

King George man who shot Spotsylvania K-9 Dux found guilty of 11 felonies

Keith Epps

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Spotsylvania County Sheriff's Deputy K. Kelley's testified about the night his K-9 partner Dux was shot twice by a fleeing suspect.
FILE/PETER CIHEKA / THE FREE LANCE-STAR

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A man who punched a Spotsylvania County deputy, shot a police dog and fired at two deputies last year was convicted of 11 felony charges following a daylong trial Friday in Spotsylvania Circuit Court.

Joseph Elliott Conway, 35, of King George County was found guilty by Judge Ricardo Rigual of charges that include two counts of attempted capital murder, malicious wounding of a police dog, assault on a law-enforcement officer and multiple firearms and drug charges.

He will face a mandatory minimum prison term of more than 40 years in prison when he is sentenced Oct. 2.

According to the evidence presented by Commonwealth's Attorney Travis Bird and prosecutor Jeff Adams, the wild incident began the night of Oct. 2 of last year when Spotsylvania Deputy Matt Jones made a traffic stop in the area of the Sheetz store off Lafayette Boulevard for what he believed was a defective tail light.

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After stopping the car, Jones learned that the driver, Derek Williams, was wanted on multiple felony charges in Fredericksburg. Deputies Chris Lee and Kory Kelley showed up a short time later to assist Jones.

Conway, a passenger in the car, was later asked to get out of the vehicle and was patted down by Lee. After Lee felt what he believed was a handgun, Conway punched the deputy and took off running.

Kelley testified that he was preparing his police dog, Dux, for a narcotics search when he heard one of his cohorts yelling, "Kory, Kory, Kory!" Kelley said he looked up and saw Lee stumbling backward and Conway running away.

Kelley said he twice warned the suspect that he would release the dog, but Conway kept on running down a hill toward a townhouse complex. Dux, who reportedly can run up to 35 mph, was within five to 10 feet of Conway when he fired two shots at the dog, according to testimony.

Dux suffered a "large gaping wound" on his back, Kelley testified, and a wound to his neck. The dog was rushed for emergency surgery and has since recovered.

After shooting Dux, Kelley said, Conway looked directly at him and fired two more shots toward him and Lee, who was behind Kelley. Kelley said he fired four shots in return; Jones was back at the original scene with Williams.

Conway eluded police that night, but police found a number of items along the path Conway ran, including shell casings, flip flops and drugs that included cocaine, heroin and a so-called "designer" drug known as ethylone.

A U.S. Marshal's Service task force arrested Conway two days later at a Motel 6 in Henrico County. The gun used in the Spotsylvania shooting was on the bed beside him and Conway had a leg injury from being shot.

In an interview with Spotsylvania detectives Kelly Mills and Kevin Rickens following his arrest, Conway said he was shooting at Williams, not Dux nor the deputies. He said he'd been using heroin and cocaine with Williams prior to the traffic stop and thought Williams had set him up.

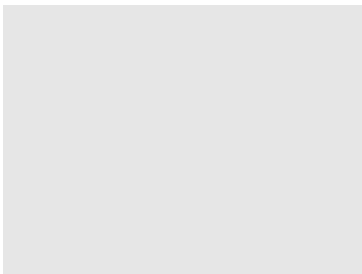
That videotaped interview came to an abrupt halt when Conway said he wanted a lawyer.

Bird, who said Conway was clearly a drug dealer, called his claim about shooting at Williams "ridiculous." Bird said he pointed the gun directly at the dog and the deputies and the shots were nowhere near the area where Williams was being held. "Dealers don't set up buyers," Bird said.

Defense attorneys Jenna Nacht and Wendy Harris conceded some of the charges against Conway, but argued strongly against the attempted capital murder and drug charges.

Harris said Conway wasn't trying to kill anyone but was simply trying to escape. She argued that the drugs police found could have come from someone else and that no one saw Conway with the drugs.

Rigual called the deputies' testimony "chilling" and said Conway was lucky he wasn't facing a capital murder charge.



Conway

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