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Courts reverse judge's ruling

By Sandy Hodson
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Finding that his actions had violated the rights of two people in unrelated cases Monday, the state's Court of Appeals and Supreme Court reversed the chief judge of the Augusta Judicial Circuit.

In an opinion released Monday, the Georgia Supreme Court reversed the conviction of Larry Marion Paul, ruling Judge William M. Fleming Jr. acted improperly while presiding over a trial.

"We have reviewed the trial judge's questions and comments and concluded

that he took a prosecutorial role in the trial of the case, and intimidated his opinion as to the credibility of witnesses and the guilt of the defendant," the justices wrote.

A Richmond County Superior Court jury convicted Mr. Paul, now 54, of aggravated assault and possession of a knife during the commission of a crime. The jury found Mr. Paul guilty but mentally ill in the Jan. 25, 1997, stabbing of Charles Veazy.

In February 1999, Judge Fleming sentenced Mr. Paul to serve 13 years in prison.

Judge Fleming's actions during the trial, according to the Supreme Court,

"seriously affected the fairness, integrity, and public reputation of these judicial proceedings."

In an opinion released Monday by the state Court of Appeals, the court ordered the immediate release of a woman Judge Fleming had ordered jailed last month.

The Appeals Court granted defense attorney Joe Neal Jr.'s emergency motion on behalf of Genine Maria Urquahart, who is facing a charge of theft in Columbia County Superior Court.

Ms. Urquahart filed notice of an intent to present an insanity defense, and at a Sept. 8 hearing, Judge Fleming

ordered Ms. Urquahart immediately jailed, revoking her bond, and ordered her commitment to a mental hospital.

"The court acted completely without authority in ordering the confinement. No statute, regulation, or case law allows a court to so summarily order the confinement and commitment of an individual who has chosen to exercise her right to present a defense of insanity. The fundamental concepts of due process and presumption of innocence are clearly violated by such actions," the Appeals Court's order reads.

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