

Judge orders Bradley held

By Adam Wagner

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James Bradley will remain in the New Hanover County jail without bail for the foreseeable future after a judge ruled Friday there is enough evidence to prove probable cause in the murder of Shannon Rippe Vannewkirk.



Bradley

"I think based on the rulings from our appellate courts that there's more than enough probable cause ... at this juncture," New Hanover County District Court Judge Sandra Ray said.

A hearing, which began Thursday, was held to determine if prosecutors have enough evidence to continue to hold Bradley on a charge of first-degree murder in the presumed killing of Vannewkirk, 53, of Wilmington, even though

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Man gets life for murder

By Adam Wagner

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A New Hanover County man was found guilty Friday of first-degree murder, premeditated murder and felony murder in the April 2013 death of Gilbert Lee McClammy Jr.



Mitchell

Shannon Jerome Mitchell, 30, was sentenced to life in prison without parole by New Hanover County Superior Court Judge Jay Hockenbury.

"This is just about the most senseless killing that I've ever seen," Hockenbury said during sentencing. "Very little if any reason for it, other than that the defendant was in a state and somebody had to die, and it was Mr. McClammy."

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MURDER

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Mitchell, who was dressed in a dark blue shirt with black pants, addressed McClammy's family during sentencing and said, "I can't take it back, but I would if I could."

McClammy's sister, Angela McClammy, described her brother as a gentle giant.

"He raised me," she said. "We slept in the same bed together (as kids). So it was sentimental when the accident occurred."

McClammy, 44, was survived by three children and his wife.

Mitchell's trial in the April 27, 2013, killing of McClammy began April 29.

According to the New Hanover County Sheriff's Office, McClammy was shot and killed shortly after 10 p.m. as he sat in his vehicle outside Mitchell's home at 5129 Carolina Beach Road, near Monkey Junction.

Mitchell, who was convicted in 2006 of accessory after the fact of murder and served nearly six years in prison or disposing of the murder weapon in a 2003 killing, also was charged with being a felon in possession of a firearm. He pleaded guilty to that charge.

N.C. Department of Correction records show Mitchell was released from prison April 12, 2012.

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\$500 OR \$5,000?

The law designed to eliminate teacher tenure provides for a four-year contract and \$500 per year raises over four years, but means a teacher who accepts the deal would earn an extra \$5,000 over the course of the contract: \$500 the first year, plus \$1,000 the second year, plus \$1,500 the third year, plus \$2,000 the fourth year.

TENURE

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poor performance, immorality and insubordination. Teachers earning career status after at least four years in a school district also have the right to a hearing where they can challenge their firing or demotion.

Last summer, Republican lawmakers voted to phase out those protections, arguing it will promote sharper classroom performance. Teachers who haven't worked the four years needed to qualify for career status are being offered one-year contracts. Veteran teachers were due to lose their tenure protections in 2018.

The judge's ruling did not include teachers who were hired with the expectation of having tenure rights after four years but who had not yet reached that milestone. That means new teachers can be hired without a claim to tenure rights that veteran teachers who have earned the job protection can continue to enjoy.

State Senate leader Phil Berger, R-Rockingham, promised that the ruling will be appealed. Attorney General Roy Cooper has not decided whether to pursue an appeal, spokeswoman Jennifer Canada said. Lawmakers last year gave legislative leaders the right to defend laws they pass if Cooper refuses.

"Today a single Wake County judge suppressed the will of voters statewide who elected representatives to improve public education and reward our best teachers with raises. This is a classic case of judicial activism," Berger said in a statement.

Hobgood refused a request by a state attorney defending the law to delay the effect of his decision.

Lawyers representing the North Carolina Association of Educators and a half dozen teachers argued to Hobgood earlier this week that eliminating career status wasn't necessary to remove problem teachers. The state attorney defending the law countered that lawmakers can't deny tenure protections if they think it will improve public schools.

The ruling is likely to delay action by local school boards on another part of the law requiring them to offer the best 25 percent of its teachers four-year contracts. The contracts mean giving up tenure protections in return for \$5,000 in raises over the four years. The law states that school boards have to offer the contracts by the end of next month.

Hobgood bolstered the case against the contracts by citing legislators gave school administrators "no discernible, workable standards" to decide which teachers to place in the top 25 percent.

