 'I can't believe this happened.'" Hoover then traveled to the home of his aunt, Vickie Haymer, who helped him surrender to police. "I knew something wasn't right," said Haymer, who described Hoover as intoxicated and not himself. Hoover, who had a concealed handgun permit, was charged with open murder and use of a firearm in the commission of a felony.

Source: "Woman testifies in father's shooting," *BattleCreekEnquirer.com*, August 19, 2009.

Michigan

- **Concealed Handgun Permit Holder:** Arlando Davis

SHOT AND KILLED DURING INCIDENT

Date: May 24, 2009

People Killed: 1 (by permit holder)

Circumstances: On May 24, 2009, Arlando Davis shot and killed Jarmel Hodges following a dispute about a loud party. Police said that it appeared the dispute started in the street between the two men over a loud party which included someone firing shots. Davis and Hodges both fired shots at each other and each died from his wounds. Davis had a concealed handgun permit.

Source: "2 die in Sunday shooting," *Battle Creek Enquirer*, May 25, 2009.

Michigan

Concealed Handgun Permit Holder: Troy Brake

CONVICTED

Date: September 29, 2008

People Killed: 4

Circumstances: On September 29, 2008, Troy Brake, 31, shot to death 52-year-old Sharmaine Zimmer, her sons, Tyler (age 17) and Jeremy (age 20), and beat to death Jeremy's girlfriend, university student Katherine Brown (age 18). Brake once lived next door to the Zimmers and had lived with them for a time while growing up. At trial, the jury was told that Brake shot the Zimmers to death in order to have sex with Brown, and that he then doused the lower half of Brown's body with gasoline. The Zimmers' house was set on fire and destroyed. A month after the attack, police arrested Brake for beating up a prostitute and found that a 40 caliber Glock pistol owned by Brake was linked to the earlier murders. Brake, who had a concealed handgun permit, was convicted of first degree murder in the deaths of the Zimmer family and Katherine Brown. He was also convicted of assault and rape of the prostitute he had attacked.

Source: "Victims' families applaud investigators, prosecutor after Troy Brake is found guilty of four Wright Township murders," *The Grand Rapids Press*, May 28, 2009; "Jurors will have Troy Brake's testimony to consider Thursday," *The Grand Rapids Press*, March 25, 2009.

Minnesota

Concealed Handgun Permit Holder: Michelle Rae Wilson

CONVICTED

Date: January 13, 2008

People Killed: 1

Circumstances: On January 13, 2008, Michelle Rae Wilson shot and killed Carl Jackson during an argument over their past relationship. According to the complaint filed in the case, at 6:30 PM that evening Jackson called 911 from Wilson's home and told the operator that his ex-girlfriend was "beating him upside his head and he is trying not to hit her and trying to get out of the house." The sound of a woman yelling in the background could be heard over the phone. The operator then asked Jackson if there were any guns in the home. He said there were but he didn't know where Wilson kept them. Then gunshots were heard and the line went dead. Wilson had fired six shots from a Glock pistol, three of them hitting Jackson in the forehead, shoulder, and chest. The handgun had been given to Wilson by her nephew, a police officer, for self-protection. Wilson, who had a concealed handgun permit, was charged with second degree murder. In court, Wilson claimed that Jackson had assaulted her and that she had fired her handgun in self-defense. Wilson was convicted in December 2009.

Source: "Wilson is found guilty of killing ex-boyfriend," *StarTribune.com*, December 17, 2009; "St. Paul killer testifies she was defending herself," *StarTribune.com*, December 15, 2009; "St. Paul woman on trial in ex-boyfriend's fatal shooting," *St. Paul Pioneer Press*, December 7, 2009; "'I took a life,' woman tells nephew, a cop," *St. Paul Pioneer Press*, January 15, 2008.

New York

Concealed Handgun Permit Holder: Frank Garcia

CONVICTED

Date: February 14, 2009

People Killed: 4

People Wounded: 1

Circumstances: On February 14, 2009, Frank Garcia allegedly opened fire with a .40 Glock pistol in the Lakeside Memorial Hospital parking lot in Brockport, NY. He had recently been fired by the hospital. He shot three people there, killing two, before killing a married couple at their home in Canandaigua. Garcia had been denied a permit to carry a pistol three times in the previous 15 years due to previous arrests for assault, harassment, and criminal possession of a weapon, before a judge granted him the ability to carry a concealed weapon in 2007. Garcia faced four charges of murder, and one charge of attempted murder. He was convicted and received a life sentence without possibility of parole for two of the murders, and is awaiting trial on two additional charges of murder and one charge of attempted murder.

Source: "Garcia evidence allowed by judge," *Rochester Democrat and Chronicle*, October 31, 2009; "After 3rd try, gun permit OK'd," *Rochester Democrat and Chronicle*, February 19, 2009; "Damelio will represent Garcia in Monroe Trial," *Rochester Democrat and Chronicle*, July 1, 2009; "Killer gets life for Valentine's Day rampage in NY," *Associated Press*, September 1, 2009.

