

Heaton/Gowder

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have provided pills on a regular basis to a person close to him to sell to others illegally. Prosecutors have argued

that the new evidence should be considered admissible because much of the evidence to be introduced "is

intrinsically intertwined with the conduct charged in the instant indictment," such as the conspiracy to dispense and distribute controlled substances "outside the usual course of professional medical practice and for no legitimate medical purpose."

The defense, on the other hand, is arguing that "virtually all of the evidence relates to crimes, or acts of professional misconduct, that are outside the scope of the charged offenses in the indictment," and should therefore be considered inadmissible.

Both defendants' legal teams took issue with the prosecution's attempt to introduce the new evidence two weeks before the April 8 trial date.

"Alternatively, if the court permits the government to introduce any of this evidence, the case should be removed from the April 8, 2019, calendar and set down for trial in the fall of 2019 in order to provide the defense with a sufficient opportunity to prepare a defense to these new allegations," read the Joint Motion to Bar Introduction of Evidence filed on March 26.

And this is exactly what Judge Story has done, removing the trial from the calendar until such a time that a new trial date can be coordinated between the court and the defendants' attorneys in the case.

It is unknown at this time if the evidence will be admitted, but Story did issue a verbal order on March 27 to seal the summary of the evidence the prosecution is hoping to admit, which was included as an exhibit in the defendants' joint motion to bar the introduction of the evidence.

As there are other motions to be decided on in the case, the judge said last week that the court would schedule another pretrial conference as soon as a trial date could be placed on the calendar.

Enotah Garden Club Plant and Bake Sale April 18



The Enotah Garden Club will welcome spring with a Plant and Bake Sale on April 18th from 9 a.m. to 2 p.m. at City Hall, Mayors Park in Young Harris.

Plants, herbs, hanging baskets, in addition to cakes, pies, and cookies will be on sale. A variety of vendors and their wares will also be available.

A garden cart filled with garden related items will be raffled off at the closing of the sale. You do not have to be present to win.

Come support one of your local garden clubs.

NT(Apr3,A2)SH

Hamilton Gardens second annual photo contest

Grab your camera and tell our story with your picture! Welcome to the Hamilton Gardens' second annual photo contest. Our peak bloom season is mid April to mid May and we love to show off our rhododendrons and native azaleas. Your photo can be of flowers, insects, foliage, structures, sculptures, or anything existing in the garden. Be creative, find the best angle, and watch for light that really highlights your subject matter. A new exhibit is in the gardens. Come and discover!

Each contestant may enter up to three images for judging. Fees are \$15 for first entry and \$10 for each additional entry (limit 3). First place will receive \$100, a ribbon and a one-year individual membership to Hamilton Gardens at Lake Chatuge. Second and third place will receive a ribbon. First, second and third place winners will have their photo displayed on Hamilton Gardens' website and be included in a Hamilton Gardens' e-newsletter.

We would like for the public to enjoy your photos so they will be on display at the library to which you have sent your photo. Deliver or mail photo(s), along with entry fee, to either location between May 1st and May 15th, 2019. Towns County Public Library, 99 S. Berrong St, Hiawassee, GA 30546, (706) 896-6169; Mountain Regional Library, 698 Miller Street, Young Harris, GA 30582, (706) 379-3732. Rules and restrictions apply. For more info, please visit www.hamiltongardens.org or call (706) 970-0011.

One motion still outstanding is Gowder's March 26 request to have 47 of the 150 charges against him dismissed due to improper venue.

His attorneys argue in the motion that the charges in question entail activity alleged to have occurred outside the Northern District of Georgia's jurisdiction, presumably in either Tennessee, North Carolina or elsewhere.

The judge has yet to decide also on Gowder's March 22 request for a nonjury trial, which would run simultaneously with Heaton's jury trial if granted and require Story to decide Gowder's innocence or guilt.

There's also the nearly year-old motion to sever the defendants in the case that has yet to be decided upon, which, if granted, would result in separate trials for the

defendants, though Gowder's attorney has indicated he's no longer pursuing severance.

Currently, Gowder and Heaton are set to be tried by a jury of their peers on a date to be determined, notwithstanding the granting of an above-mentioned motion.

Last week, the court accepted pleas of not guilty entered by the men following a second superseding indictment by a federal grand jury.

Mike's brother, David Gowder, was recently severed from the case after pleading guilty to one of 53 charges against him.

Resulting from his guilty plea, David agreed to forfeit his Georgia medical license. He is facing up to 20 years in prison and a fine of up to \$1 million, and he currently awaits the scheduling of a sentencing hearing.

Leadership

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Jimmy Tallent of United Community Bank speaking in the Leadership Union graduation. Photo by Jarrett Whitener

graduation, will be pursuing immediate employment in the local workforce.

The keynote speaker for the ceremony was Executive Chairman of United Community Bank Jimmy Tallent, who told the stories of Martha Berry, founder of Berry College, and S. Truett Cathy, founder of Chick-fil-A.

Tallent used these stories to explain the importance of putting the people before the product, as well as the role of leaders being to help others.

"You might be asking yourself what these stories

have to do with leadership, and I think there are a number of lessons to be learned from the Martha Berrys and the Truett Cathys of the world," said Tallent. "Servant leaders look at a group, but they don't see a group. They see each individual with their own potential, and each one uniquely valued."

Following Tallent's advice on leadership, the graduating members received their certificates and closed out the night, having fully committed to being the best leaders they can be for the community.