

## It's got to be a record: 15 arrested, charged in drug sweep at Austin apartment

Written by Marty Randall

Wednesday, 18 December 2013 00:00 -

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Using money provided by CEASe (Citizens Efforts Against Substance abuse), an undercover "buy" of Opana landed a grandmother and 14 other people at a South Sixth Street residence in Austin on December 4 in jail.

Patricia "G-Maw" Tyree, 62, 227 South Sixth Street, the resident of the home, has been charged with one count of dealing in a controlled substance as well as four counts of possession of a controlled substance, and one each of maintaining a common nuisance and possession of drug paraphernalia.

The operation was spear-headed by Austin Officer Greg Green, who with Reserve Officer Derek Smith arranged to use money given for that purpose to local law enforcement departments by CEASe so that solid cases can be filed against those who deal illegally in drugs.

Tyree allegedly sold an undercover agent one Opana pill for \$60. That incident allowed Officer Green to obtain a search warrant for the house. A group of officers, including Green and Smith as well as Austin Police Chief Donald Spicer, Capt. Paul Clute, Sgt. Robert Gudgel and Reserve Officers Bobby Cravens and Daniel Morris, approached the house just before 5 p.m. on December 5, Green carrying the search warrant in his hand.

With Chief Spicer announcing the presence of police and ordering everyone to lay on the ground, officers entered the residence and took Tyree and her visitors into custody.

Those arrested included Shannon Tyree, 39, and Jesse McIntosh, 21, whose addresses were also the South Sixth St. house; Kimberly Johnson, 41, and Kayla Tyree, both apparently of 930 North First Street, Austin.

Shannon Tyree has been charged with possession of methamphetamine, two counts of possession of a controlled substance, and one count each of unlawful possession of a syringe, possession of paraphernalia and maintaining a common nuisance.

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Both Tyrees were booked into initial hearings in Scott Circuit Court because of the severity of their charges, Patricia Tyree's dealing charge a Class A felony and Shannon Tyree's possession of meth charge a Class B felony.

Remaining defendants were charged in Scott Superior Court. McIntosh and Kayla Tyree, no age given, are charged with one count each of maintaining a common nuisance, a Class D felony, while Johnson's charges are a maintaining count as well as unlawful possession of a syringe, also a D felony, and possession of paraphernalia, a Class A misdemeanor.

Those left in the crowd were all charged with visiting a common nuisance, a Class B misdemeanor. No drugs were found on them, the probable cause affidavit noted.

They include: Timothy A. Ebertshauser, 22; Eric T. Howard, 34; Savannah L. Mikesell, 23; Jordan S. Pastrick, 20; Darrell Polly, 34; Linda S. Polly, 21; Morgan E. Riley, 20; Jonathon Sizemore, 23; and Benji Stotts, 42.

Patricia Tyree was given an initial trial date of May 13 by Judge Roger Duvall at her initial court hearing on December 6. A public defender was appointed to the case. Bail is \$100,000 by corporate surety bond or 10% cash.

Shannon Tyree was also given an initial trial date of May 13. The defendant is being held for 15 days without bail, with bail set at \$75,000 corporate surety/10% cash thereafter. A public defender has been assigned, and a motion to reduce bail has been set for a hearing on January 14.

Several defendants in Superior Court also appeared for initial hearings on December 6. Preliminary pleas of not guilty were entered for Ebertshauser, Howard, Pastrick, Linda Polly and Stotts at those hearings before Judge Marsha Owens Howser.

Petitions for detainer and/or greater-than-standard bond were filed by the State against Polly and Ebertshauser. Each is being held 15 days without bond, but their bails remain as originally set, \$2,500 corporate surety bond/10% cash.

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All but Stotts received the services of a public defender, court records indicated.

Kayla Tyree, Johnson, McIntosh, Mikesell, Darrell Polly, Riley and Sizemore each had initial hearings on December 9. Bail for Kayla Tyree, McIntosh and Johnson was set at \$15,000 corporate surety/10% cash; for the others, bail was \$2,500 surety/10%. Tyree, McIntosh and Johnson were given initial jury trial dates of March 4. All others were assigned a jury trial date of February 6 by Judge Marsha Howser.

Records indicated that public defenders were appointed to each case except Riley's. Mikesell and Riley were released on posted bonds. Petitions for detainer and/or higher-than-standard bonds were filed against Darrell Polly, McIntosh and Sizemore; each is being held for 15 days without bond, but their bonds remained at their original figures.

Stotts, Pastrick and Howard have been released on bond, Stotts and Pastrick on December 12 and Howard on December 16.