

# CASE REPORT

CASE# 2017-00034820

<b>EVENT</b>	<small>REPORTED DATE/TIME</small> <b>9/10/2017 17:46</b>	<small>OCCURRED INCIDENT TYPE</small> <b>Assault - Simple</b>	
	<small>OCCURRED FROM DATE/TIME</small> <b>9/10/2017 17:30</b>	<small>OCCURRED THRU DATE/TIME</small> <b>09/10/2017 18:00</b>	<small>LOCATION OF OCCURRENCE</small> <b>200 HUNTING RIDGE CIR ROCK SPRING, GA</b>

	<small>STATUTE/DESCRIPTION</small>	<small>COUNTS</small>	<small>ATTEMPT/COMMIT</small>
<b>OFFENSES</b>	<b>01 16-11-32 Affray (Fighting)</b>		<b>Commit</b>
	<b>02 16-11-39 Disorderly Conduct</b>		<b>Commit</b>

<b>SUBJECT</b>	<small>JACKET/SUBJECT TYPE</small> <b>Adult Suspect</b>	<small>NAME (LAST, FIRST, MIDDLE SUFFIX)</small> <b>CULBERSON, MICHAEL LEE</b>				
	<small>DOB</small> <b>1969</b>	<small>ADDRESS (STREET, CITY, STATE, ZIP)</small> <b>234 AVENUE OF THE OAKS ROCK SPRING, GA 30739</b>				
	<small>RACE</small> <b>White</b>	<small>SEX</small> <b>Male</b>	<small>HEIGHT or RANGE</small> <b>5'9</b>	<small>WEIGHT or RANGE</small> <b>200</b>	<small>HAIR</small> <b>Brown</b>	<small>EYE</small> <b>Brown</b>
	<small>DL NUMBER/STATE</small>	<small>PRIMARY PHONE</small>	<small>PHONE #2</small>	<small>PHONE #3</small>		

<b>SUBJECT</b>	<small>JACKET/SUBJECT TYPE</small> <b>Adult Suspect</b>	<small>NAME (LAST, FIRST, MIDDLE SUFFIX)</small> <b>BERRY, ARTHUR ROY</b>				
	<small>DOB</small> <b>1962</b>	<small>ADDRESS (STREET, CITY, STATE, ZIP)</small> <b>200 HUNTING RIDGE CIR ROCK SPRING, GA 30739</b>				
	<small>RACE</small> <b>White</b>	<small>SEX</small> <b>Male</b>	<small>HEIGHT or RANGE</small> <b>5'8</b>	<small>WEIGHT or RANGE</small> <b>170</b>	<small>HAIR</small> <b>Brown</b>	<small>EYE</small> <b>Brown</b>
	<small>DL NUMBER/STATE</small>	<small>PRIMARY PHONE</small>	<small>PHONE #2</small>	<small>PHONE #3</small>		

<b>SUBJECT</b>	<small>JACKET/SUBJECT TYPE</small> <b>Adult Victim</b>	<small>NAME (LAST, FIRST, MIDDLE SUFFIX)</small> <b>CULBERSON, MICHAEL LEE</b>				
	<small>DOB</small> <b>1969</b>	<small>ADDRESS (STREET, CITY, STATE, ZIP)</small> <b>234 AVENUE OF THE OAKS ROCK SPRING, GA 30739</b>				
	<small>RACE</small> <b>White</b>	<small>SEX</small> <b>Male</b>	<small>HEIGHT or RANGE</small> <b>5'9</b>	<small>WEIGHT or RANGE</small> <b>200</b>	<small>HAIR</small> <b>Brown</b>	<small>EYE</small> <b>Brown</b>
	<small>DL NUMBER/STATE</small>	<small>PRIMARY PHONE</small>	<small>PHONE #2</small>	<small>PHONE #3</small>		

<small>REPORTING OFFICER</small> <b>88 Alford</b>	<small>DATE</small> <b>9/10/2017</b>	<small>REVIEWED BY</small> <b>Anderson, Chris Sean 09/11/2017</b>
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## ADDITIONAL SUBJECTS

<b>SUBJECT</b>	JACKET/SUBJECT TYPE <b>Adult      Victim</b>		NAME (LAST, FIRST, MIDDLE SUFFIX) <b>BERRY, ARTHUR ROY</b>					
	DOB <b>1962</b>		ADDRESS (STREET, CITY, STATE, ZIP) <b>200 HUNTING RIDGE CIR ROCK SPRING, GA 30739</b>					
	RACE <b>White</b>		SEX <b>Male</b>		HEIGHT or RANGE <b>5'8</b>	WEIGHT or RANGE <b>170</b>	HAIR <b>Brown</b>	EYE <b>Brown</b>
	DL NUMBER/STATE		PRIMARY PHONE		PHONE #2		PHONE #3	

