

## Man gets 30 months for moped incident

BY KEITH EPPS / THE FREE LANCE-STAR

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**A** man who left the scene after crashing a moped into a pedestrian last year was ordered Wednesday to serve 2½ years in prison.

Thomas William Johnson, 43, had previously pleaded guilty in Fredericksburg Circuit Court to felony hit-and-run and misdemeanor habitual offender. He now has 37 criminal convictions since 1992, prosecutor Travis Bird said.

Judge Donald Haddock sentenced Johnson to a total of six years with all but 2½ years suspended. The recommended state sentencing guidelines called for a maximum active sentence of three years.

According to the evidence, a 21-year-old woman was walking along the Rappahannock Heritage Trail with her boyfriend the evening of July 29. When they came to a crosswalk in the 1800 block of Princess Anne Street, traffic stopped to let the pedestrians cross.

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The woman was almost to the other side when Johnson swerved around the stopped traffic and slammed into her. The impact left the woman with a fractured jaw and other injuries.

Johnson stayed briefly and got the boyfriend to help him pick up the moped, which was transporting a bag of beer bottles that were broken in the crash. But by the time police arrived, Johnson was gone.

Johnson's girlfriend, Melissa Gerke, showed up a short time later claiming that someone had stolen the now-damaged moped. She later admitted she had allowed Johnson to use it. She was charged with obstruction of justice but was found not guilty.

Johnson was found hiding in a shed at Gerke's city residence. He was intoxicated, but Bird said he couldn't prove Johnson didn't drink after the accident.

Defense attorney Christopher Reyes argued that Johnson has mental health and medical issues and shouldn't receive a sentence at the high end of the guidelines.

Bird disagreed, pointing out Johnson's long criminal record and saying it was clear that Johnson is beyond rehabilitation.

"At some point, you just toss up your hands," Bird said. "All we can do now is protect the commonwealth for as long as we can."

Bird added that it was "ludicrous" for Johnson to seek consideration for his injuries since he caused them by breaking the law.

In a separate case Wednesday, Johnson received an additional 90 days for a probation violation. That violation stemmed from a domestic assault against Gerke, who testified on his behalf.

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