

Son surrendered by dad to police after syringes found in family home

Written by Marty Randall

Wednesday, 28 January 2015 08:48 -

A father turned his son over to Austin police on Monday, January 19, after he allegedly found a syringe in a clothes dryer and the younger man's sister discovered another in a dish drying rack.

The distraught dad had allowed Devin A. Mulley, 35, to stay at his home after the son had been brought to the house by his mother. He told Patrolman Robert Garza that he had advised the younger Mulley that he could stay, but if the father "...ever found another syringe, he would call the police," the probable cause affidavit related. On January 18, Mulley's sister was taking a load of clean clothes out of the dryer. She found a syringe that was in a cigarette pack.

Early on the morning of January 19, Mulley allegedly awakened his sister around 3 a.m. by turning on a light in her bedroom, where she was sleeping with her five-year-old daughter. The sister reportedly then found a second syringe that had been placed in a bag in a dish drying rack when she went to the kitchen. She had gone downstairs because she said she smelled something burning. Her brother had run out the back door, she said.

When informed about the second syringe, the father made good on his statement and call authorities. Ptl. Garza was dispatched to the home.

The officer reported that the father said his son had an on-going problem and that he was afraid of his son and his purported drug use. The sister said she was worried that her daughter would find a syringe and harm herself.

Police tried to talk to Mulley, getting a garbled story about "...seeing and speaking with spirits..." and that his father was finding syringes "...in the ditch..." and "...plant(ing) them on Mulley to get him arrested." He also told officers he did not use needles.

Mulley was taken into custody and transported to the Scott County Security Center in Scottsburg. The probable cause affidavit said Mulley's arms were photographed because they had marks "...which were consistent with marks caused by the use of a syringe."

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On January 20, Mulley was charged in Scott Circuit Court with possession of a hypodermic syringe, a Level 5 felony. At his initial hearing, a preliminary not guilty plea was entered for him, and an initial jury trial date of May 19 was assigned.

Mulley has a public defender to help him with his defense. Bail is set at \$10,000 by corporate surety bond or \$1,000 cash.