

**TENNESSEE COURT OF THE JUDICIARY**  
Timothy R. Discenza, Disciplinary Counsel

P.O. Box 3088

Memphis, Tennessee 38173

Phone: (901) 523-0428

**COMPLAINT AGAINST JUDGE UNDER CODE OF JUDICIAL CONDUCT**

Your Name: Hiram G. (Hank) Hill BPR#005943

Address: 701 Cherry Street, Suite 200, Chattanooga, TN 37402 (please type or print)

Phone: Daytime (423) 267-5430 Evening (423) 304-7481

I have information of possible misconduct or disability on the part of David E. Bales  
(name of judge or acting judge) of the General Sessions Court in  
Chattanooga, Hamilton (city), \_\_\_\_\_ (county), Tennessee.

**STATEMENT OF FACTS**

(You may attach additional pages if necessary)

1. When and where did this happen? on or about \_\_\_\_\_ Date(s): 08-02-2010 and 11-04-10 Time: \_\_\_\_\_ Location: Open court and judge's chambers

2. If your information arises out of a court case, please answer these questions:

a) What is the name and number of the case? \_\_\_\_\_ Case No. Criminal Ct. #275913  
Case name: Montez Davis

b) What kind of case is it? \_\_\_\_\_ Gen. Sess. No. 1415187, 1415188

criminal     domestic relations     general sessions     probate  
 civil     juvenile     other (specify) \_\_\_\_\_

c) What is your relationship to the case? \_\_\_\_\_

plaintiff/petitioner     defendant/respondent  
 attorney for  
 witness for     local criminal defense attorneys  
other (specify): \_\_\_\_\_

d) If you were represented by an attorney(s) in this matter at that time, please identify the attorney(s):  
Name(s): N/A  
Address(es): \_\_\_\_\_

Phone: (    ) \_\_\_\_\_

e) Identify any other attorney(s) who represented other parties involved in the case:

Name of attorney: Lloyd Levitt

Address: 312 Vine Street, Chattanooga, TN 37403

Phone: ( 423 ) 266-7555 Represented: Montez Davis

Wendy Stanfield, 312 Vine Street, Chattanooga, TN 37403

Phone: 423-756-6560 - Represented Dennis Adam Winger

Curtis Bove, III, 707 Georgia Avenue, Suite 200, Chattanooga, TN 37402

Phone: 423-475-6070 - Represented Montez Davis



## ATTACHMENT

In the *Davis* incident, the media accounts and Judge Bales' press conference speak for themselves. At the conclusion of Mr. Davis' preliminary hearing, Judge Bales calls Mr. Davis a cockroach and opines that he should be stomped into the dust. After a hearing, Criminal Court Judge Barry Steelman reduced Mr. Davis' bond from one million Dollars (\$1,000,000.00) to two hundred fifty thousand Dollars (\$250,000.00). It should be noted that Judge Steelman is the former Executive Assistant District Attorney General in Hamilton County and has significant criminal trial experience. Judge Bales appears to have little or no previous legal experience before being appointed as judge. Judge Bales' conduct in this case appears to violate both the letter and spirit of the preamble of Rule 10 of the Supreme Court as well as Canon 1A, Canon 2 A and B, Canon 3 B(2)(3)(4)(5)(9) and E(1)(a).

In the *Winger* case, Judge Bales set a bond of seventy thousand Dollars (\$70,000.00) (which is \$35,000.00 each for two A misdemeanors) without the defendant or his counsel present. Mr. Winger was charged with one count of domestic assault and one count of false imprisonment. These charges were filed after delayed reports by the alleged victim, Mrs. Winger, and after Mr. Winger obtained an order of protection from Hamilton County Circuit Court on behalf of him and the parties' minor child.

