

# THE 21<sup>ST</sup> MONTHLY

FROM THE OFFICE OF DISTRICT ATTORNEY SCOTT M. PERRILLOUX  
OCTOBER 2013 | VOL. 3, ISSUE 10



## 30 YEAR SENTENCE FOR BURGLARIES

Livingston- On October 1, 2013, Brian Emerson Fugler, age 28, was sentenced to serve a total of 30 years with the department of corrections after pleading guilty to 23 counts of simple burglary of an inhabited dwelling.

The defendant, of Hess Road in Watson, LA, was sentenced to serve three years with the department of corrections for the first two counts, four years for the third, and one year with the department of corrections for each additional count. All time is to be served consecutively.

According to the prosecutor, Assistant District Attorney Matthew S. Belser, Fugler and an accomplice, 29-year-old Rachel Nicholson, burglarized more than 20 homes in 2012.

Nicholson, of Firewood Lane in Denham Springs, LA, pleaded guilty to 22 counts of Simple Burglary and was sentenced to serve a total of 25 years with the department of corrections on July 15, 2013.

At the time the burglaries were committed, Nicholson was on probation for a 29 year sentence and Fugler was on probation for a 36 year sentence. Each had their probation revoked and were ordered to serve their respective sentences, to be served concurrently with the more recent convictions.

Nicholson was declared a habitual offender by Judge Edward J. Gaidry, serving as judge pro tempore for Div. G, on August 19, 2013. Pursuant to the judgment, the defendant was ordered to serve 25 years of her sentence without the benefit of parole, probation, or suspension of sentence, and will be ineligible for diminution of sentence for good behavior, said Perrilloux.

The District Attorney's Office has filed a habitual offender petition against Fugler as well. The hearing is set for November 14, 2013.



## LOPER CONVICTED

Amite- Ronald Loper, age 37, of 41546 CC Road Bedico, LA, was sentenced to serve 20 years with the department of corrections after pleading no contest to forcible rape on October 21, 2013.

Assistant District Attorney Britain Sledge represented the State with Judge Edward J. Gaidry, serving as judge pro tempore for Div. G, presiding.

On June 10, 2011, Loper was arrested and charged with the forcible rape of a minor aged child. The incident occurred when the young girl and her family were visiting the defendant's home.

Following the attack, the victim was admitted into the hospital and a sexual assault kit was completed. DNA evidence was discovered during the process. The victim was also interviewed at the Children's Advocacy Center where she provided advocates with the details of what had taken place.

Loper was scheduled to begin a jury trial on October 21, 2013, when he chose to plead no contest to the charge. The victim's family was consulted prior to the plea and sentencing.

## GORMAN FOUND GUILTY OF EXPLOITATION OF THE INFIRMED

Livingston- Gary Gorman, age 43, of Greenwell Springs, LA, was found guilty of exploitation of the infirmed, in a jury trial on October 1, 2013.

Assistant District Attorney Charlotte Herbert prosecuted the case, with Judge Bruce Bennett presiding.

The trial began on September 17, 2013. However, a witness injury forced the trial to be placed on hold until September 30. Following the completion of witness testimony, the six-person

jury took the case into consideration. The jury returned the guilty verdict after only 30 minutes of deliberation.

The prosecutor explained that over several years Gorman took advantage of the 75-year-old victim, allowing her to believe that they were in a romantic relationship and intended to be married. Throughout their relationship, the victim, who was diagnosed with dementia in 2009, donated all her property to Gorman, gave him \$132,000.00 from an annuity left by her deceased husband, and \$88,000.00 from a reverse mortgage she took out on her home. She also allowed him to use her credit cards and signed over her power of attorney to him.

In addition to her early stage dementia, due to an accident in 2009, the victim was also taking various pain medications. The victim's family requested she move to northern Louisiana with them, however she refused, informing them that Gorman would be taking care of her.

The victim's doctor, Durwin Walker, testified at trial that the victim was in no condition to make those kinds of financial and legal decisions, regarding her donations to Gorman, at that time, Herbert said.

Gorman was arrested on October 12, 2011 by officers from the Livingston Parish Sheriff's Office after being contacted by the Elderly Protective services.

"If you take someone's property when that person is either 60 years of age or older, or infirmed, and if you do it pursuant of a fraudulent misrepresentation, that's a crime," Herbert stated.

Sentencing is set for December 19, 2013.



### **MORGAN SENTENCED FOR DRUG CHARGES**

Amite- On October 21, 2013, Carol Morgan, of Old Uneedus Road Folsom, LA, was sentenced to serve 10 years with the department of corrections after pleading no contest to production and manufacture of schedule II controlled dangerous substances.

According to the offense report, officers from the Tangipahoa Parish Sheriff's Office executed a search warrant at an Independence home on January 10, 2013. Officers found precursors for the manufacture of methamphetamine within the residence and discovered a one-pot reaction vessel located in a trash can outside of the home.

Inside were 42-year-old Morgan, three other adults, one of which was in possession of processed methamphetamine, and three small children. The four adults were subsequently arrested and charged with the production and manufacture of a schedule II controlled dangerous substance.



The defendant must serve the 10 year sentence without the benefit of parole, probation, or suspension of sentence.

Assistant District Attorney Le'Anne Malnar represented the State with Judge Brenda Ricks presiding.

### **NEWTON FOUND GUILTY OF NEGLIGENT INJURING**

Amite- On October 21, 2013, 21-year-old Natalie Newton was found guilty of negligent injuring in a bench trial before Judge Bruce Bennett.

Newton, of Roseland, LA, and her co-defendant, 40-year-old Bridgette Harper, were arrested on negligent injuring charges after the women's pit bulls viciously attacked an 8-year-old girl on April 27, 2012, while the victim and a friend were playing near the defendants' shared residence.

According to the prosecutor, Assistant District Attorney Le'Anne Malnar, during Newton's trial, the state called several witnesses including the victim, the defendants' building manager, a previous dog bite victim, and the victim's friend who, at the time of the incident, tried to pull the dogs off of the victim before running for help.

The victim's friend testified that all three of the doors in the home leading to the backyard were open on the day of the attack, and that neither of the dogs was leashed.

Following the two and one-half hour trial, Judge Bennett sentenced the defendant to serve six months in the parish jail. Bennett noted that by the totality of the circumstances, the defendant had been criminally negligent. He also took judicial notice of the parish's ordinance of the leash law in effect.

Harper pleaded no contest to negligent injuring on August 12, 2013. She was scheduled to begin a bench trial before Judge Elizabeth Wolfe when she chose to change her plea. On October 7, 2013, she was sentenced to serve six months in the parish jail.

Both women were given the maximum sentence for negligent injuring.