

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

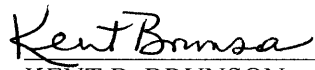
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UNITED STATES OF AMERICA)	1:06CR229-DRB
)	CR. NO. <u>2006 SEP 20 P 2: 06</u>
v.)	[18 U.S.C. 13; AL 13A-13-6(a)2]
)	LEURA R. HACKETT, CLK
JOSEPH D SPEARS)	U.S. DISTRICT COURT
)	MIDDLE DISTRICT ALA
)	INFORMATION

The United States Attorney charges that:

On or about the 13th of July, 2006, at Fort Rucker, Alabama, in the Middle District of Alabama, JOSEPH D. SPEARS did knowingly endanger the welfare of a child; to wit: Left his nine year old son unsupervised in the water at Lake Tholocco for approximately 45 minutes in violation of Title 18, Section 13, United States Code and Alabama Code 13A-13-6(a)2.

LEURA GARRETT CANARY
UNITED STATES ATTORNEY


KENT B. BRUNSON
ASSISTANT U.S. ATTORNEY


NATHAN T. GOLDEN
SPECIAL ASSISTANT U.S. ATTORNEY
VA BAR NO. 48323
Office of the Staff Judge Advocate
Soldier Service Center, Building 5700
Fort Rucker, Alabama 36362-5000
(334) 255-9708

STATE OF ALABAMA)
)
DALE COUNTY)

AFFIDAVIT

The undersigned, being first duly sworn, deposes and says:

I am a Military Policeman employee at Fort Rucker, Alabama. On July 13th, 2006, at approximately 12:30 P.M. Investigation revealed that JOSEPH D. SPEARS, allow a child, identified as his nine year old son, to get off of a jet ski watercraft about fifty meters from shore near the swimming area of Lake Tholocco. A lifeguard became concerned for the child and swam out to give assistance. The child was wearing an adult sized life jacket and appeared to be unable to make progress toward the shore. SPEARS returned for the child approximately 45 minutes later. SPEARS was contacted by military police officers. SPEARS later appeared at the military police station for further processing. There, he waived his rights and made a written statement admitting that he left the child unattended.



DAVID C. WILSON, SGT., U.S. ARMY

Subscribed and sworn to (or affirmed) before me on this 2nd day of Aug 2006.



NOTARY PUBLIC

My commission expires: 12/23/06