Attorney Wendy Stanfield, of the Chattanooga Bar, filed a petition for writ of certiorari in the Criminal Court of Hamilton County. Ms. Stanfield brought the petition to Assistant District Attorney Lance Pope, lead Assistant in Judge Don Poole's court. Judge Poole had control of the Grand Jury for the month of November and was therefore the judge to whom the petition should be brought. Since Mr. Winger's mother is Judge Poole's bench clerk, Mr. Pope suggested that Ms. Stanfield and he consult with Executive Assistant District Attorney, Neal Pinkston. Mr. Pinkston indicated to Ms. Stanfield that he did not have time for a hearing at that time and suggested that Ms. Stanfield consult with the Criminal Court Clerk's Office to determine which judge should hear the petition. Edna Camp, Chief Deputy Clerk determined that Judge Steelman should hear the case. (The local District Attorney's office is divided into Criminal Court and Sessions Court coverage. Both Mr. Pope and Mr. Pinkston are Assistant District Attorneys in Hamilton County Criminal Court).

Judge Steelman contacted the Hamilton County Criminal Court Clerk, Chief Deputy Edna Camp to determine if the case should go to him or Judge Rebecca Stern. Ms. Camp after referring

to court records informed Judge Steelman that the petition needed to go to Judge Stern. Judge Steelman hand carried the petition to Judge Rebecca Stern noting that Mr. Winingger had previously appeared before Judge Stern. After review of Mr. Winingger's record, Judge Stern ordered an "own recognizance" bond for Mr. Winingger with "no contact" provisions.

Thereafter, Judge David Bales summoned Ms. Stanfield to appear before him at his 1:30 p.m. docket on November 4, 2010, apparently to intimidate Ms. Stanfield, and to hold what amounted to an in-court press conference for his own political purposes. It is interesting to note that even though this case was not on the court's docket, both John Wilson, owner and primary reporter for Chattanooga.com (a local internet news provider) and Dan Wisenhunt a reporter for the Chattanooga Times Free Press were notified to be present for the "hearing", an audio copy of which is included. Also included are articles from both media outlets as well as "opinion" pieces regarding the case from Chattanooga.com.

On November 17, 2010, after being requested to recuse himself, Judge Bales accepted Mr. Winingger's agreement to waive his case to the Hamilton County Grand Jury. At that time after Mr. Winingger had waived his case to the Grand Jury, Judge Bales addressed the issue of bond again. Steve Smith, Assistant District Attorney in Mr. Winingger's General Sessions Court case told Judge Bales that their office had requested a re-hearing as to the bond before Judge Rebecca Stern, which was set for December 13, 2010 in Division II of Hamilton County Criminal Court and therefore the Court did not have jurisdiction as to the bond and the State was not requesting an increase of bond before Judge Bales. Judge Bales ignored Mr. Smith and began a soliloquy regarding Mr. Winingger and the bail issue that could only be considered as political theater (enclosed is a CD recording of that hearing). At the end of his soliloquy Judge Bales upped Mr. Winingger's bond to a total of \$80,000.00.

Ms. Stanfield requested that Judge Stern once again review Judge Bales' bond order. Judge Stern appropriately recused herself from hearing the request. She asked Judge Jacqueline Schulten-Bolton, Hamilton County Circuit Court Judge, who ordinarily hears civil cases to hear the bond reduction request by interchange. The State represented by Assistant District Attorney Brian Findlay and the defense concurred that Judge Schulten's review of the bond issue would suffice as the re-hearing that was scheduled for December 13, 2010. After hearing the purported victim who had been convicted of assault, admitted to being bi-polar, admitted to a drug addiction problem among other issues and after review of Mr. Winingger's prior record, Judge Schulten who has previous criminal defense attorney experience, set Mr. Winingger's bond at a total of \$4000.00.

Judge Bales' conduct in this case appears to violate both the letter and spirit of the preamble

of Rule 10 of the Rules of the Supreme Court as well as Canon 1(A), Canon 2(A and B), Canon 3(B)(2)(3)(4)(5) and (9) and E(1)(a).

Included for the Court's consideration are other media reports related to Judge Bales.