North Carolina

Concealed Handgun Permit Holder: Lionel Loya

PENDING

Date: December 5, 2009

People Killed: 1

Circumstances: On December 5, 2009, friends Lionel Loya and Jonathan Clinton Rodriguez got into an argument while watching a broadcast of the Texas-Nebraska college football game. Loya was disappointed that his favorite team, the Florida Gators, had lost earlier in the day to the Alabama Crimson Tide—dropping the Gators out of contention for the BCS national championship game. A scuffle broke out between the two after the Texas Longhorns secured a spot in the BCS championship game at the Rose Bowl by beating the Nebraska Cornhuskers with a last-minute field goal. During the roughhousing, Loya produced a handgun, which discharged, killing Rodriguez. Loya had a concealed carry permit. Both men were Marine corporals. Loya was turned over to military authorities and is charged with involuntary manslaughter.

Source: “Texas-Neb. game sparks shooting,” *Omaha World-Herald*, December 8, 2009.

North Carolina

- **Concealed Handgun Permit Holder:** William Maxwell

SUICIDE

Date: November 2, 2009

People Killed: 4 (including shooter)

Circumstances: On November 2, 2009, William Maxwell shot and killed his wife Kathryn and their teenage children Connor and Cameron before killing himself. Neighbors could not say what drove a local businessman and basketball coach at the religious school where his teenagers attended classes to murder his family. Friends described the Maxwells as active churchgoers and good neighbors. Earlier on the day of the shooting, friends and relatives had gathered at the family's home to "see if they could lift the normally happy dad from his funk." Maxwell obtained a concealed handgun permit in January 2008.

Source: "Friends tried to help NC man who killed family," *The Associated Press*, November 5, 2009; "Police: NC father killed wife, 2 children, self," *The Associated Press*, November 3, 2009.

North Carolina

Concealed Handgun Permit Holder: William Littleton

PENDING

Date: December 15, 2008

People Killed: 1

Circumstances: On December 15, 2008, William Littleton allegedly killed his neighbor, 72-year-old Luther Kaemming, shooting him three times in the chest with a rifle. Kaemming was a prosecuting witness in a court case against Littleton on charges that Littleton had obstructed drainage ditches in front of his property causing water to back up into neighbors' yards. Littleton, who was issued a concealed handgun permit in 1998, was charged with murder.

Source: "Sheriff's Dept.: Man accused of murder had previously threatened neighbor," *The Daily News* (Jacksonville, NC), December 16, 2008; "Mistrial preceded neighbors fatal dispute," *The Daily News* (Jacksonville, NC), January 14, 2009.

North Carolina

Concealed Handgun Permit Holder: Bobby Ray Bordeaux Jr.

CONVICTED

Date: August 31, 2008

People Killed: 1

Circumstances: On August 31, 2008, Bobby Ray Bordeaux Jr. shot and killed Clifton Jackson and wounded John Warlick with a .22 pistol during an altercation at the Hogs Pen Pub. Bordeaux was at the bar to celebrate the birthdays of his younger brothers. As the brothers were leaving the bar, Eddie Bordeaux exchanged words with Jackson and “took a swing” at him. Jackson then knocked Eddie Bordeaux to the ground. Bobby Ray Bordeaux Jr. then shot Jackson in the back of the head. Because of his alcohol use, Bobby Ray Bordeaux Jr. said he could only remember pieces of that day and night. He said he remembered driving his brother’s dirt bike to the bar and collecting change for a game of pool, but the next thing he remembered was being handcuffed, presented before the magistrate, and charges being read against him. Bordeaux, who had a concealed handgun permit, was found guilty in September 2009 of assault with a deadly weapon inflicting serious injury in the shooting of Warlick. The trial on the first-degree murder charge ended with a deadlocked jury. A retrial on the murder charge in December 2009 ended with a conviction for first degree murder, and Bordeaux was sentenced to life in prison.

Source: “Jury convicts Bordeaux of first-degree murder,” Rocky Mount Telegram, December 10, 2009; “Bordeaux jury knotted; retrial Dec. 7,” *The Daily Southerner*, September 25, 2009; “Defendant doesn’t remember shooting,” *The Daily Southerner*, September 23, 2009.

North Carolina

Concealed Handgun Permit Holder: John K. Gallaher III

PENDING

Date: July 15, 2008

People Killed: 2

Circumstances: At approximately midnight on July 15, 2008, John K. Gallaher III called 911 to report that he had shot and killed his friends Lori Fioravanti and Sean Gallagher. Although the motive for the shooting was unknown, friends speculated that heavy drinking and a dispute over a boating mishap may have led to the shootings. Gallaher, who had a concealed handgun permit, was charged with murder.

Source: "How Does a Family Beset by Tragedy Face Yet Another?," *Winston-Salem Journal*, August 3, 2008; "Reason for shooting deaths still unclear," *Winston-Salem Journal*, July 17, 2008.

Ohio

- **Concealed Handgun Permit Holder:** David Nesbitt

PENDING

Date: July 18, 2009

People Killed: 1

Circumstances: On July 18, 2009, five-year-old Zacharia Nesbitt unintentionally shot himself with his father's 9mm Glock pistol which had been stored in a closet, loaded with a round in the chamber. Zacharia died after the gun discharged and fired a bullet into his right lung. David Nesbitt had a concealed handgun permit for the gun. He was charged with negligent homicide.

Source: "Dad charged in son's accidental death," *The Cincinnati Enquirer*, August 1, 2009.

