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Gowder was often in Nashville, Tennessee, because his daughter lived there and his son moved there, Sadow said, so he filled some prescriptions in Nashville.

Furthermore, Sadow said the idea that Gowder was not

taking all the pain pills himself – many thousands of pills over the course of three-and-a-half years – was “absurd.”

“When you have taken a lot of medication, you build up a tolerance,” Sadow said. “Most of the time, defendants don’t

testify on their behalf. Mike Gowder will testify.”

Following opening statements Wednesday, the jury heard from pharmacists in Murphy, North Carolina, and Hiwassee, each of whom had refused to fill oxycodone prescriptions for Gowder because they saw too many “red flags.”

One of the pharmacists testified that she discovered Gowder was filling the prescriptions in another state, prompting her to call Dr. Heaton. She described his response as “aggressive and confrontational,” and she reported the incident to the Georgia Composite Medical Board.

Jason Allen, a federal diversion investigator with the Drug Enforcement Administration, testified that he had been called in on the case by the Union County Sheriff’s Office in July 2015, after David Gowder was arrested in April 2015 for filling a fraudulent prescription in Fannin County.

David Gowder is Mike’s brother, and he was the emergency room director for Union General Hospital at the time of his 2015 arrest.

Allen said he started seeing prescriptions for Mike Gowder after he began collecting

records of prescriptions related to David Gowder, at which time he “initiated a parallel investigation.”

Every prescription for Mike was written by Heaton, so Allen expanded the investigation to Heaton, he said. The prosecution introduced a spreadsheet compiled by Allen showing prescriptions written to and filled by Mike Gowder from January 2012 to June 2015.

Prosecutor Boatright asked Allen how many pills Gowder had obtained in the three-and-a-half-year period covered by the spreadsheet. “Just over 15,000 (pills),” Allen said.

She asked how many of those prescriptions were accounted for in Heaton’s file on Mike Gowder. “Five prescriptions,” he said.

During cross examination, Heaton’s other attorney, Don Samuel, attempted to explain the lack of files by pointing out that Mike Gowder often came to Heaton’s office after hours when he got off work at the hospital.

Samuel also tried to distance Gowder from the actions of his brother, David, who had filled prescriptions under a fake name, according to Allen.

“There’s no relation to Mike Gowder to what his brother did, right?” Samuel said, and Allen agreed.

David Gowder is a former co-defendant in the federal prescription drug case. In March 2019, he pleaded guilty to one count of prescribing oxycodone without a legitimate medical purpose before being removed as a co-defendant.

Allen’s testimony crossed over into Thursday, when Sadow questioned the investigator.

Sadow started off by entering into evidence 10 of Mike Gowder’s medical records from various other health providers in Atlanta and Nashville, then asking Allen whether he’d sought or obtained the records in question.

“I wouldn’t know about them unless they were in Dr. Heaton’s records,” Allen said. “I was focused on Dr. Heaton. You could have pain, but that doesn’t mean that what you’re getting is for a legitimate medical purpose in the normal course of practice.”

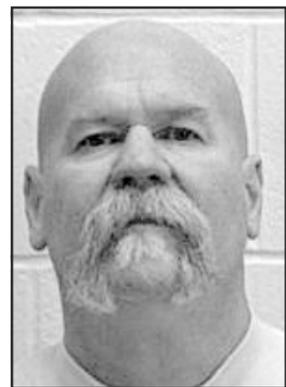
Among the other witnesses to testify last week was a female patient who said she’d gone to Heaton for high blood pressure and other issues.

He prescribed Xanax, she said, and then she began to buy stronger doses “off the street.” She testified that she and Heaton began a sexual relationship that lasted for six months.

Another female patient testified that she went to Heaton because she was having abdominal pain. She said he did an exam and gave her a prescription for hydrocodone,



Mike Gowder



James Heaton

and that she, too, began buying it off the street.

After admitting this to him, she said he told her that would have to stop because he couldn’t regulate her medication. The witness testified he made her sign a contract that she would only get pills from him or she would be terminated as a patient.

He then referred her for a colonoscopy that led to her being diagnosed with Crohn’s Disease, and she testified that when Heaton’s clinic closed, she had to go to an addiction treatment center.

“I couldn’t find a physician who would take me,” she said from the stand.

A former employee of Heaton’s family practice led off testimony for Friday, Oct. 18, saying that Mike Gowder would “randomly” come by to discuss business with Heaton in his office, usually about 5 p.m. The employee said they did not collect a co-pay from Gowder because he wasn’t a patient.

