

Wells cleared of charges

Contributed by Danetta Barker
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By Danetta Barker

Editor

Reminded that Americans have always had the right to defend themselves and their homes, a Fleming County jury found a woman accused of shooting at sheriff's deputies not guilty of all five wanton endangerment charges.

Aleechawa Wells, who was charged with shooting at three Fleming Sheriff's deputies in an incident that took place Feb. 28, 2008, took the stand in her own defense during the one-day trial Nov. 5. Represented by Gatewood Galbraith, Wells was the last witness to tell a version of the story that started with a friend alerting law enforcement officers of Wells' condition.

"I heard a truck come through the house. It woke me up," Wells said. "I thought it was the Mexicans. I fell out of bed and fumbled for Tommy D. I was hurt. I was trying to find my way to where the truck came through the house." Tommy D is the name Wells gave the Super Black Hawk Ruger .44 Magnum pistol she kept in her bedroom.

There was no truck that morning just before 10 o'clock. The sound Wells heard was probably the back door of her home being kicked in.

According to testimony from Deputy Gary Kinder he had received a call from Frances "Pooch" Kissick who said he had been trying to contact Wells for several days. Kissick was afraid Wells was hurt or overdosed. He told authorities he and Wells were boyfriend and girlfriend and he had not talked to her for several days. Kinder and Kissick went to Well's home in Wallingford.

When Kinder arrived he said Melissa Miller and her son Ryan were already there.

"They were banging on the windows and doors," Kinder said.

When one of them pulled a 2x4 to break in a window, Kinder said he stopped them. He felt going in through the door would cause less damage to the home. Before Kinder kicked in the door he asked Kissick again if there was a chance that Wells was inside and unable to come to the door because she was hurt or sick. Kissick said yes. With that the deputy, who has made several welfare checks on residents, kicked in the door.

Kinder also testified that throughout the incident he had identified himself as a deputy with the Fleming County Sheriff's Office. Deputy Robert Orem came for backup and said that he too had made his identity known to Wells.

Galbraith, however, reminded the deputies that lately home invasions were taking place all over the country with men claiming to be police, breaking in the home then stealing, beating and even raping the residents.

Galbraith used the home invasion stories throughout the trial. He said Wells had been victimized once by Mexican and was suffering from a flashback of those memories. Wells testified that she never shot at anyone except the Mexicans that morning.

Kinder and Orem testified that Wells had said she would shoot all the Mexicans if they didn't leave the home. At the time of the shooting Deputy Jared Wagner was at the home and took cover from his vehicle, according to testimony.

Wells suffers from polio according to the testimony she gave. She takes several medications for pain and to help her sleep, including topomax and morphine. That morning around 7 a.m. she said she took sleeping pills and pain pills then went to bed. Less than three hours later Miller arrived and Kissick followed with deputies close behind. Once the door was opened Kissick and Miller ran into the home, according to Kinder. Both came back quickly after finding Wells with the gun. Kinder said he and Orem stood by the back door trying to get Wells to put the gun down. She fired a shot and both men ran out the door and off the porch. Kinder said Wells came out to the porch, dropped to her knees and fired another shot.

Kentucky State Police Trooper Michael Fogelman was on the scene by this time. He talked to Wells on her cell phone, which she called a "baby phone," and asked her to come out of the house. Wells surrendered to Fogelman and was arrested.

While Galbraith argued that Wells was not fully conscious due to medications, Kinder testified that she talked coherently during an interview at the sheriff's office.