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DOTHAN EAGLE • Thursday, June 16, 2005

## Geneva County shooter convicted

BY ANN HENDERSON  
Eagle Correspondent

GENEVA — A Geneva County circuit court jury deliberated three hours Wednesday to convict a man of manslaughter in connection with the death of his best friend after a Halloween party two years ago.

"I think it was a difficult case for the jury to decide and I think they did a great job in seriously deliberating the case," said Geneva County Chief Assistant District Attorney Bill Filmore. "Because it was a difficult case and a real close call, I consider the manslaughter verdict a victory for the state.

The 12-man jury heard testimony from about 10 witnesses Tuesday including the suspect, Franklin Eugene Herring, 60, of Brick Road, southwest of Samson.

Herring has been arrested on a charge of murder for causing the death of William Travis Thames on Nov. 1, 2003.

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## CONVICTED

The 41-year-old Thames was found on the kitchen floor in the mobile home Herring shared with his live-in helper, Lisa Alford. He had been shot once in the right chest with a .410 shotgun.

Herring testified the gun accidentally fired as he was talking to Thames about its use for hunting squirrels.

"Because of what happened I feel guilty," said Herring at the close of his testimony. "But I did not intend to shoot Travis."

Conviction of manslaughter, a class B felony, carries a prison term from two to 20 years and a maximum fine of \$10,000.

Herring will remain free on the bond of \$100,000 that was secured following his arrest.

A pre-sentence investiga-

tion will be conducted within the next month before Herring is sentenced by Geneva County District Judge Charles W. Fleming.

Fleming heard testimony to assist with the week of criminal jury trials.

Testimony by Geneva County Deputy David Hall placed Thames' death between 6 and 7:10 a.m. But the emergency call was not received until 8 a.m., said Hall.

Alford said problems with the telephone service from Herring's home was the cause of the delay.

Hall also said the initial 911 distress call was routed to Covington County since the connection of the emergency service had not been completed in Geneva County.

Filmore used 38 color photographs, a sketch of the mobile home and a projector to take the jury through the crime scene during testimony by police investigators.

The Geneva County Sheriff's Office, along with the task force, state troopers and crime labs, did an excellent job in putting this case together," said Filmore.

Hall said the .410 gauge shotgun had apparently been taken from a gun rack on a wall opposite the washer and dryer in a narrow hallway that led from Herring's bedroom to the kitchen.

"It was the easiest to load and shoot," said Hall of the 22 caliber rifle and the pump shotgun which were also on the gun rack. "All you have to do is stick a shell in it and fire."

Alford testified the two men had shared a long-time friendship and there was no dispute shortly before the shooting.

She said she was in the barn, about 30 yards from the home, with Thames from midnight until sunrise. Thames had gone into the mobile home about 3 a.m.

Alford said she and Thames woke Herring to open the rear door so they could make coffee. She testified he was upset at being woken but not violent.

Herring testified the weapon should not have been loaded because he always empties any gun before he enters his residence.

He said the gun must have accidentally fired because he cannot easily pull

the hammer due to damage to his right hand from an automobile accident. "I have to pull the

hammer with my left hand."

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