# HANK HILL, ATTORNEY AT LAW

January 28, 2011

VIA FACSIMILE TO: 901-523-0376  
ORIGINAL TO FOLLOW BY U.S. MAIL

## COPY

Mr. Timothy R. Discenza  
Disciplinary Counsel  
Tennessee Court of the Judiciary  
P.O. Box 3088  
Memphis, TN 38173

Re: Complaint Against Judge David E. Bales  
File No. 10-4430

Dear Mr. Discenza,

In response to Judge Bales' answer to the complaint I filed with the Court of the Judiciary, I will respond as follows.

I did not support either of Judge Bales' opponents in the August 2006 Sessions Court elections. I have no personal "bias and disdain" for Judge Bales. I am concerned about his behavior on the bench.

I don't know of Judge Bales' trial record from April 1974 to April 1976, but his behavior as a judge in Hamilton County Sessions Court from October 24, 2005 to the present does concern me. It should be relatively easy to confirm Judge Bales' trial record and the number of murders, rapes, armed robberies, burglaries, drug offenses, DUI, assaults, shoplifting, etc., from April 1974 to April 1976. In 2008 Judge Bales was named an "honorable mention by the Hamilton County Court Watch Partners as one of the County's best judges". That group is made up of three or four very pleasant elderly ladies and a convicted pedophile.

As to Judge Bales' response in the case of *State v. Monte Davis*, the video recordings attached to my petition as exhibits more than adequately confirm Judge Bales' behavior in that matter.

Timothy R. Discenza  
January 28, 2011  
Page 2


I categorically deny that I have shown a reckless disregard and disrespect for the Hamilton County General Sessions Court. I would note that the order regarding the private corridors of Sessions court has been rescinded by three of the five sessions judges, notably, Judge Bob Moon and Judge David Bales are not among those who rescinded the order. Please feel free to contact Judge Clarence Shattuck, Judge Ronald Durby, or Judge Christie Sell for their professional opinion of my performance in their courts.

I stand by my statement regarding Judge Bales' behavior in the case of *State v. Adam Winger*. It is important to note that after the defendant waived his case to the grand jury, the State of Tennessee, through assistant District Attorney, Steve Smith, informed Judge Bales that the State had asked for a re-hearing as to the bond before Judge Rebecca Stern and that therefore the State was not requesting an increase in bond and Mr. Smith opined that because the State had requested a re-hearing the proper venue would be in Hamilton County Criminal Court, Division II, in front of Judge Rebecca Stern.

As to Judge Bales' assertion that he "requested Attorney Wendy Stanfield to appear on November 4, 2010 at my 1:30 docket.." and his assertion that "news media individuals are always in and out of and welcome in the General Sessions Courts (sic) and it would not be unusual for the media to cover the case of one of the Criminal Court Clerks." The question would be, how did those media outlets learn of Judge Bales' summoning of Ms. Stanfield? The case was not on the court's docket, and therefore, the media would have been unaware of Judge Bales' actions unless they were contacted either by him or at his request. A local individual, Bobby Petty, contacted the media to inform them of the proposed events of November 4, 2010. Mr. Petty is rather well-known as a "gofer" for Judges Moon and Bales. It would be interesting to note how Mr. Petty became aware of Judge Bales' intentions.

Sincerely,

HANK HILL, ATTORNEY AT LAW



Hank Hill

HH:me

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## BREAKING NEWS

November 15, 2010

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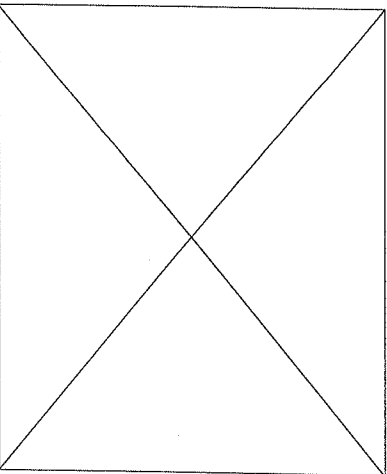
**Judge Bales Says Cancelling Of His \$70,000 Bond By Judge Stern Was "Highly Irregular" Wife In Domestic Relations Case Said Husband Bragged He Was "Well-Connected" At The Courthouse**  
posted November 4, 2010

General Sessions Court Judge David Bales said Thursday the action of Criminal Court Judge Rebecca Stern in cancelling a \$70,000 bond he had set in a domestic relations case was "highly irregular."