<b>SUBJECT</b>	JACKET/SUBJECT TYPE <b>Adult      Witness</b>		NAME (LAST, FIRST, MIDDLE SUFFIX) <b>BERRY, NICHOLAS SEBASTIAN</b>					
	DOB <b>1999</b>		ADDRESS (STREET, CITY, STATE, ZIP) <b>200 HUNTING RIDGE CIR ROCK SPRING, GA 30739</b>					
	RACE <b>White</b>		SEX <b>Male</b>		HEIGHT or RANGE <b>5'8</b>	WEIGHT or RANGE <b>110</b>	HAIR <b>Black</b>	EYE <b>Brown</b>
	DL NUMBER/STATE		PRIMARY PHONE		PHONE #2		PHONE #3	

<b>SUBJECT</b>	JACKET/SUBJECT TYPE <b>Adult      Witness</b>		NAME (LAST, FIRST, MIDDLE SUFFIX) <b>CURTIS, KAWONNA</b>					
	DOB <b>1999</b>		ADDRESS (STREET, CITY, STATE, ZIP) <b>200 HUNTING RIDGE CIR ROCK SPRING, GA 30739</b>					
	RACE <b>White</b>		SEX <b>Female</b>		HEIGHT or RANGE <b>5'08</b>	WEIGHT or RANGE <b>130</b>	HAIR <b>Brown</b>	EYE
	DL NUMBER/STATE		PRIMARY PHONE		PHONE #2		PHONE #3	

<b>SUBJECT</b>	JACKET/SUBJECT TYPE <b>Adult      Complainant</b>		NAME (LAST, FIRST, MIDDLE SUFFIX) <b>BERRY, ALEXANDRIA</b>					
	DOB <b>1967</b>		ADDRESS (STREET, CITY, STATE, ZIP) <b>200 HUNTING RIDGE CIR ROCK SPRING, GA 30739</b>					
	RACE <b>White</b>		SEX <b>Female</b>		HEIGHT or RANGE <b>5'0</b>	WEIGHT or RANGE <b>140</b>	HAIR <b>Brown</b>	EYE <b>Brown</b>
	DL NUMBER/STATE		PRIMARY PHONE		PHONE #2		PHONE #3	

<b>SUBJECT</b>	JACKET/SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)					
	DOB		ADDRESS (STREET, CITY, STATE, ZIP)					
	RACE		SEX		HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE
	DL NUMBER/STATE		PRIMARY PHONE		PHONE #2		PHONE #3	

REPORTING OFFICER <b>88 Alford</b>	DATE <b>9/10/2017</b>	REVIEWED BY <b>Anderson, Chris Sean 09/11/2017</b>
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**NARRATIVE**

ON THE LISTED DATE AND TIME I RESPONDED TO THE INCIDENT LOCATION IN REFERENCE TO A FIGHT IN PROGRESS. UPON MY ARRIVAL I SECURED THE SCENE, CONDUCTED AN INVESTIGATION, AND SUBMITTED A REPORT AFTER ARRESTING TWO SUSPECTS.

WHILE EN ROUTE TO THE INCIDENT LOCATION, DISPATCH ADVISED THE FIGHT WAS IN PROGRESS AND THAT THE COMPLAINANT, MRS. ALEXANDRIA BERRY, STATED SHE WAS GETTING A FIREARM. DISPATCH ADVISED HER NOT TO GET THE FIREARM BUT SHE DISREGARDED THE DISPATCHER AND RETRIEVED IT ANYWAY. DISPATCH ALSO ADVISED THEY DID NOT KNOW IF ANY OTHER WEAPONS WERE INVOLVED. WHEN I ARRIVED ON SCENE I OBSERVED THE WITNESSES STANDING IN THE ROADWAY WITH ALEXANDRIA. WHEN ALEXANDRIA TURNED AND OBSERVED ME SHE IMMEDIATELY HELD THE RUGER 10/22 RIFLE UP BY THE FOREND WITH HER RIGHT HAND AND HELD HER LEFT HAND UP AWAY FROM THE RIFLE IN A NON-THREATENING MANNER.