Ohio

- **Concealed Handgun Permit Holder:** Emmitt Weaver

SUICIDE

Date: April 7, 2009

People Killed: 2 (including shooter)

Circumstances: On April 7, 2009, 66-year-old Emmitt Weaver shot and killed his wife Betty, also 66, with a small caliber handgun and then turned the gun on himself. Deputies found both bodies in the living room of their home. Betty Weaver was lying face down with two gunshot wounds, and Emmitt Weaver was found in his recliner with a self-inflicted gunshot wound. The couple had reportedly been arguing, and Emmitt Weaver suffered from an unspecified medical condition. Emmitt Weaver was a hunter, kept several rifles in his home, and had a concealed handgun permit.

Source: "Police investigating murder-suicide," *The News-Messenger*, April 9, 2009.

Ohio

Concealed Handgun Permit Holder: Anthony Rodecker

SUICIDE

Date: October 3, 2008

People Killed: 2 (including shooter)

Circumstances: On October 3, 2008, police discovered the bodies of Anthony Rodecker and his ex-girlfriend Brenda Keeler. Both had been shot and a gun was found nearby in what police suspected was a murder-suicide. Rodecker had been banned from the café where Keeler bartended. Her relatives had urged her not to give in to his requests to see her when he threatened to kill himself if she refused. Rodecker had a concealed handgun permit that he obtained in Union County, Ohio.

Source: "2 shot dead on Far West Side; Authorities suspect murder-suicide in deaths of woman, former boyfriend," *Columbus Dispatch*, October 4, 2008.

Ohio

Concealed Handgun Permit Holder: Geraldine Beasley

CONVICTED

Date: August 6, 2007

People Killed: 1

Circumstances: On August 6, 2007, Geraldine Beasley shot Donald Francis, who was believed by police to be homeless. Beasley, who was panhandling on the same block as Francis, was angry because he was invading her “turf.” Beasley had a permit to carry a concealed weapon despite paying a fine for unlawfully transporting a firearm in 2003. In February 2008 Beasley pled guilty to voluntary manslaughter and was sentenced to nine years in prison.

Source: “Guilty plea entered in shooting death,” *The Cincinnati Enquirer*, February 28, 2008; “Woman accused of shooting panhandler had weapon permit,” *The Chronicle-Telegram*, August 11, 2007; “Woman Pleads Guilty in Spare-Change Shooting,” *wlwt.com*, February 28, 2008; “9-year term for woman who killed homeless man,” *The Cincinnati Enquirer*, April 5, 2008.

Ohio

Concealed Handgun Permit Holder: Terrance Hough Jr.

CONVICTED

Date: July 4, 2007

People Killed: 3

People Wounded: 2

Circumstances: On July 4, 2007, firefighter Terrance Hough Jr. used a 40 caliber pistol to shoot and kill neighbor Jacob Feichtner as well as Bruce Anderson and Katherine Rosby as a result of a dispute over fireworks the three were setting off. Hough also shot and injured Donny Walsh and Katherine Nicholas. Police seized 12 firearms from Hough's home after his arrest. Hough's fellow firefighters described him as a "ticking time bomb that finally exploded," and one noted, "I hope I'm off the day Hough snaps." Hough, who had received his concealed handgun permit in 2004, was convicted of three counts of aggravated murder and two counts of attempted murder and was sentenced to life in prison with no parole.

Source: "Judge denies bail for man charged in July Fourth slayings," *Associated Press*, July 9, 2007; "Hough Guilty, Could Get Death Penalty," *Cleveland Plain Dealer*, May 16, 2008; "Firefighter gets life sentence in killings over fireworks," *Associated Press*, May 22, 2008; "Hough known for bursts of anger," *Cleveland Plain Dealer*, July 7, 2007; "Firefighter in fatal shootings may face death penalty," *Cleveland Plain Dealer*, August 8, 2007.

Oklahoma

Concealed Handgun Permit Holder: Jerome Ersland

PENDING

Date: May 19, 2009

People Killed: 1

Circumstances: On May 19, 2009, Jerome Ersland allegedly shot and killed Antwun Parker, a 16-year-old who attempted to rob the Reliable Discount Pharmacy where Ersland worked as a pharmacist. Parker and another man entered the pharmacy as it was about to close at approximately 6:00 PM and pulled a gun, demanding cash and drugs. Ersland pulled his own gun and shot Parker in the head. The other robber fled the store and Ersland gave chase. Ersland then returned to the store, walked past Parker who was on the floor, retrieved another gun, and shot Parker five more times in the stomach. A coroner's report indicated that the shot to the head would not have been fatal, and ruled that the cause of death was the five shots to the stomach. Ersland possessed a concealed handgun permit despite being accused by his ex-wife of displaying "paranoid behavior" and abusing drugs. He was also alleged to have been under the care of a mental health professional in the past. Ersland was reported to have owned more than 100 weapons. The district attorney in Oklahoma concluded that Ersland should be charged with first degree murder because Parker at that point was unarmed, unconscious, and lying on his back, posing no threat to Ersland when he fired the five shots into Parker's stomach.

Source: "Pharmacy Robberies," *U.S. Pharmacist*, July 20, 2009; "Shooting raises question on concealed carry permits," *The Oklahoman*, June 10, 2009.

Oklahoma

Concealed Handgun Permit Holder: Kenneth Gumm

CONVICTED

Date: June 10, 2007

People Killed: 1

Circumstances: On June 10, 2007, Kenneth Gumm shot and killed Dale Turney in a road-rage incident. Gumm claimed that Turney tailgated him and followed him into a parking lot, blocking him in. Gumm had a permit to carry a concealed weapon as well as being CLEET (Council on Law Enforcement Education and Training) trained and a certified armed security guard. On May 29, 2008, Gumm pled guilty to first-degree manslaughter and was given a five-year suspended sentence.

