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venues followed a bomb threat at the Towns County Courthouse during the voir dire process.

Steel cites Pittman vs. the State of Georgia, 1990, and Davis vs. the State of Georgia, 1978 as grounds for reversal of Osborn's convictions and sentences. Steel alleges that the change of venue from the courthouse to McConnell Baptist Church was unconstitutional and in violation of Georgia law.

Motions for a new trial are handled by the original trial judge. In almost all cases, motions for a new trial are denied. Defense counsel then appeals that decision setting in motion appeals to the Georgia Court of Appeals.

Judge Alderman will review all the case law and determine if the motions warrant merit for a new trial. Both Steel and Assistant Chief Prosecutor Jeff Langley will file briefs within the next 20 days and Alderman will make a decision within the next 40 to 60 days following receipt of the briefs by the defense and prosecution.

Steel presented a motion to assure that Osborn would be housed closer to Towns County during the wait for Alderman's decision on the motions for a new trial. Osborn, dressed in a white Georgia Department of Corrections jumpsuit, placed his face in his hands and drew a deep breath. He then stared blankly ahead, looking at the courtroom that

he had experienced many times before as a Towns County sheriff's deputy.

The case began on July 9, 2007 when allegedly Osborn and Deputy Jessie Gibson drove by the home of Gary Dean. Georgia Bureau of Investigation agents say Osborn fired about 10 shots at the home, pelting it with .40 caliber bullets.

A Georgia Bureau of Investigation affidavit states that Dean was "involved in an ongoing intimate relationship" with Osborn's wife.

OSBORN TOLD THEN TOWNS COUNTY SHERIFF RUDY ELLER WHAT HAPPENED AND ASKED HIM TO HELP HIM. AGENTS TESTIFIED THAT OSBORN GAVE ELLER THE GUN FOR SAFE KEEPING.

The affidavit says Eller originally told investigators that he had been keeping the semi-automatic weapon for Osborn for several weeks. He said he had cleaned the handgun and tried to replace a missing screw.

When agents told him that they believed the gun was used to fire about 10 shots into Dean's home, Eller "changed his story and admitted to the agents that he had not been truthful with them earlier in the interview," according to the affidavit.

The affidavit also says that Eller told GBI agents that Osborn gave him the gun the morning after the shooting and admitted firing shots into Dean's home. GBI agents also said that Eller told them Osborn asked him to tell investiga-

tors he'd had the gun for "a couple of months."

The affidavit also shows that Eller admitted that when he requested a GBI probe into the July 9 shooting that he already knew that Osborn had fired the shots into Dean's home.

OSBORN WAS CONVICTED OF VIOLATION OF OATH OF OFFICE OF A PUBLIC OFFICIAL OR OFFICER AND SENTENCED TO SERVE FIVE YEARS IN PRISON. HE'S CURRENTLY SERVING HIS SENTENCE IN STATE PRISON AND IS SCHEDULED FOR RELEASE IN AUGUST 2013.

OSBORN DENIED ANY KNOWLEDGE OF THE SHOOTING, BUT ACKNOWLEDGED THAT HE HAD DRIVEN BY DEAN'S HOME AT LEAST TWICE ON THE DAY BEFORE THE SHOOTING HOPING TO FIGHT HIM IF HE WAS ALONE.

DEAN AND A ROOMMATE WERE AT HOME AT THE TIME OF THE SHOOTING. NEITHER WAS INJURED DURING THE SHOOTING.

EVENUALLY, A TOWNS COUNTY JURY CONVICTED OSBORN OF MAKING FALSE STATEMENTS, TAMPERING WITH EVIDENCE, POSSESSION OF A FIREARM DURING THE COMMISSION OF A FELONY, AGGRAVATED ASSAULT AND VIOLATION OF OATH OF OFFICE OF A PUBLIC OFFICIAL OR OFFICER.

HE WAS SENTENCED ON SEPT. 17, 2008 TO 45 YEARS WITH 20 YEARS TO SERVE IN STATE PRISON.

GIBSON TOOK HIS OWN LIFE ON AUG. 8, 2007. OSBORN'S ATTORNEY SAYS THAT A TAPE LEFT BEHIND BY GIBSON PRIOR TO HIS COMMITTING SUICIDE WOULD EXONERATE HIS CLIENT COMPLETELY.