DUE TO THE RAPIDLY EVOLVING SCENE, ALEXANDRIA ALREADY BEING IN

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## NARRATIVE (continuation)

POSSESSION OF A FIREARM, AND NOT KNOWING IF ANY OTHER WEAPONS WERE INVOLVED, I EXITED MY PATROL VEHICLE WITH MY SHOTGUN AND BEGAN ISSUING VERBAL COMMANDS TO ALL PARTIES ON SCENE. I ORDERED EVERYONE ON SCENE TO KEEP THEIR HANDS VISIBLE AND TO REMAIN STILL UNTIL MORE DEPUTIES ARRIVED ON SCENE. I ALSO OBSERVED BOTH SUSPECTS, MR. MICHAEL CULBERSON AND MR. ARTHUR BERRY, APPROXIMATELY FIFTY YARDS OFF THE ROADWAY. I ALSO ORDERED THEM TO KEEP THEIR HANDS VISIBLE AND REMAIN STILL. ALL PARTIES ON SCENE OBEYED THE COMMANDS UNTIL MORE DEPUTIES ARRIVED ON SCENE, AT WHICH TIME ALL PARTIES WERE FRISKED FOR WEAPONS AND ALEXANDRIA'S RIFLE SECURED IN THE TRUNK OF MY PATROL VEHICLE.

I SPOKE WITH MR. NICHOLAS BERRY. HE REPORTED THAT A SHORT WHILE AGO THAT MR. MICHAEL CULBERSON WOULD DRIVE PAST HIS RESIDENCE AT 200 HUNTING RIDGE CIR. MR. CULBERSON WOULD REV HIS ENGINE, YELL OBSCENITIES OUT THE WINDOW, AND DISPLAY HIS MIDDLE FINGER. NICHOLAS ADVISED HIS FATHER, MR. ARTHUR BERRY, OF MICHAEL'S CONDUCT. THIS SEVERELY AGITATED HIM AND LEFT THE RESIDENCE TO CONFRONT MICHAEL. NICHOLAS FOLLOWED ARTHUR TO MICHAEL'S DRIVEWAY IN AN ATTEMPT TO STOP ARTHUR FROM MAKING THE SITUATION WORSE. HE OBSERVED ARTHUR CONFRONT MICHAEL IN MICHAEL'S DRIVEWAY WHILE MICHAEL WAS STILL IN HIS TRUCK. NICHOLAS WAS HOLDING ARTHUR BACK FROM FIGHTING MICHAEL. AFTER A SHORT ARGUMENT ARTHUR AND NICHOLAS WALKED AROUND MICHAEL'S HOUSE AND THROUGH THE BACK YARD BACK TOWARD THEIR RESIDENCE ON HUNTING RIDGE CIR. NICHOLAS ADVISED HE OBSERVED MICHAEL COME AROUND THE HOUSE A FEW SECONDS BEHIND THEM AND CHARGE ARTHUR. ARTHUR TURNED AROUND AND ENGAGED MICHAEL IN A FIGHT IN THE BACK YARD. AS THE FIGHT ENSUED MICHAEL ENDED UP ON TOP OF ARTHUR AND HAD ARTHUR IN A HEADLOCK. NICHOLAS BEGAN STRIKING MICHAEL IN AN ATTEMPT TO GET HIM OFF OF ARTHUR AND BREAK UP THE FIGHT. THE FIGHT BROKE UP RIGHT AS I ARRIVED ON SCENE.

I SPOKE WITH MS. KAWONNA CURTIS, NICHOLAS'S FIANCE. SHE REPORTED SHE WAS AT 200 HUNTING RIDGE CIR WHEN SHE OBSERVED MICHAEL AND ARTHUR FIGHTING AND WENT TO ASSIST NICHOLAS IN BREAKING UP THE FIGHT. SHE ALSO ATTEMPTED TO GET MICHAEL TO LET GO OF ARTHUR TO BREAK UP THE FIGHT. SHE HAD WALKED BACK TO THE ROAD PRIOR TO MY ARRIVAL.

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## NARRATIVE (continuation)

I INTERVIEWED MR. ARTHUR BERRY. HE REPORTED THE SAME SEQUENCE OF EVENTS AS NICHOLAS.

I SPOKE TO MRS. ALEXANDRIA BERRY. SHE REPORTED THAT SHE SAW ARTHUR LEAVE TO CONFRONT MICHAEL. SHE ADVISED HIM TO NOT LEAVE THE RESIDENCE BUT HE DID NOT LISTEN TO HER. SHE WAS INSIDE HER RESIDENCE WHEN KAWONNA WENT OUTSIDE TO ASSIST NICHOLAS WITH BREAKING UP THE FIGHT. SHE OBSERVED ARTHUR TO BE IN A CHOKE HOLD AND WENT TO HER ROOM AND GOT HER RUGER 10/22 RIFLE AND WENT TO THE STREET. SHE ADVISED SHE NEVER POINTED THE RIFLE AT ANYONE AND HAD JUST MADE IT OUT TO THE ROAD WHEN I ARRIVED ON SCENE. SHE TOLD ME SHE DID NOT INTEND TO USE THE RIFLE AND WAS IN FEAR FOR ARTHUR DUE TO A CHOKE HOLD HAVING A POTENTIAL FOR SERIOUS INJURY.