Source: "Causes of road rage are many," *Tulsa World*, May 21, 2008; "Former security guard pleads guilty to manslaughter," *Tulsa World*, May 29, 2008; "Ex-security guard gets suspended sentence for fatal shooting," *Tulsa World*, July 15, 2008.

Oregon

Concealed Handgun Permit Holder: Joel Kenneth Jensen

CONVICTED

Date: August 7, 2007

People Killed: 1

Circumstances: On August 7, 2007, Joel Kenneth Jensen, 29, shot and killed Debbie Davis, 58, following an argument at her home. Jensen and Davis had been having an affair which she reportedly broke off several weeks before the shooting. On the day of the shooting, Jensen went to Davis' home and beat her husband Tim Hardin on the head with a pistol before shooting Davis in the head. Jensen then shot himself in the head but recovered from his injury. Jensen routinely carried a handgun in a fanny pack and had a concealed handgun permit. Jensen's attorney argued that he was suffering from extreme emotional disturbance as a result of the affair, but Jensen was convicted of murder, assault, and burglary in February 2009.

Source: "Albany man arrested for love-triangle murder," *kgw.com*, August 27, 2007; "Murder defendant testifies at trial," *Albany Democrat-Herald*, February 13, 2009; "Jury finds Albany man guilty of murder," *Associated Press*, *kval.com*, February 18, 2009.

Pennsylvania

Concealed Handgun Permit Holder: Yaritza Alvarado

PENDING

Date: January 8, 2010

People Killed: 1

Circumstances: On January 8, 2010, eight-year-old Jose Alvarado unintentionally shot himself in the chest with a handgun he found in the family home. His mother, Yaritza Alvarado, had a concealed handgun permit.

Source: "8-year-old Shoots Self, Dies," *NBC Philadelphia*, January 11, 2010; "Coroner says Allentown boy's death was 'terrible accident,'" *The Morning Call*, January 10, 2010; "8-year-old Jose Alvarado Jr. fatally shot in apparent accident," *The Morning Call*, January 9, 2010.

Pennsylvania

Concealed Handgun Permit Holder: Kirk Caldwell

PENDING

Date: December 25, 2009

People Killed: 1

Circumstances: On December 25, 2009, Kirk Caldwell allegedly shot and killed his 21-year-old son Jordan Caldwell following a confrontation in their home. Kirk Caldwell, the pastor at Philadelphia's End Times Harvest Mission for Christ, allegedly fired a single shot from his 40 caliber Smith & Wesson pistol, striking his son in the chest. According to an affidavit based on a taped statement from the elder Caldwell, two of his other sons told him Jordan had "hit a girl and stole her car" and that she was now on the front porch crying. When the elder Caldwell came downstairs he stated that he found Jordan "punching, hitting and throwing other family members around the house." When Kirk Caldwell approached his son to calm him, he was thrown to the floor. Kirk Caldwell then went upstairs to change from his pajamas into street clothes and heard someone say that his son had a knife. Kirk Caldwell then returned downstairs, got his handgun from a suit coat pocket, pointed it at Jordan, and told him to stop. Jordan continued walking toward his father and when he reached into his pocket his father pulled the trigger. Kirk Caldwell had a concealed handgun permit for his handgun but had never fired the gun prior to the shooting. Caldwell was arraigned on first and third degree murder charges, as well as simple assault, aggravated assault, and recklessly endangering another person.

Source: "Hearing scheduled for pastor accused of shooting his son," *Delaware County Daily Times*, December 30, 2009.

Pennsylvania

- **Concealed Handgun Permit Holder:** Greg Baker

PENDING

Date: December 3, 2009

People Killed: 1

Circumstances: On December 3, 2009, Greg Baker allegedly shot and killed Thomas Daughtery and wounded his estranged wife Linda Baker. Baker was driving through the parking lot of the East Rochester Shopping Plaza in the afternoon when he spotted his wife with Daughtery outside the Brighton Hot Dog Shoppe. Witnesses reported that Baker initially shot the two victims, returned to his vehicle, and then came back to fire more shots. Police said Baker fired five shots with a .40 handgun, which he was licensed to carry. The Bakers had been separated for at least several weeks and Greg Baker was reportedly depressed over the breakup. Baker surrendered to police shortly after the shooting and was charged with homicide, aggravated assault, criminal intent, and reckless endangerment.

Source: "New Sewickley man charged with homicide in East Rochester shooting," *Pittsburgh Post-Gazette*, December 4, 2009; "One dead, suspect arrested in East Rochester shooting," *Beaver County Times*, December 3, 2009.

Pennsylvania

Concealed Handgun Permit Holder: Jonathan Reyes

PENDING

Date: November 21, 2009

People Killed: 1

Circumstances: On November 21, 2009, Jonathan Reyes' handgun allegedly discharged as he was attempting to holster it, the bullet fatally injuring Blaine Salutric. Reyes, Salutric, and a third man were eating pizza in an apartment. Salutric was walking out of the kitchen with a slice of pizza as Reyes was attempting to holster his .380 pistol. The gun discharged, the bullet striking Salutric in the lower right abdomen. Salutric was taken to the hospital and pronounced dead later that night. Reyes had no criminal record and had a concealed handgun permit. He was charged with criminal homicide.