Judge Bales on Wednesday set the bond in a case in which Dennis Adam Winger is charged with domestic assault and false imprisonment.

Attorney Wendy Stanfield took the case to Judge Stern and she changed it to an OR bond. Winger was then released from jail.

Attorney Stanfield said the bond had been set too high and said the charges in the criminal complaint were only filed after the husband started divorce proceedings and got an order of protection.



The case was not taken to Judge Don Poole because his court clerk is Bunzie Winger, the mother of the defendant.

Judge Stern said she could not comment on a case in her court.

Judge Bales, at an afternoon "review" of the complaint, which he said contained allegations of abuse he felt warranted the bond set.

He said Judge Stern set aside his bond without holding a hearing or letting the district attorney's office argue its side of the matter.

Attorney Stanfield said she went to the Criminal Courts seeking a bond hearing and was first directed to Judge Barry Steelman. She said Judge Steelman said he did not feel comfortable hearing the case since Bunzie Winger is a longtime court employee.

She said he went down the hall to Judge Stern's office and discussed the matter with her, then came out.

Attorney Stanfield said Judge Stern then called for her to come in the office. She said Judge Stern told her, "I'm going to give him an OR bond."

The attorney said, "I told her, 'Thank you, your honor.'"

Judge Bales said the complaint says that on Aug. 23 Jennifer Winger went to the sheriff's department East Sector and told officers that her husband had grabbed her, shaken her and gotten her in a headlock. She said he drove her from East Brainerd to his mother's house in Ooltewah while holding her and choking her each time she tried to leave.

She claimed she was held against her will at her mother-in-law's house until the next day.

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**7**



The complaint says she had a swollen lip and bruises on her body.

Another complaint says on Oct. 22 that Wininger threw her around and assaulted her, injuring her cheek and eye and leaving her with a black eye.

Ms. Wininger said she had been hesitant to file charges because her husband bragged that he "was well-connected to the court system."

Judge Bales said Wininger has a past record that includes theft charges and a guilty plea in 2006 before Judge Stern to vehicular assault. In that case he got a three-year suspended sentence.

Judge Bales said, "I felt like the bonds I set were warranted."

The judge said of the way his bond was overruled "the citizens of the state of Tennessee were not heard. Both sides should have been heard."

Attorney Stanfield said she had discussed the issue with assistant prosecutor Neal Pinkston, but she said he told her he was too busy to deal with it. She said she also spoke with another assistant, Lance Pope, and he recommended that she get a date for a bond hearing.

Attorney Lloyd Levitt, who said Ms. Stanfield is "a young attorney in my office," said the Winingers are going through a divorce and an order of protection was already in place.

He said the case should be handled in Circuit Court. However, Judge Bales said it would stay in General Sessions Court. He set the preliminary hearing for Dec. 13.

Judge Bales said, "If judges do not offer a shield of protection in setting bonds, no contact orders and mandating appropriate jail sentences, then many of the domestic violence victims will have no protection at all."

Prosecutor Rachel Winfrey said Ms. Wininger had called the district attorney's office "upset and wondering how he got out."

Ms. Winfrey said, "This was all done without the state's knowledge or participation."

The petition for certiorari that attorney Stanfield took to Judge Stern noted that Magistrate Larry Ables had declined to set bond, leaving it for a General Sessions Court judge.

It says Judge Bales set two \$35,000 bonds "without hearing evidence from the defendant, and without defendant present in the courtroom."

