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Courthouse shooting lawsuit tossed

By Greg Land, Staff Reporter

A judge has thrown out a suit against former Fulton County Sheriff Myron E. Freeman brought by the widow of David Wilhelm, the U.S. customs agent murdered by Brian G. Nichols after his bloody escape from the Fulton County Courthouse on March 11, 2005.

DeKalb County State Court Judge J. Antonio DelCampo ruled that Freeman had not violated either state law or the rules of the Fulton Sheriff's Department in his training and assigning of deputies on the day Nichols overpowered Deputy Cynthia Hall, seized her gun and entered the courtroom of Fulton County Superior Court Judge Rowland W. Barnes, killing the judge and court reporter Julie Ann Brandau. As he escaped, Nichols also killed Deputy Sgt. Hoyt Teasley and, after eluding police, killed Wilhelm as the off-duty agent worked on his Buckhead home.

Wilhelm's widow, Candee Wilhelm, sued Freeman, as well as the deputies assigned to the courtroom and other security posts. DelCampo's ruling only applies to Freeman; the portion of the suit against Sgt. Grantley White, whom Nichols held at gunpoint before beginning his killing spree, and the other deputies is apparently still live, said Fulton County Attorney R. David Ware, who had not reviewed the order when contacted.

Suits filed by the judge's widow, Claudia Barnes, and Brandau's family have been settled, with Barnes receiving \$5.2 million and Brandau's daughter receiving \$5 million. A suit brought by Teasley's widow was dismissed, as was another brought by two court employees Nichols held hostage. Both are on appeal.

Two remaining suits, one by Hall, who was savagely beaten, and another by a man Nichols assaulted, remain active.

Wilhelm's attorney, Douglas R. Kertscher, declined immediate comment on the order.

Nichols was sentenced to multiple life sentences without parole last year when a Fulton County jury deadlocked over a possible death sentence.