Source: "Uniontown man charged with homicide in gun accident," *Pittsburgh Tribune-Review*, November 23, 2009.

Pennsylvania

Concealed Handgun Permit Holder: George Sodini

SUICIDE

Date: August 4, 2009

People Killed: 4 (including shooter)

Circumstances: On August 4, 2009, George Sodini, 48, opened fire at an LA Fitness Center in Collier, Pennsylvania, killing three women and wounding nine others before turning the gun on himself. Sodini entered the club shortly before 8:00 PM armed with two 9mm pistols with 30-round clips, a .45 pistol, and a .32 pistol. He was also carrying two additional 30-round clips in a gym bag. Sodini then walked into an exercise class where an aerobics class was underway and turned the lights off. He then walked further into the room and started firing, emptying one of his 9mm pistols. Drawing the second 9mm, he opened fire again, stopping with 12 rounds still in the clip. Sodini fired at least 36 rounds from his two 9mm pistols before shooting himself in the head with the .45 handgun. The entire episode lasted approximately one minute. A note recovered from Sodini's bag complained about being rejected by women and expressed his hatred toward them. Detectives found four rifles and shotguns in his house as well as a typewritten note in which Sodini said he planned to kill himself. Sodini had a concealed handgun permit and legally possessed the guns used in the shooting. In his blog, Sodini revealed that he had attempted to carry out the shooting on a prior occasion, entering the club with loaded weapons, but did not go through with the attack. In the journal he also expressed rage at family members and frustration at not being able to "connect" with women. The day before the shooting he wrote, "I took off today, Monday, and tomorrow to practice my routine and make sure it is well polished. I need to work out every detail, there is only one shot....Total effort needed. Tomorrow is the big day."

Source: "LA Fitness shooter had lethal plan," *Pittsburgh Post-Gazette*, August 6, 2009.

Pennsylvania

- **Concealed Handgun Permit Holder:** Joel Atkin

PENDING

Date: April 25, 2009

People Killed: 1

Circumstances: On April 25, 2009, Joel Atkin allegedly shot and killed Jayson Sack after Sack walked into the street to yell at Atkin to slow down as he drove his car down East 20th Street. Atkin told police that Sack was blocking the road and wouldn't move so he pulled his gun on Sack. Sack then tried to disarm Atkin at which point Atkin allegedly shot and killed him. Atkin told police that he kept one round in the .357 revolver's cylinder empty so it would not accidentally go off. As a result, he had to fire more than once in order to shoot Sack. Atkin, who had a permit to carry a concealed handgun, was charged with homicide, aggravated assault, recklessly endangering another person, and possession of instruments of crime.

Source: "Shooter: 'He rushed me,'" *Erie Times-News*, April 28, 2009.

South Carolina

Concealed Handgun Permit Holder: Matthew Scott Miller

PENDING

Date: July 29, 2009

People Killed: 1

Circumstances: On July 29, 2009, Matthew Scott Miller, 30, allegedly shot and killed Ross Christopher Vigeant, 38, at 10:54 PM in the drive-through lane of a McDonalds fast food restaurant. Vigeant, a father of three, was on a two-day vacation in Myrtle Beach. According to a warrant filed in the case, the two were in the restaurant's drive-through lane when Miller began arguing with Vigeant about moving his vehicle. Vigeant pulled his vehicle up leaving space for Miller to exit, got out of his car, and then approached Miller's vehicle, where they continued to argue. Vigeant then punched Miller. Witnesses heard a "pop," and Miller drove away from the restaurant at a high rate of speed through the space Vigeant had earlier made for him. Vigeant, shot in the chest, staggered back to his vehicle, collapsed, and eventually died from his wound. Miller was arrested the next morning at his home, where police found a 9mm handgun. "My heart breaks for that family," said Miller's mother, "That poor man's family and their kids have no father and we have probably lost a son. It's very sad." Miller obtained a concealed handgun permit after being assaulted and hospitalized three years earlier. "He believed in people's rights to have guns," his mother said, "I told him, 'I wish you wouldn't carry that with you.' If he hadn't, things would be different. But if he didn't he may have been beaten up again." Said Miller's father, "For the most part he's been a great kid. All boys are boys. But this all comes back to his interest in carrying a concealed weapon." Matthew Scott Miller was charged with voluntary manslaughter and possession of a weapon during a violent crime.

Source: "Myrtle Beach man charged in shooting death at McDonalds released from jail," *myrtlebeachonline*, August 12, 2009; "Parents say prior attack may have weighed on homicide suspect," *myrtlebeachonline*, July 31, 2009.

South Carolina

Concealed Handgun Permit Holder: James Forrest Mobley

SUICIDE

Date: May 10, 2007

People Killed: 3 (including shooter)

Circumstances: On May 10, 2007, James Forrest Mobley shot and killed two fellow workers at a Best Buy construction site before turning his handgun on himself. Mobley had overheard the two co-workers discussing him, including one who called him crazy. Mobley grabbed his handgun from his lunch pail and shot the two men 14 times before shooting himself in the head. During the incident he stopped to reload so that he could continue shooting. Mobley had been convicted of marijuana possession in 1975, had an animal complaint, and was subject to a breach of peace charge. Investigators confirmed that Mobley possessed a concealed handgun permit.

Source: "How Thursday's construction site shooting rampage unfolded," *Island Packet* (Hilton Head, SC), May 12, 2007; "Gunman killed 2 after being called 'crazy,'" *The Myrtle Beach Sun-News* (South Carolina), May 12, 2007.