I SPOKE WITH MR. MICHAEL CULBERSON. HE REPORTED THAT HE DID DRIVE PAST THE RESIDENCE AT 200 HUNTING RIDGE CIR AND REV HIS ENGINE. HE REPORTED THAT HE WAS IN HIS DRIVEWAY WHEN HE WAS APPROACHED BY ARTHUR. ARTHUR WALKED UP TO HIS DRIVER WINDOW AND STRUCK MICHAEL IN THE FACE. MICHAEL SHOWED ME VIDEO HE RECORDED ON HIS PHONE THAT SHOWED ARTHUR APPROACH HIM AND STRIKE HIM. AFTER THE INITIAL STRIKE THEY ARGUED IN THE WINDOW OF THE TRUCK AND NICHOLAS CAN BE SEEN WALKING UP BEHIND ARTHUR AND TRYING TO PULL ARTHUR AWAY. MICHAEL CONTINUED TO VERBALLY ANTAGONIZE ARTHUR AND ARTHUR REACHED IN THE WINDOW AGAIN. AT THAT POINT THE VIDEO STOPS. MICHAEL REPORTED THAT NICHOLAS THEN TOOK HIS PHONE FROM HIS TRUCK AND STARTED TO WALK AWAY WITH IT. MICHAEL WENT AROUND HIS RESIDENCE AND CONFRONTED THEM IN THE BACK YARD, WHICH IS WHEN HE ENGAGED ARTHUR IN A FIGHT. MICHAEL REPORTED THAT DURING THE FIGHT, NICHOLAS THREW MICHAEL'S PHONE DOWN NEXT TO HIM, SO MICHAEL GRABBED IT BEGAN RECORDING AGAIN. NICHOLAS CAN BE HEARD YELLING "GET OFF MY FATHER" AND "HE CAN'T BREATH." NICHOLAS CAN ALSO BE SEEN STRIKING MICHAEL CONTINUALLY ISSUING VERBAL COMMANDS TO RELEASE HIS FATHER IN AN ATTEMPT TO BREAK UP THE FIGHT. MICHAEL CAN BE HEARD TELLING NICHOLAS THAT HE IS IN HIS YARD SO HIS ACTIONS ARE JUSTIFIED, AND THAT HE WILL RELEASE ARTHUR WHEN THEY LEAVE HIM ALONE. I ARRIVED ON SCENE A SHORT TIME LATER. MICHAEL REQUESTED AN AMBULANCE TO BE CHECKED OUT FOR HIS INJURIES. WHILE THE MEDICS WERE ON SCENE MICHAEL COLLAPSED TO THE GROUND AT ONE POINT, AT WHICH TIME MICHAEL WAS TRANSPORTED TO THE LISTED MEDICAL FACILITY BY PUCKET 806.

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**NARRATIVE (continuation)**

BASED ON THE TESTIMONY AND WHAT I OBSERVED IN THE VIDEOS, I PLACED MR. ARTHUR BERRY UNDER ARREST FOR AFFRAY. I PLACED ARTHUR IN HANDCUFFS, CHECKED THE CUFFS FOR PROPER FIT, AND DOUBLE-LOCKED THEM. ARTHUR WAS SEARCHED FOR WEAPONS OR CONTRABAND WITH NOTHING FOUND. THE REAR SEAT OF MY PATROL VEHICLE WAS SEARCHED PRIOR TO AND AFTER TRANSPORT. ARTHUR WAS TRANSPORTED TO THE WALKER COUNTY JAIL WITHOUT INCIDENT.

AFTER MICHAEL WAS RELEASED FROM THE HOSPITAL HE MET WITH ME AT THE WALKER COUNTY JAIL. MR. MICHAEL CULBERSON WAS PLACED UNDER ARREST FOR AFFRAY AND DISORDERLY CONDUCT. MR. MICHAEL CULBERSON REENGAGED IN A PHYSICAL ALTERCATION WITH MR. ARTHUR BERRY AFTER ARTHUR HAD ALREADY BEGUN TO LEAVE THE SCENE, AND MR. MICHAEL CULBERSON'S INSULTING AND PROVOKING CONDUCT IS WHAT INITIATED THE ALTERCATION, AND HIS CONTINUED PROVOCATION AND USE OF FIGHTING WORDS WITH ARTHUR TO FURTHER INSTIGATE THE FIGHT.

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