The petition said Wininger "has been a lifelong resident of this community; he is self-employed; he has strong family ties and relationships in this community; defendant has always appeared at court proceedings and he does not intend to depart this jurisdiction and will appear and be present at all proceedings requiring his presence; responsible members of this community will vouch for defendant's reliability. Defendant obtained an order of protection on Monday prohibiting all contact between himself and woman who subsequently filed charges against him. Finally, evidence will show that the misdemeanor charges pending in General Sessions Court are simply false reports which the victim has filed in retaliation against defendant's order of protection and his initiation of divorce proceedings.

"To require a bond in the amount of \$70,000 places an extreme hardship and heavy burden upon defendant and he will have difficulty in making the bond as now fixed."

Judge Bales had initially set the preliminary hearing for next Monday on the domestic relations docket handled by Judge Christie Mahn Sell.

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FREE TRIAL

Judge questions bond reduction

A man accused of domestic violence, the son of a Hamilton County Criminal Court clerk employee, was set free a day after a local judge set a high bond for him, and that judge wants to know why.

General Sessions Judge David Bales called Dennis Winingger's attorneys into court Thursday to ask why the defendant was freed on his own

recognizance after Bales set a \$70,000 bond on two domestic violencelated charges. Winingger is the son of Bunzie Winingger, an employee of the Criminal Court Clerk's Office.

Bales said he set the bond based on Winingger's prior criminal history, including charges of theft. Bales also said Winingger sometimes did not appear for hearings.

Winingger's attorney, Wendy Stanfield, said her client was arrested Tuesday after he filed an order of protection against his wife Monday. He is charged with two misdemeanors, false imprisonment and domestic assault, records show.

Stanfield appealed her client's high bond amount to Criminal Court, where she said Judge Rebecca Stern allowed Winingger released on his own recognizance.

Stern did not return a call seeking comment Thursday. Bales set a new hearing in the case for Nov. 17.

Compiled by staff writers Joan Garret and Dan Whisenhunt.

Contact Joan Garret at 423-757-6601 or jgarrett@timesfreepress.com .

Contact Dan Whisenhunt at dwhisenhunt@timesfreepress . com or 423-757-6481.

Follow him on Twitter at [http:// twitter.com/DWhisenhunt](http://twitter.com/DWhisenhunt) .

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# Breaking News

November 17, 2010

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## Judge Bales Overruled Again On High Bond For Wininger Judge Schulten Lowers His \$80,000 To \$4,000

posted November 17, 2010

General Sessions Court Judge David Bales, whose \$70,000 bond in a domestic relations case was changed to an OR bond by Criminal Court Judge Rebecca Stern on Nov. 4, got overridden again on Wednesday.

When Dennis Adam Wininger came before him to have two charges of allegedly assaulting his wife bound to the Grand Jury on Wednesday morning, Judge Bales upped his bond even higher than before.

He said he learned that Wininger once escaped from a halfway house so he raised it this time to \$80,000.

Once again the case was immediately taken to Judge Stern. She stepped aside, handing the case to Circuit Court Judge Jackie Schulten.

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three-year prison sentence.

Steve Smith, the assistant district attorney, told Judge Bales he believed that jurisdiction on the bond had been taken by Criminal Court and a Dec. 13 hearing had been set on the matter.

However, Judge Bales said this bond was "completely separate". He said the first bond was for the initial appearance and this was related to the Grand Jury.

He ordered Wininger taken into custody.

A few hours later, Wininger was brought into Criminal Court wearing an orange jumpsuit and bound at the feet and hands.

His estranged wife, Jennifer, took the witness stand and gave details of alleged incidents on Aug. 23 and Oct. 22.

But she later acknowledged that prosecutor Brian Finlay was correct that she wanted her husband out of jail because they were suppose to have a mediation session at 2 p.m.. She said she hopes through the mediation to gain the right to see the couple's daughter again.

Adam Wininger had taken out an order of protection against his wife that was signed by Circuit Court Judge Marie Williams. A hearing in that case is set for Dec. 6.

Jennifer Wininger said on Aug. 23 the couple argued prior to her

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going to church and then resumed the argument when she got back. She said she finally told him she was leaving the house to stay with someone else.