Tennessee

Concealed Handgun Permit Holder: Troy D. Whiteside

PENDING

Date: August 22, 2009

People Killed: 1

Circumstances: On August 22, 2009, Troy D. Whiteside, 41, allegedly shot and killed Reginald Stacy Sudderth, 43, in a parking lot outside a clothing goods store in East Knoxville. According to news reports, neighborhood residents said the two, who had known each other for years and had competing businesses, “couldn’t stand to be around each other.” There were also allegations of arson. In the parking lot, Whiteside allegedly shot at Sudderth more than 10 times with a 9mm pistol. Sudderth was hit several times and died. Whiteside’s attorney claimed that in the lot Sudderth threatened his client and acted as though he were reaching for a weapon. The attorney representing Sudderth’s family stated that Sudderth, who was barred from possessing firearms because of a felony drug conviction, “was unarmed as he is always unarmed and known in the community not to carry weapons.” Whiteside, who was issued a concealed handgun permit on October 19, 2007, was charged with second degree murder and faces a three million dollar wrongful death suit filed by Sudderth’s family.

Source: “Update: Shooting case to keep businessman away from ORNL,” *wbir.com*, September 2, 2009; “Bad feelings between two East Knoxville residents went back years,” *knoxnews.com*, August 30, 2009; “Attorney: Whiteside killed man in self-defense,” *knoxnews.com*, August 24, 2009.

Tennessee

Concealed Handgun Permit Holder: Thomas Pate

PENDING

Date: April 30, 2009

People Killed: 1

Circumstances: On April 30, 2009, Thomas Pate reported his wife missing to police, telling them that she had failed to return home after going for a run. Pate eventually gave investigators information that led them to his wife's body. Police found her body the night of May 1 near the Loosahatchie River about five miles from the couple's home. Pate told police he had shot his wife in the head and then threw the pistol in the river. His lawyer claimed the shooting was accidental. Pate had a concealed handgun permit that was issued on November 27, 2006. He was initially charged with second degree murder. The charge was later upgraded to premeditated first-degree murder.

Source: "Murder charges upgraded against Bartlett man," *Associated Press*, September 21, 2009; "Husband charged in Tenn with Searcy woman's death," *Associated Press*, May 5, 2009; "Pate Claims Wife's Death an Accident," *myfoxmemphis.com*, May 4, 2009; "Bartlett nurse's husband charged with second degree murder," *wmctv.com*, May 3, 2009; "Neighbors Shocked Husband Arrested in Wife's Death," *wreg.com*, May 2, 2009.

Tennessee

Concealed Handgun Permit Holder: Austin Agee

SUICIDE

Date: March 2009

People Killed: 2 (including shooter)

Circumstances: In March 2009, Austin Agee shot and killed Lisa Davis and dumped her body in a field where he used to ride four-wheelers. On March 7, 2009, Agee, Davis, and three other acquaintances partied together in the Beale Street entertainment district in Memphis. The group dropped Davis off at her residence early Sunday morning, but Agee is believed to have returned to the house. Friends reported Davis missing on Sunday when she failed to show up for work at Bumpus Harley-Davidson. On Tuesday, March 10, 2009, Agee fatally shot himself after detectives arrived at his residence to question him as a “person of interest” in the Davis disappearance. A note found at his residence quoted Agee as being sorry for what he had done and revealed where the body could be found. Agee had a concealed handgun permit which was issued on November 10, 2008.

Source: “Details Emerge About Tennessee Model Slain in Mysterious Murder,” *FoxNews.com*, March 13, 2009; “Double tragedy: Suspect’s note leads to remains of missing Bartlett woman in Lakeland field,” *Memphis Commercial Appeal*, March 10, 2009.

Tennessee

Concealed Handgun Permit Holder: Harry Raymond Coleman

PENDING

Date: February 6, 2009

People Killed: 1

Circumstances: On February 6, 2009, Harry Raymond Coleman allegedly shot and killed Robert “Dutch” Schwerin during an argument over how close their SUVs were parked. The shooting occurred outside the Villa Castrioti restaurant where Schwerin and a woman identified as Coleman’s wife were arguing over how close his GMC Yukon Denali was parked to her Hummer. Coleman retrieved his gun from the Hummer and shot Schwerin in the chest. Coleman, who received a concealed handgun permit in June 2006, was charged with second-degree murder.

Source: “Attorney: Accused shooter in Cordova parking-lot killing regretful,” *Memphis Commercial Appeal*, February 9, 2009; “In Brief: Cordova shooter appears in court,” *Memphis Commercial Appeal*, February 24, 2009.

Tennessee

Concealed Handgun Permit Holder: Martino Johnson

PENDING

Date: February 2009

People Killed: 1

Circumstances: In February 2009, Martino Johnson allegedly shot and killed Terrelle Beasley following a car accident in Memphis. Johnson reportedly also threatened to kill an eyewitness who was trying to call 911. Johnson had a concealed handgun permit issued on January 24, 2007. Johnson was charged with second degree murder.

Source: "Most say shooter's actions during robbery attempt on target," *Memphis Commercial Appeal*, July 10, 2009.