Veteran teachers can choose whether or not to accept a contract if one is offered, but Friday's decision means going so entails signing away job rights they can keep throughout their career, NCAE attorney Ann McCall said.

BRADLEY

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her body has not been found.

Bradley, 51, of Wilmington was arrested April 29 and charged with murder in the April 5 disappearance of Vannewkirk. The arrest was precipitated by the discovery of a body in a Hampstead field that, prosecutors say, only Bradley and Steve Mott, the land's owner, had access to. Vannewkirk and Bradley also worked for Mott's landscaping company.

That body, which police initially said was likely Vannewkirk, was later identified as Elisha Tucker, 34, of Wilmington, who had been missing since August. Prosecutors intimated throughout the hearing that Bradley killed Tucker, as well, even though he has not been charged with her death.

Bradley was paroled from prison 14 months ago after serving 23 years for the 1988 strangulation death of his 8-year-old stepdaughter.

Ivy Gipson murder

Discrepancies in Bradley's account of how the girl, Ivy Gipson, died and a formal confession he gave to the Cumberland County Sheriff's Office were one of several warnings signs that Bradley wasn't being truthful with investigators, Wilmington Police Department Detective Kevin Tully said Friday.

Bradley initially told WPD investigators he doesn't remember killing Ivy and he was trying to protect his daughter and wife by pleading to the crime, Tully said. Yet, Bradley signed a detailed confession in which he claimed to have strangled Gipson and put her body in the trash at the complex where they lived.

"James took great steps to deceive the investigators," Tully said about Gipson's case.

New Hanover County District Attorney Ben David attempted to introduce Bradley's four-page confession to the 1988 crime as evidence, citing similarities between the cases.

"This is now going into actual concealment and going into what he is doing to be untruthful in a missing body case, which is what we have here," David said.

Rick Miller, Bradley's attorney, objected to that, saying the evidence was prejudicial and that it couldn't be linked to the disappearance or potential murder of Vannewkirk.

"We still have to tie it somehow to what happened to Miss (Vannewkirk), and can't do that because we don't know what happened to Miss (Vannewkirk)," Miller said.

Ray agreed with Miller about the confession, but still heard the testimony about Bradley's varying stories.

TIMELINE

2013

August 15: Rose Waldron sees her daughter, Elisha Tucker, for the last time.

October 21: Waldron files a missing persons report for Tucker with the Wilmington Police Department.

2014

April 5: Shannon Rippe Vannewkirk is last seen at The Husk bar at the corner of Front and Dock streets.

April 6: Vannewkirk misses a birthday brunch with her mother.

April 7: Vannewkirk is reported missing.

April 9: Wilmington Police Department investigators talk to James Bradley for the first time. He tells them he didn't know Vannewkirk was missing.

April 11: Police interview Bradley again. He tells them he offered Vannewkirk a ride on April 5 but did not see her.

April 15: After reviewing traffic camera footage, WPD investigators serve a search warrant on Bradley's Flint Street apartment, phone and red Tahoe. His story, they have since testified, changes several times. He is read his Miranda rights and interviewed at police headquarters.

April 29, about 4 p.m.: Wilmington Police Department investigators uncover the body of a white female buried in a Hampstead field. They believe it is Vannewkirk.

April 29, 8:26 p.m.: Bradley is arrested during a traffic stop. He is charged with first-degree murder in the presumed death of Vannewkirk.

May 1: Police announce the body found in Hampstead is not Vannewkirk, as they initially believed.

May 12: The Hampstead body is identified as Tucker. Bradley is named as a person of interest.

New Hanover County District Attorney Ben David says he will maintain the murder charge against Bradley.

May 16: A New Hanover County District Court judge rules there is probable cause to hold Bradley on the Vannewkirk murder charge.

Changing stories

Investigators also contend that Bradley intentionally misled them about his whereabouts and actions on April 5, the day Vannewkirk disappeared.

When detectives served a search warrant on Bradley's Flint Street apartment on April 15, Tully testified, they also interviewed Bradley. Before, Bradley had told them he had last seen Vannewkirk on April 3, but by the 15th, Tully said, the investigation had uncovered traffic camera videos showing Bradley heading downtown and security cameras showing Vannewkirk in his red, two-door Tahoe.

The investigators told Bradley they knew he'd been downtown April 5, and the suspect's story immediately changed, Tully said.