She claimed he found out where she was staying, grabbed her in a headlock and drove from East Brainerd to his mother's house in Ooltewah while holding her in the headlock.

She claimed he choked her at his mother's house and would not let her go.

Pictures were introduced showing her with an injury to her mouth and bruises on her arms, neck and below her ear.

She said on Oct. 22 they were arguing in his mother's bedroom and he slung her across the room, causing her to hit her head on a night stand. She said he then punched her in the face and slammed her into the bed.

Pictures were shown of her with a black eye and a knot on her head.

Attorney Hilary Hodgkins asked Ms. Winger about a 2006 case in which she was convicted of assault. She said had thrown a better bottle at a man she claimed was trying to reach into her vehicle.

She acknowledged she is on medication to deal with a craving for oxycontin and that she once cut her wrists after losing a second baby in child birth.

Attorney Hodgkins said Winger is not a flight risk, stating that prior to going to court today "he was 90 percent certain he was going to jail."

Judge Schulken, who said she knew nothing about the case and did not know it had been in the media, lowered the bond without comment.

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## GPS WINTER AT GPS Boys and Girls K-6 December 20-22

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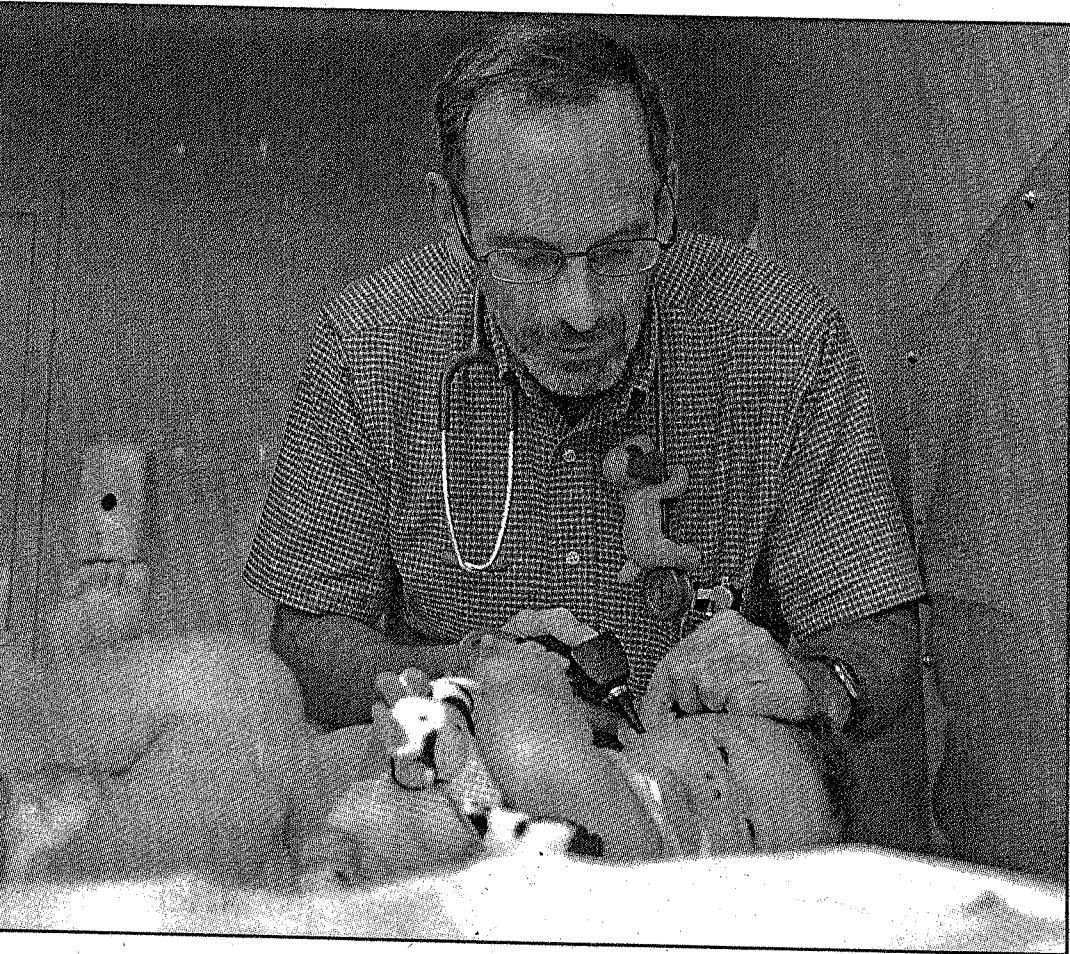
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8/17/10