Tennessee

- **Concealed Handgun Permit Holder:** Demetria Nance

CONVICTED

Date: December 2008

People Killed: 1

Circumstances: In December 2008, Demetria Nance shot and killed her on-again, off-again boyfriend Aaron Benton III, firing four shots from a 9mm pistol. Nance testified that after Benton decided to end their relationship she was emotionally confused and that after Benton shoved her and turned away she drew her pistol and fired—intending to hit him in the leg. Nance’s lawyer said that she had not planned in advance to shoot Benton, but that after having been robbed “it was her habit to carry the gun with her at all times in her purse.” Nance, who had a concealed handgun permit, was convicted of second degree murder in November 2009.

Source: “Woman convicted of 2nd degree murder,” *The Knoxville News-Sentinel*, November 13, 2009; “Trial Centers Around Intent to Kill,” *The Knoxville News-Sentinel*, November 10, 2009.

Texas

Concealed Handgun Permit Holder: Moises Gonzalez

SUICIDE

Date: December 30, 2008

People Killed: 2 (including shooter)

Circumstances: On December 30, 2008, Moises Gonzalez, 28, embarked on a two-day crime spree that began when he fired shots into ex-girlfriend Maura Marroquin's car in a busy McAllen intersection. Gonzalez then kidnapped Marroquin, 23 and the mother of a three-year-old, at gunpoint and commenced a series of crimes spread over approximately a dozen jurisdictions that included stealing four cars, brandishing a gun at victims, and eluding police in high-speed chases. At one point, McAllen police took the unusual step of calling a press conference to warn the public about Gonzalez's growing propensity for violence. Gonzalez, who had a concealed handgun permit, eventually killed Marroquin in an H.E.B. supermarket, shooting her twice in the torso. He then stole a Cadillac which he crashed into the entrance of a Wal-Mart, plowing through the check-out aisles. He then turned his gun on himself, ending his life. Hidalgo County Sheriff Lupe Trevino told reporters that he had never seen a more violent crime spree in more than 20 years as a law enforcement officer, stating, "It was very obvious this was going to end violently. Sure as hell, that's the way it turned out."

Source: "New Year's murder-suicide in Texas stores," *Associated Press* at dallasnews.com, January 2, 2009; "Murder-suicide perpetrator described as 'very jealous person,'" themonitor.com, January 2, 2009; "Two dead in crime spree, man goes on rampage killing ex-girlfriend, self," brownsvilleherald.com, January 1, 2009.

Utah

Concealed Handgun Permit Holder: Justin Matern

SUICIDE

Date: December 17, 2009

People Killed: 4 (including shooter)

Circumstances: On December 17, 2009, Justin Matern shot and killed his wife and two sons, ages six and four, before turning the gun on himself. Matern killed his family members at the apartment his wife had moved into after leaving him. Prior to the shooting, Matern wrote a note he left at work describing his plans. He also sent text messages after the killings. The couple had experienced money problems including state-imposed tax liens in 2004 and 2008. Relatives said that Matern was distraught over the separation from his wife. Matern's daughter said that he obtained his concealed handgun permit when the family had previously lived in a Salt Lake City neighborhood that he feared was unsafe.

Source: "Murdered family had money troubles, anxieties," *Salt Lake Tribune*, December 19, 2009.

Utah

Concealed Handgun Permit Holder: Steve Strate

PENDING

Date: October 25, 2009

People Killed: 1

Circumstances: On October 25, 2009, Utah businessman Steve Strate allegedly shot and killed his brother-in-law Marvin Sidwell. Sidwell lived in the basement of his mother's home, where Strate shot him "six or seven times" while visiting. Friends and neighbors said there was some type of ongoing dispute between the two brothers-in-law. Strate claimed self-defense, stating that Sidwell had attacked him with a chair. Strate, who had a concealed handgun permit, was charged with murder.

Source: "Man arrested for murder of his brother-in-law," *ksl.com*, October 25, 2009," "Bail reduced for Orem man, Steve Strate, charged with murder," *Deseret News*, December 17, 2009.

Utah

Concealed Handgun Permit Holder: David Ragsdale

CONVICTED

Date: January 6, 2008

People Killed: 1

Circumstances: On January 6, 2008, David Ragsdale shot his wife Kristy 12 times, killing her. In 2005, Ragsdale took a concealed-weapons permit class and received a concealed handgun permit. On November 26, 2008, Ragsdale pled guilty to aggravated murder. According to the terms of his plea agreement, he was to be sentenced to 20 years to life in prison. In an interview with the *Deseret News*, Ragsdale claimed that he would not have killed his wife if he did not have access to a gun. "I probably would have parked my car, sat there and regained my composure," he stated.

Source: "Ragsdale is bound over for trial in wife's slaying," *Deseret Morning News*, June 3, 2008; "David Ragsdale pleads guilty to killing his wife," *Daily Herald*, November 26, 2008; "Access to gun lead to shooting wife, Ragsdale says in exclusive interview," *Deseret News*, March 19, 2009.

Utah

Concealed Handgun Permit Holder: Eugene C. Wright

PENDING

Date: November 15, 2007

People Killed: 1

Circumstances: On November 15, 2007, Eugene C. Wright allegedly shot and killed Utah Valley State College hockey coach Kenneth Dolezsar outside of the Village Inn restaurant in Sandy, Utah. A witness claimed to see Wright and Dolezsar arguing in the parking lot, followed by Wright shooting Dolezsar. A Sandy Police detective testified that he found a shell casing from a 9mm Springfield Armory pistol during a search of Wright's condo. A ballistics test by the Bureau of Alcohol, Tobacco, Firearms and Explosives showed that the shell casing was fired from the same gun as five shell casings found at the scene of the murder. Wright had a concealed handgun permit according to the Sandy Police. Wright was charged with murder and aggravated robbery.

