

IN THE CIRCUIT COURT OF RANDOLPH COUNTY, ARKANSAS

AFFIDAVIT FOR WARRANT OF ARREST FOR THE FOLLOWING PERSON:

JAMES "DEXTER" YANCY
W/M DOB: NOVEMBER 02, 1991
1407 BROADWAY STREET
POCAHONTAS, AR 72455

FACTS CONSTITUTING Pursuant to Rule 7.1 of the Arkansas Rules of Criminal Procedure, the undersigned affiant(s) being duly sworn deposes and says that he has reason to believe that the above-named person has committed the offense of violating Ark Code Ann.

COUNT # 1

5-10-104 MANSLAUGHTER, A CLASS C FELONY

In Randolph County Arkansas against the peace and dignity of the State of Arkansas.

PROBABLE CAUSE

On August 13, 2016 James "Dexter" Yancy shot and killed Nick Wayne Dawson at 1407 Broadway Street in Pocahontas AR. The post-incident-investigation revealed that both Yancy and Dawson were residing in the premises. Witness accounts indicate that Yancy and Dawson were engaged in a physical altercation when Dawson was shot to death.

After having been advised of his constitutional rights to remain silent and his right to have legal counsel present before making a statement, Yancy waived those rights and provided investigators a post-incident statement.

Yancy by his own admission indicated that he had ingested methamphetamine prior to shooting Dawson. Yancy also admitted to having a handgun in his waistband at the time of the altercation. Yancy further stated that he himself instigated what led up to the physical altercation. Lastly Yancy stated that he shot Dawson in self-defense and feared for his life. Other witness accounts corroborated Yancy's version of events that he and Dawson were engaged in a physical altercation at the time of Dawson's death.

Arkansas State Police Special Agents processed the crime scene and conducted the interviews of the witnesses and Yancy. After objectively reviewing the evidence and the facts surrounding the death of Dawson, and Arkansas Law, it appears that James "Dexter" Yancy has committed the crime, Arkansas Code 5-10-104 Manslaughter a Class C Felony, based on the following facts as they relate to Arkansas Law.

According to 5-10-104 Manslaughter: a person commits manslaughter if he causes the death of another person that would be murder, except that he causes the death under the influence of extreme emotional disturbance for which there is a **reasonable excuse**. The reasonableness of the excuse **shall be determined from the viewpoint of a person in the defendants' situation under the circumstances as he believes them to be:**

Based on the fact that Yancy, by his own admission had ingested methamphetamine prior to killing Dawson, the fact that methamphetamine is a drug that is known to alter one's perception of reality, the fact that Yancy was armed with a handgun while under the influence of methamphetamine, the fact that Yancy, again by his own admission instigated what led up to the altercation and finally, the evidence clearly shows that Yancy had no physical signs of having been in a life or death struggle with Dawson, who by all accounts was a friend of Yancy's, shows that Yancy acted in manner that was reckless, which ultimately caused the death of Dawson.

SA Wendall P. Jines #0214

AFFIANT

Special Agent Wendall Jines

Arkansas State Police

Criminal Investigation

2216 Browns Lane Access Road

Jonesboro, AR 72401

(870) 931-0043

Subscribed and sworn to before me this 15 day of August, 2016

By: _____

J. J. Jines
~~Judge, Notary Public, Clerk~~
~~My Commission Expires~~

FINDING OF PROBABLE CAUSE FOR ARREST

I hereby find that the foregoing sworn affidavit demonstrates reasonable and probable cause for the issuance of a warrant of arrest for the defendant for the charges listed and the defendant should be arrested and bound over for trial.

J. J. Jines
JUDGE