# Insurance best medicine

## Lowering cost barriers to screenings, checkups



STAFF PHOTO BY LAURA-CHASE McGEHEE

...takes a peek in 6-month-old Wilder Ford's ears at his six-month checkup.

ductibles Medicare enrollees will get certain free preventive services, including annual wellness visits and personalized prevention plans.

Health officials say the expanded coverage is critical. Americans get preventive care such as cancer screenings and routine vaccinations at about half the recommended rate, mainly for financial reasons.

See PREVENT, Page A5

- no cost under reform, if delivered in-network:
- Folic acid supplements for women who may become pregnant; breast cancer mammography screenings every one to two years for women over 40.
  - Recommended preventive care for children, including vision and hearing screenings, routine vaccines and autism screening for children at 18 and 24 months.
  - Tobacco cessation services and obesity counseling.

# Police in prescription drug raids

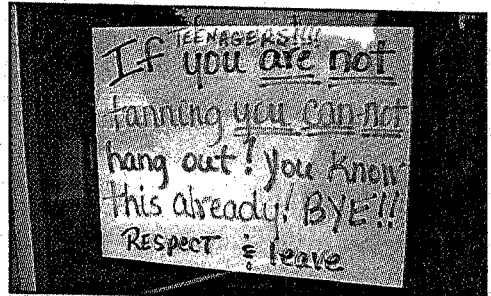
**INSIDE**

■ Mobile meth lab raided, B1

probe, police said.

"This is the first time that I can say that we've actually (gone) undercover in an operation as a Chickamauga...

See RAID Page A5



STAFF PHOTO BY JOY LUKACHICK

A sign hangs in the window of Jamaica Me Tan located in downtown Chickamauga.

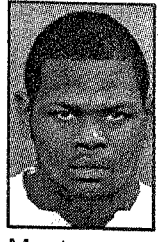
# Judge restricts remarks on Davis

By PAM SOHN  
PSOHN@TIMESFREEPRESS.COM

Calling a fellow judge's comments in March a possible violation of the canon of ethics, Hamilton County Judge Barry Steelman on Monday issued a restrictive order on attorneys and parties involved in the Montez Davis murder trial.

Davis, 19, is charged with first-degree murder in the Jan. 9 shooting death of 42-year-old Jonathan Lawrence, who was hit by a stray bullet as he pumped gas at the Kanku's on Tunnel Boulevard.

General Sessions Judge David Bales, in the March 16 bond hearing for Davis and again in early August when Steelman lowered Davis' bond, intimated the suspect was a gang member and said gangs "need to be stomped out like cockroaches." Bales had set Davis' bond at \$1 million.



Montez Davis

Davis' attorney, Curtis L. Bowe III, said Monday he is concerned for his client's chances of receiving "a fair and impartial trial" and moved to restrict future comments linking his client with gangs.

Steelman granted the request, in part, restricting attorneys, judges and family members involved in the case from talking about it. He said he could not restrict the media that "already has what it has." The judge noted stories that ran in March when Bales made the statement and again when Davis' bond was lowered to \$200,000.

"The shame of it is that the district attorney hasn't said anything. I haven't said anything. But another judge has, and that has to bring us here," Steelman said. "It may be a violation of the (judicial) canons, but that's for another agency to take up."