“He typically came by to pick up a prescription,” the employee said.

Further, the employee testified that Gowder brought checks from the hospital about once a month that went to Dr. Heaton and were not part of the office deposits.

The prosecution also called on the testimony of Curtis Mason, a Union County man who is currently serving a 10-year sentence at Coastal State Prison in Savannah for a previous drug conviction.

His testimony centered on allegations that he used to buy pills from Mike’s son Brad, and that he sold them to Brad if Brad was out.

Mason was questioned about a specific incident in which he was allegedly outside the Gowder home with Brad in 2015. According to Mason, at the time, Brad said he didn’t have any “roxys,” but when Mike arrived home, Brad went in to talk with him and came out with pills.

“He told me he got them from his dad,” Mason said in court.

On cross examination, Sadow suggested that Mason’s reason for testifying was that the prosecution had offered to write a letter to the parole board about his cooperation, to which Mason replied that prosecutors said they really couldn’t help

but that they’d write the letter.

The final witness Friday was a woman who, at the request of the prosecution, showed the jury scars left from her heroin addiction.

She testified that she became a patient of Heaton’s because of back pain from a car wreck, and that she’d followed the usual course of paperwork and diagnosis prior to treatment.

After she became his patient, however, she said the two entered into a sexual relationship, and she would ask him for pain medication refills and sometimes go over to his house at night to pick up prescriptions.

“When I didn’t have money, he didn’t charge me,” she said, adding that she usually left a sexual encounter with a prescription, but that he never forced her to have sex.

The witness said Heaton was aware that she was a former heroin addict and that he gave her methadone when she was pregnant.

She further testified that, after serving time in jail for several months in 2015, she’d texted him hoping for an immediate prescription, only to be told she would have to come to the office to fill out paperwork.

During the course of her testimony, it was brought out that she had served as a confidential informant for law enforcement in recent years.

The defense pointed out that confidential informants were paid, implying that she had offered information about Heaton giving her pills for sex in an effort to keep from going to jail.

Assistant U.S. Attorney Boatright asked the witness if she was being paid for her testimony, and she answered that she was not.

This week, the jury will hear from another of Heaton’s patients, as well as the medical expert Dr. Kaufman, after which the defense will have an opportunity to present its witnesses.

At the end of testimony, the attorneys will each sum up their cases in closing statements, after which the jury will go into deliberation.

For extended trial coverage, visit the newspapers’ websites at nganews.com and townscountyherald.net.

Homecoming...from Page 1A

class representatives. Lasada Johnson and Caroline Karnes will represent the freshmen.

An alternate plan is currently in the works should Friday’s weather forecast

include rain. Be sure to follow Union County High School on social media for any changes to Friday night’s Homecoming festivities.

At 7:30 p.m. Friday, the

eighth-ranked Panthers will look to improve to 8-0 for the second straight year when they host the Oglethorpe County Patriots.

9 String Theory in concert at Folk School November 3

On November 3 the Brasstown Concert Association (BCA) will present the exciting duo of award winning American classical guitarist John Huston and Russian domra virtuoso Angelina Galashenkova-Reed. With intense virtuosity and immense variety, this unique collaboration evokes musical traditions ancient and modern from around the world.

The combination of six-string classical guitar and three-string domra, a Russian folk instrument similar to the lute and mandolin, makes perfect sense, as the highest string on the guitar is the same as the lowest string on the domra. “Her instrument picks up where mine leaves off in range. The idea is that we create a new nine-string instrument,” says Huston.

The duo’s repertoire defies genres, including folk music but blending musical traditions from Argentina, Russia, Romania, Spain, France, Italy and the U. S., bringing an international flavor to works of composers as diverse as Scarlatti, de Falla, Gershwin, Bartok and Piazzolla. “As performers we really try to find the best music which has a timeless quality that appeals across the ages,” comments Huston.

“Although the guitar-domra combination is familiar in Russia, it is highly unusual in the U.S. 9 String Theory may be the only duo of its kind that performs on a regular ba-

sis. Don’t miss this unusual musical experience,” says BCA Board member Karen Borchers.

9 String Theory will perform on Sunday, November 3 at 2:30 p.m. in Keith House on the campus of the John C. Campbell Folk School in Brasstown, NC. No reservations; seating is by general admission. Tickets (adults \$18, students \$10) may be purchased at the door. Season and half-season tickets are also available (adults \$65 & \$35, students \$35 & \$20). For information call a BCA Board

member at 828-389-4210 or 828-837-3839, email brass-townconcertnews@gmail.com or Like us on Facebook.