

ATTN: Mr. Wells for Bill 340

I was taking pictures on Pinewoods Dr. on 09-13-06 because Kevin King was damaging the road with his back hoe by digging dirt from the side of the road with his bucket and digging down on the road bed and leaving piles of dirt on the road which is a hazard and letting his tires spin down. I was doing this for documentation for the association meeting since we are all responsible for the care and maintenance of this road.

I snapped the last picture that I took. I am sitting in my Jeep on the association private road which is Pinewoods Dr. for all residents when I looked up and Kevin King was running at the vehicle yelling screaming I am going to kick your ass and kill you, you son of a bitch. I did not even have time to even think about putting it in drive and getting the hell out of there, before I knew it he was coming in the window after me. I could not stop him physically and I feared for my life. That is when I reached down for my weapon (which I have a concealed weapons permit) to try and fend him off to try and get him away from me and out of my vehicle. I wanted to let him know I was armed and I was trying to protect myself. I just wanted him out of my jeep and to back off because I am disabled and had no other way to protect myself. I feel that if I would not have done this he would have physically hurt me. I was so scared and shaken I really don't remember what was said but a lot of hollering to try and get him out of there. When I finally was able to get out of there I turned around and was on my way back home and Kevin King was standing in the middle of the road with a big rock or clump of dirt threatening to throw it at me. He was still hollering and screaming and threatening me. I drove around him so I do not know if he threw it or not. I felt I was the victim since Kevin came after me. I was defending myself from his attacks. He is the one that came after me, he is the one that attacked me. I did not go there to start anything.

I was arrested and taken to the sheriff's department and booked and charged for felony assault. I was put in an isolation cell until I went to court the next day in the afternoon. I was not able to make a call to my wife until the next day when she requested that I get my call. They would not give it to me the night before or even let me talk to her when she came to bring my medicines. When I went to court the judge told me I could get up to 10 years in jail and \$25,000.00 fine or both and they set bail at \$25,000.00 dollars. I had to post bond which cost me \$2,500.00 non returnable and lawyer fees cost me \$1,000.00 but I had to have a retainer of \$2,500.00 up front. It took

almost 2 months for them to dismiss all charges against me. When you get a permit to carry the police department does a criminal check on you I have a clean record . What is wrong with this picture they give a concealed weapons permit to a law abiding citizen and yet you can't use that weapon to protect yourself. Something needs to be done with the current laws as they stand now.

The person that attacked me has a history of being violent and abusive towards his spouse and others. The sheriff's department knew this when it happened and I could not press charges against him because he was the first to call 911. I should have just let him beat the hell out of me and then he would have been arrested and I would have saved a lot of money and grief. If I would have lied to the police and said there was no gun then it would have been his word against mine. I was always taught to be honest to the police and look where it got me. He has harassed and threatened people repeatedly here and the police get called and we are told they can't do anything about it and it is his word against yours.

Robert Miskowitz
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