

16CP164511

INDICTMENT

Clerk No. 17SC151319

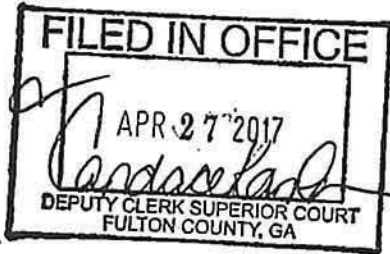
FULTON SUPERIOR COURT

THE STATE OF GEORGIA

V.

CLAUD LEE MCIVER, III  
A.K.A "TEX"

- 1 MURDER O.C.G.A. §16-5-1
- 2 FELONY MURDER O.C.G.A. §16-5-1
- 3 AGGRAVATED ASSAULT WITH A DEADLY WEAPON O.C.G.A. §16-5-21
- 4 POSSESSION OF A FIREARM DURING THE COMMISSION OF A FELONY O.C.G.A. §16-11-106
- 5 INFLUENCING WITNESSES O.C.G.A. §16-10-93
- 6 INFLUENCING WITNESSES O.C.G.A. §16-10-93
- 7 INFLUENCING WITNESSES O.C.G.A. §16-10-93



*True* BILL  
April 26th, 2017

*[Signature]*  
Grand Jury Foreperson

PERSONID: 4485028

PAUL L. HOWARD, JR., District Attorney

The Defendant waives copy of indictment, list of witnesses, formal arraignment and pleads \_\_\_\_\_ Guilty.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Attorney for Defendant

\_\_\_\_\_  
Assistant District Attorney

This \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

The Defendant waives copy of indictment, list of witnesses, formal arraignment and pleads \_\_\_\_\_ Guilty.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Attorney for Defendant

\_\_\_\_\_  
Assistant District Attorney

This \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

The Defendant waives copy of indictment, list of witnesses, formal arraignment and pleads \_\_\_\_\_ Guilty.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Attorney for Defendant

\_\_\_\_\_  
Assistant District Attorney

This \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

**STATE OF GEORGIA, COUNTY OF FULTON  
IN THE SUPERIOR COURT OF SAID COUNTY**

**THE GRAND JURORS**, selected, chosen and sworn for the County of Fulton, to wit:



in the name and behalf of the citizens of Georgia, do charge and accuse **CLAUD LEE MCIVER, III A.K.A "TEX"** with the offense of **MURDER O.C.G.A. §16-5-1**, for the said accused, in the County of Fulton and State of Georgia, on the **25th day of September, 2016, did unlawfully and with malice aforethought, cause the death of Landa Diane McIver, a human being, by shooting her with a handgun; -contrary to the laws of said State, the good order, peace and dignity thereof;**

**COUNT 2 of 7**

and the Grand Jurors aforesaid, in the name and behalf of the citizens of Georgia, do charge and accuse **CLAUD LEE MCIVER, III A.K.A "TEX"** with the offense of **FELONY MURDER O.C.G.A. §16-5-1**, for the said accused, in the County of Fulton and State of Georgia, on the **25th day of September, 2016, did unlawfully during the commission of a felony, to wit: AGGRAVATED ASSAULT WITH A DEADLY WEAPON, cause the death of Landa Diane McIver, a human being, by shooting her with a handgun; -contrary to the laws of said State, the good order, peace and dignity thereof;**

**COUNT 3 of 7**

and the Grand Jurors aforesaid, in the name and behalf of the citizens of Georgia, do charge and accuse **CLAUD LEE MCIVER, III A.K.A "TEX"** with the offense of **AGGRAVATED ASSAULT WITH A DEADLY WEAPON O.C.G.A. §16-5-21**, for the said accused, in the County of Fulton and State of Georgia, on the **25th day of September, 2016, did unlawfully commit an assault upon the person of Landa Diane McIver, by shooting her with a handgun, the same being a deadly weapon; -contrary to the laws of said State, the good order, peace and dignity thereof;**

**COUNT 4 of 7**

and the Grand Jurors aforesaid, in the name and behalf of the citizens of Georgia, do charge and accuse **CLAUD LEE MCIVER, III A.K.A "TEX"** with the offense of **POSSESSION OF A FIREARM DURING THE COMMISSION OF A FELONY O.C.G.A. §16-11-106**, for the said accused, in the County of Fulton and State of Georgia, on the **25th day of September, 2016, did unlawfully have on and within arm's reach of accused's person a handgun during the commission of at least one of the following felonies: Murder, Felony Murder, and Aggravated Assault with a Deadly Weapon; -contrary to the laws of said State, the good order, peace and dignity thereof;**

**COUNT 5 of 7**

and the Grand Jurors aforesaid, in the name and behalf of the citizens of Georgia, do charge and accuse **CLAUD LEE MCIVER, III A.K.A "TEX"** with the offense of **INFLUENCING WITNESSES O.C.G.A. §16-10-93**, for the said accused, in the County of Fulton and State of Georgia, on or about the **25th day of September, 2016, did unlawfully and knowingly engage in misleading conduct toward Patrica Diane Carter, to wit: by instructing said Patricia Diane Carter to tell law enforcement officers that she was not present when he shot Landa Diane McIver with a handgun; with the intent to prevent the communication to a law enforcement officer, prosecuting attorney, or judge of this State information relating to the commission of a criminal offense; -contrary to the laws of said State, the good order, peace and dignity thereof;**

**COUNT 6 of 7**

and the Grand Jurors aforesaid, in the name and behalf of the citizens of Georgia, do charge and accuse **CLAUD LEE MCIVER, III A.K.A "TEX"** with the offense of **INFLUENCING WITNESSES O.C.G.A. §16-10-93**, for the said accused, in the County of Fulton and State of Georgia, on the **30th day of September, 2016, did unlawfully and knowingly engage in misleading conduct toward Charles William Crane, to wit: by instructing Charles William Crane to retract a statement made to him by Claud Lee McIver, III, which was previously published to the news media on the defendant's behalf by Charles William Crane; with the intent to prevent the communication to a law enforcement officer, prosecuting attorney, or judge of this State information relating to the commission of a criminal offense; -contrary to the laws of said State, the good order, peace and dignity thereof;**

**COUNT 7 of 7**

and the Grand Jurors aforesaid, in the name and behalf of the citizens of Georgia, do charge and accuse **CLAUD LEE MCIVER, III A.K.A "TEX"** with the offense of **INFLUENCING WITNESSES O.C.G.A. §16-10-93**, for the said accused, in the County of Fulton and State of Georgia, on the 6th day of October, 2016, **did unlawfully and knowingly engage in misleading conduct toward Patricia Diane Carter, to wit: by leaving a voicemail statement with Patricia Diane Carter's husband, Thomas Lee Carter, Jr., wherein the defendant implied in said voicemail statement that Patricia Diane Carter cease communicating her recollections of the facts and circumstances of the death of Landa Diane McIver to law enforcement officers, because said statements placed the defendant at imminent risk of immediate incarceration, and requesting that Thomas Lee Carter, Jr. delete the aforesaid voicemail; with the intent to prevent the communication to a law enforcement officer, prosecuting attorney, or judge of this State information relating to the commission of a criminal offense; -contrary to the laws of said State, the good order, peace and dignity thereof.**

**PAUL L. HOWARD, JR., District Attorney**