Bank of Hiawassee...from page 1A

respect the rich 100-plus year heritage of Bank of Hiawassee and pledge to continue their legacy of customer and community service. Hiawassee depositors can rest assured that their deposits remain safe, secure and accessible.

"The FDIC continues to insure their deposits to the fullest extent permitted, reinforced by the security and strength of Citizens South," Price said. "Our bank is sound and well-capitalized."

She welcomed the newest customers of Citizens South Bank on Saturday.

"On behalf of our employees and shareholders, it is my pleasure to welcome you to Citizens South Bank," Price said. "I want to assure you that your deposits and your banking relationships are safe and secure."

Also on Friday, Appalachian Community Bank, headquarter in Ellijay with a branch in Blairsville, was closed by the Georgia Depart-

ment of Banking and Finance and the Federal Deposit Insurance Corporation was named receiver. To protect the bank's depositors, the FDIC entered into a purchase and assumption agreement with Community & Southern Bank, headquartered in Carrollton to assume all of the deposits of that bank.

Appalachian Community Bank branches reopened on Saturday as branches of Community & Southern Bank.

Relay for Life...continued from page 1A

died of breast cancer, so I have to get out and do what I can," she said.

Edwards donated many of her own works of art for a raffle to raise money for the cause.

With so many lives being touched by Relay for Life, the large turnout was no surprise. Perhaps now there will be a few more birthdays in Hiawassee thanks to Relay for Life.

The effort to raise money for the American Cancer Society continues on Saturday.

Tickets are on sale now at Cadence Bank and

Seasons Inn for \$5 and an evening of fun and comedy at the Georgia Mountain Fairgrounds. The entry price to the Third Annual Stars Shine for Cancer event also is \$5 on the night of the show.

The 2010 event, once again a variety show at the Georgia Mountain Fairgrounds is slated to begin at 5:30 p.m. on Saturday with Las Vegas Game Tables until 6 p.m.

This year's theme features local talent putting on a Las Vegas style show. The event includes a live auction offering some fantastic items

for event goers to bid on. For those with a sweet tooth, some tasty baked goods and concessions will be readily available.

Last year's event raised more than \$6,000 for the cause, with \$1,600 coming during the 30-minute auction, said Georgia Mountain Fairgrounds General Manager Hilda Thomason.

For more details about Relay for Life events for Towns and Union counties, call Mia Crowe, who has now been involved with Relay for Life for eight years, at (706) 745-5588

Visitors...from page 1A

ness leaders, Chamber members and local residents discuss easier access to federal infrastructure funding.

On April 7th at 2 p.m., Congressman Broun, an Athens Republican, has arranged for a Small Business Workshop, cosponsored by the Towns County Chamber of Commerce.

The workshop's intent is to assist local businesses with Small Business applica-

tions and funding training.

The workshop will be held at The Ridges Resort in Young Harris. Representatives from Congressman Broun's office, the Small Business Administration, the Georgia Mountains Regional Commission, U.S. Department of Agriculture, Rural Development and the Small Business Development Center will attend the workshop.



Relay for Life volunteers gathered Saturday morning on the Courthouse Square to raise money for the American Cancer Society. The group of volunteers continue to make a difference in the lives of cancer survivors. Photo/Lowell Nicholson

Pancake breakfast...from page 1A

education, King said.

"The economy is tight, we don't get many donations," King said. "We come out here, roll up our sleeves and do what we can to raise money. The thing about the money we raise, folks know where it goes."

The event also featured door prizes as Lodge member Reuben Davis called out names over the public address system and waited for patrons to pick up their prizes.

Lodge member Chris Swett helped keep the breakfast lines of patrons flowing, assisting them by

carrying drinks to their tables, making sure they had enough to eat and just plain socializing.

The event attracted members of the Hiawassee City Council and Commissioner Bill Kendall, himself a Mason. This was one event where it could actually be said that a good time was had by all.

Masonic endeavors benefit the community. The lodge not only uses its fundraising efforts on scholarships. The group helps out with families at Christmas, they donate to families in dire straits, they give to the

Masonic Orphanage Home and they give to the needy on a moment's notice.

"You can count on the majority of the money we raise staying local," King said. "The economy has been in the ditch and it is times like these that keeping that money local really means something."

"We do our best to help families who are doing without and have kids that don't have anything to speak of," King said. "We want to make a difference in our community and the Masons have been doing that for a real long time."