See TRIAL, Page A3

Shallow-water drilling will also be subjected to stricter environmental scrutiny under the new policy.

pledge to keep testing even in waters declared oil-free to detect any lingering seafood concern.

Louisiana ranks first in nation in shrimp, blue crab, crawfish and oysters, and the state's seafood industry over-

in seafood. Still, shrimpers are worried that the public won't want what they catch.

# Trial

Continued from Page A1

On Monday, Bales said he was — and is — talking about the problem “in general.”

“Our community as a whole has got to get together and look at this gang problem as though we’re being infested with cockroaches,” he said Monday. “The community would not allow cockroaches to take over. I feel like the community has got to do something to get control, to put an end to this needless killing and drive-by shootings.”

Bales said he would not respond to Steelman’s ethics statement.

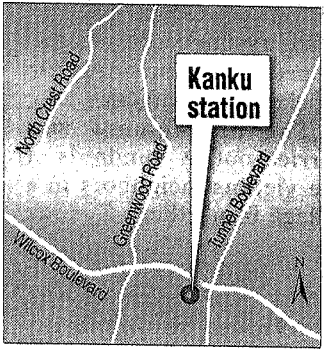
“I will not comment on another judge’s words,” he said.

Shortly after the January shooting, Davis told police he fired a gun that day after someone threw a bottle at his car. He said he was tired of being picked on.

The young man who threw the bottle told investigators he made the throw because he thought Davis was going for a gun.

Minutes after the shooting, more shots were fired into Davis’ residence down the street from the service station. In that shooting, too, an innocent bystander was struck. A bullet went through the driver’s side window of a passing car and hit Inah Garner in the finger, police reported.

The shooting in which Davis is charged was the second at the station in a matter of weeks, and just before Davis’ March hearing in front of Bales a third



STAFF GRAPHIC BY LAURA E. WALKER

and fourth shooting there left another passer-by injured and another person dead.

Sgt. Todd Royval, supervisor of the Chattanooga Police Department’s crime suppression unit, which monitors gang activity, told the Times Free Press in late March that he believed the Kanku’s station had become dangerous because of its proximity to two opposing gang territories.

“That intersection area near Kanku’s has one certain set of gang members there and, if you go right to the tunnels, there’s a completely different set they might have problems with,” he said. “It’s like a fishing hole — they know it’s in the middle, so that’s where they go to.”

Bowe, Davis’ attorney, said his client, who bonded out of jail Aug. 4, deserves a fair trial.

“No proof has been entered other than at the probable cause phase of this prosecution, yet the defendant has been identified and vilified in the public venue almost assuring a guilty of verdict on any charge greater than jay-walking,” Bowe stated in his motion.

Davis is free on bond.

Online: Read previous stories.

# Off-roading fans fear end of sport

THE ASSOCIATED PRESS

LOS ANGELES — Fans of long-distance off-roading have seen the number of federal sites where they can speed and soar over the desert dunes in Southern California dwindle to just a handful, mainly over environmental concerns.

Now, they might drop further, over safety.

Off-roaders fear a federal review announced Monday into a weekend race accident that killed eight and injured 10 more in the Mojave Desert could lead to further restrictions — or even spell the end — of their sport.

“Whatever it takes to make it better,” race promoter Lou Peralta said. “But we don’t want to lose the sport.”

At the California 200 race on Saturday, a truck went off a jump and ended up crashing through spectators who had lined the course, immediately raising questions about oversight and safety at the races on federal land.

The federal Bureau of Land Management, which manages the portion of the desert where the race was held, will review all off-road vehicle events on federal land in the California desert for safety.

It wasn’t immediately clear how a review would affect racing in other states, such as Nevada and Arizona.

BLM added that the race organizer, South El Monte, Calif.-based Mojave Desert Racing, was responsible for safety.

MDR’s permit required racers to travel 15 mph or less when they were within 50 feet of fans, and allowed no more than 300 spectators for the event, the agency said.

There were at least 1,000 people at the free admission event, and eyewitness accounts indicated the truck was going much faster than 15 mph when it careened off the sand track.

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