

LaGrange Daily News (GA)

January 7, 2006

Section: News

Page: 001

Topics:

Index Terms:

story

Troup deputy cleared in fatal shooting

Lawman thought man had gun

Author: Joel Martin Senior Writer

Article Text:

District Attorney Pete Skandalakis said it appears no criminal laws were violated when a Troup County sheriff's deputy shot and killed a man Nov. 10 in Rockwell Estates subdivision off Upper Glass Bridge Road.

The district attorney said his conclusion was based on a briefing from GBI agents who investigated the shooting, as well as 911 tapes and his own interviews with deputies Matt McGraw and Sgt. Mike Ellington.

McGraw shot David Papp, 33, once below the right rib cage after he mistakenly thought the man had a weapon, which turned out to be a wallet, Skandalakis said.

Papp allegedly had threatened to kill his parents, Jim and Sandra Papp, and burn down the house on Hawthorne Circle. His parents wanted him to leave the house, and his father called 911.

When the deputies responded, David Papp went to a bedroom upstairs to get some clothes.

"McGraw noticed him reach underneath the mattress and retrieve an object, and McGraw was uncertain what it was," Skandalakis said. "Papp placed the object behind his back, and McGraw was still unable to tell what it was.

"McGraw gave numerous commands to show his hands, which Ellington confirms. Papp suddenly brought the object out from behind his back and made a gesture either to show it to McGraw or point it at him. But he was not raising his arms as instructed, and McGraw believed it to be a weapon and shot him once."

Skandalakis said the deputies' account was consistent with what they told the GBI.

"Ellington said that, had he been in McGraw's position, he would have shot him as well," the district attorney said.

Skandalakis said his findings are pending the GBI's written report, which could take six to seven months because of a personnel shortage.

"It takes a while to get case reports to us on these police shootings," he said. "Now, they orally brief prosecutors and, based on the oral briefing, prosecutors can make a determination about potential criminal elements."

Jim Papp said he's still waiting on information from the district attorney's office and GBI.

"Nobody has shared anything with me, not a word," he said Friday. "... I don't understand why he was shot. I have no idea. Until I see something in writing, I don't know what to say."

Sheriff Donny Turner said McGraw had been on paid administrative leave and attended

counseling, but has been back at work for a few weeks as a security officer at the county Government Center. "Time will tell" if he goes back on patrol, Turner said.

Joel Martin can be reached at jmartin@lagrangenews.com or (706) 884-7311, Ext. 235.

Copyright, 2006, LaGrange Daily News (GA)