Bradley told police he had in fact seen Vannewkirk on April 5. He'd picked her up and driven around with her for 60 to 90 minutes, dropping her off at Village Market at the intersection of Second and Dock Streets.

Tully, though, said he'd spent hours in Village Market reviewing the store's security video and neither Bradley nor Vannewkirk had appeared on it.

"His demeanor changed immediately," Tully said of Bradley. "He was extremely wet. At one point I thought he was crying because there

was so much water running down his face."

Bradley, Tully added, asked for a paper towel during the interview to use to wipe the sweat off himself.

The changing stories, Bradley's demeanor and the fact that Vannewkirk's cell phone turned off at 7 p.m. — while Bradley said they were together — all piqued investigators' interest.

"These are all things that are hitting us in the face as detectives that there's something wrong here," Tully said.

Last person to see Vannewkirk?

Police then took Bradley to the Wilmington Police Department and, Tully said, read him his Miranda Rights before conducting another interview.

Before investigators could ask a question, though, Bradley had something he wanted to say, Tully testified.

Unsolicted, Bradley told police that he didn't want to be involved with them and that he was the last person to see Vannewkirk alive.

"We all fell out of our chairs, figuratively, of course," Tully said. "That was a huge statement."

In the following days, Tully added, police thoroughly searched the Greenfield Lake area and kept Bradley under surveillance until the body was found April 29 in Hampstead.

Miller, Bradley's attorney, maintained throughout Friday that if police had enough probable cause to arrest Bradley on or about April 15, the date by which much of the evidence introduced at the hearing was obtained, they would have.

"If there had been probable cause, would the Wilmington Police Department leave somebody they portray as a vicious killer on the street?" Miller said. "I don't think so."

Reaction

Vannewkirk's family members — including her mother, an aunt and her brother — were on hand Friday. Afterward, her brother Shawn Dayton said he was satisfied with the judge's decision. He added he and his family believe Bradley belongs behind bars.

The district attorney's office and police are continuing to build the case against Bradley, David said after hearing Ray's ruling.

"This is not over," he said. "In many ways, it's just beginning."

The next hurdle for the prosecution is finding enough evidence to prove, beyond a reasonable doubt, that Bradley is guilty.

Bradley's murder charge still must go before a New Hanover County grand jury before being moved to superior court.

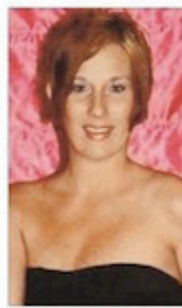
Meanwhile, the search for Vannewkirk's body will continue, both among volunteers and police.

While Tully was on the stand, David asked him if he was ever going to stop looking for Vannewkirk.

"Not in the near future," Tully said.

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The body of Elisha Tucker, 34, of Wilmington was found wrapped in three trash bags and buried in a Hampstead field on April 29 while Wilmington Police Department detectives were searching for Shannon Rippe Vannewkirk, a 53-year-old Wilmington woman missing since April 5.

D.A. wants to speed up probe into Tucker case

By Adam Wagner

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The investigation into the death of Elisha Tucker could be expedited as prosecutors try to determine if James Opleton Bradley the main suspect in her death, will be charged with murder.

New Hanover County District Attorney Ben David asked District Court Judge Sandra Ray on Friday for an order to expedite forensic analysis of material related to Tucker's death, including her body and evidence from Bradley's home and vehicle.

"We don't believe a delay is ever a good thing, but particularly here," David said.

Once the analysis begins, David added, it should take about 60 days to complete.

Tucker, 34, of Wilmington was found wrapped in three trash bags and buried in a Hampstead field on April 29 while Wilmington Police Department detectives were searching for Shannon Rippe Vannewkirk, a 53-year-old Wilmington woman missing since April 5.

During a probable cause hearing Thursday and Friday in Vannewkirk's presumed murder, David intimated that Bradley, 51, of Wilmington, who stands accused in Vannewkirk's murder, also is the primary suspect in Tucker's death.

"We didn't find the wrong body, we found another body," David said on Friday during his closing statements.

During Thursday's testimony, it was revealed that Tucker was killed by blunt force trauma to her head and had signs of strangulation around her neck.

Tucker disappeared from an area between the 600 and 800 blocks of Dawson Street in August, David said, a time when Bradley lived in the 700 block of Dawson Street.

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