

IN THE SUPERIOR COURT OF HALL COUNTY  
NORTHEASTERN JUDICIAL CIRCUIT  
STATE OF GEORGIA

INDICTMENT

WITNESSES

CASE NO. 2009 CR 250C  
January Term, 2009

THE STATE OF GEORGIA

vs.

**BILLY D. NICELY**

OFFENSE(S): FELONY MURDER; FELONY MURDER;  
CRUELTY TO A CHILD IN THE FIRST DEGREE;  
AGGRAVATED ASSAULT

Investigator Margaret Dawson,  
Gainesville Police Department  
(770) 534-5254

Dr. Gerald Gowitt  
Forensic Medicine Associates  
3550 Kensington Road  
Decatur, Georgia 30032  
(404) 508-3507

Dr. Virginia Jordan Greenbaum,  
Child Protection Center,  
Children's Health of Atlanta - Egleston  
1001 Johnson Ferry Road, Suite 500  
Atlanta, Georgia 30342  
(404) 785-3820

FILED  
HALL CO., GA.  
2009 APR 15 PM 12:31  
CHARLES BAKER, CLERK  
SUPERIOR-STATE COURT  
BY SK

Inue Bill  
Jerry Carpenter  
Foreperson

The Defendant herein waives formal arraignment/  
indictment by grand jury and pleads:  
**GUILTY NOT GUILTY NOLO CONTENDERE**  
This \_\_\_ day of \_\_\_\_\_, 200\_\_.

Defendant  
Attorney for Defendant  
By: \_\_\_\_\_  
Assistant District Attorney

LEE DARRAGH, District Attorney

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**GUILTY NOT GUILTY NOLO CONTENDERE**  
This \_\_\_ day of \_\_\_\_\_, 200\_\_.

Defendant  
Attorney for Defendant  
By: \_\_\_\_\_  
Assistant District Attorney



FILED  
HALL CO., GA.

2009 APR 15 PM 12:37

CHARLES BAKER, CLERK  
SUPERIOR-STATE COURT

BY                     Ck                    

**COUNT TWO**

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **BILLY D. NICELY** with the offense of **FELONY MURDER**, for that the said accused in the County of Hall and the State of Georgia on the **30TH DAY OF MARCH, 2009**, did while in the commission of a felony, to-wit: Aggravated Assault as charged in Count Four of this indictment, cause the death of Tayore Wright, a child under the age of eighteen (18), by inflicting injuries causing cranial cerebral trauma to the child, the child dying from said injuries on March 31, 2009, in violation of O.C.G.A. § 16-5-1, contrary to the laws of said State, the good order, peace and dignity thereof.

**COUNT THREE**

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **BILLY D. NICELY** with the offense of **CRUELTY TO CHILD IN THE FIRST DEGREE**, for that the said accused in the County of Hall and the State of Georgia on the **30TH DAY OF MARCH, 2009**, did maliciously cause Tayore Wright, a child under the age of eighteen (18), cruel and excessive physical pain by inflicting injuries to said child causing cranial cerebral trauma, in violation of O.C.G.A. § 16-5-70(b), contrary to the laws of said State, the good order, peace and dignity thereof.

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HALL CO., GA.

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**COUNT FOUR**

CHARLES BAKER, CLERK  
SUPERIOR-STATE COURT

BY           CF          

AND THE GRAND JURORS, aforesaid, in the name and on behalf of the citizens of Georgia, charge and accuse **BILLY D. NICELY** with the offense of **AGGRAVATED ASSAULT**, for that the said accused in the County of Hall and the State of Georgia on the **30TH DAY OF MARCH, 2009**, did assault another, to-wit: Tayore Wright, a child under the age of eighteen (18), with an object, instrument and device, the exact type of which is unknown to the Grand Jury, which, when used offensively against said child, actually did result in serious bodily injury, by inflicting injuries causing cranial cerebral trauma, in violation of O.C.G.A. § 16-5-21(a)(2), contrary to the laws of said State, the good order, peace and dignity thereof.