Source: "Arrest made in coach's shooting death," *The Salt Lake Tribune*, February 29, 2008; "Shooting suspect to stand trial," *Daily Herald*, April 25, 2008.

Virginia

Concealed Handgun Permit Holder: Reginald Royals Jr.

PENDING

Date: March 22, 2009

People Killed: 1

Circumstances: On March 22, 2009, Reginald Royals Jr., 24, allegedly shot and killed Juan Carlos Ovalle and wounded Marcus McGee following an altercation in a parking garage. After Ovalle pulled out of his parking space, he was soon stopped in traffic trying to leave the garage. Royals' car then twice bumped into Ovalle's. Ovalle and McGee got out of their car to inspect the damage and exchange phone numbers with Royals. Ovalle and McGee were concerned that Royals may not have had car insurance so they approached him a second time to get the name of his insurance company. At that point, punches were thrown between the three men. Ovalle was carrying a gun but did not display it. A passerby shouted for the men to stop fighting and at that time, Royals reached into his car, pulled a gun, and started shooting. Royals had a concealed handgun permit. Royals was charged with murder, malicious wounding, and weapons violations. Royals claimed that he acted in self defense, but the prosecutor in the case stated that because he had no reasonable fear of death he should not have reacted with deadly force. The judge in the case noted, "If neither of these guys had a gun it just would have been some hot words."

Source: "Case of shooting in Waterside garage to go to grand jury," *hamptonroads.com*, June 2, 2009; "Man charged in Waterside slaying denied bond," *hamptonroads.com*, July 15, 2009.

Virginia

Concealed Handgun Permit Holder: Willie Donaldson

CONVICTED

Date: December 8, 2008

People Killed: 1

Circumstances: On December 8, 2008, Willie Donaldson shot and killed Matthew Hicks following a planned sexual liaison. Hicks and his girlfriend went to Donaldson's house after Donaldson responded to an advertisement the couple had placed on Craigslist offering "erotic services." Donaldson, who was issued a concealed handgun permit in 2006, was initially charged with one count of second-degree murder and one count of using a firearm while committing murder. He eventually pled guilty to manslaughter without any jail time.

Source: "Craigslist Killing in Self-Defense, Accused Says," *Connection Newspapers*, February 3, 2009; "Guilty Plea, No Jail Time in Erotic Services Killing," *Washington Post*, July 16, 2009.

Virginia

Concealed Handgun Permit Holder: Aaron Poseidon Jackson

SUICIDE

Date: May 5, 2008

People Killed: 4 (including shooter)

Circumstances: On May 5, 2008, Aaron Poseidon Jackson, 24, shot and killed his two children, one-year-old Aaron Neptune Jackson and two-year-old Nicole Aaron Jackson, and their mother Latasha Nicole Thomas, before taking his own life. Jackson, who had a concealed handgun permit, was wearing body armor and was surrounded by guns and ammunition when police found him dead in their home in the Walt Lou Trailer Park. Jackson shot his wife with an AK-47 type WASR-10 assault rifle. He shot his children, found in a crib in a bedroom they shared, with a Smith & Wesson .38 revolver. Jackson killed himself with the revolver. Police later searched the trailer and seized at least seven guns, six knives, a machete, a sword, and numerous boxes of ammunition.

Source: "Police: Man killed children and their mother before turning gun on himself," *fredericksburg.com*, May 6, 2008; Stafford County Sheriffs Office Incident Report.

Virginia

- **Concealed Handgun Permit Holder:** Wesley Earnest

PENDING

Date: December 2007

People Killed: 1

Circumstances: In December 2007, Wesley Earnest allegedly shot and killed his estranged wife Jocelyn Branham Earnest. Her body was found by co-workers in a home owned by the couple. She died from a single gunshot wound to the back of the head. Prosecutors argued that the suicide note found beside her body was fabricated. Wesley Earnest had a concealed handgun permit, which was later suspended. He has been charged with murder.

Source: "Bedford County man accused of killing his wife can stay out of jail," *The Roanoke Times*, April 15, 2009.

Washington

- **Concealed Handgun Permit Holder:** Keira S. Earhart

PENDING

Date: November 16, 2009

People Killed: 1

Circumstances: On November 16, 2009, Keira S. Earhart allegedly shot and killed Ryan A. Rzechula following a burglary at Earhart's home. Earhart called 911 to report a burglary at his home after being alerted to the break-in on a call to his cell phone from his home alarm service. After rushing home, he saw a man running out, and gave chase. A few hours later, Earhart again called 911 and told deputies he was looking for the burglar and spotted a man who looked like him. He claimed he yelled at the man who then took off across a field. Deputies were unable to locate the man. A witness later said he saw a man with a gun and heard him yell, "Stop," at another man, who ran away. The witness reported hearing two gunshots. Two days later a neighbor called 911 to report finding a Rzechula's body in a creek bed near where the shots were heard on Monday. Rzechula had jewelry in his pocket that matched what had been taken from Earhart's home. Earhart, who had a concealed weapons permit, was arrested and charged with second-degree murder.

Source: "Victim of alleged burglary now a suspect in killing," *Heraldnet.com*, November 20, 2009.