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Washington County grand jury determines fatal August shooting was self defense

Becky Campbell

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Crossroads Store

A Washington County grand jury determined a deadly August shooting in the parking lot of a convenience store was self-defense after the victim of a beating shot the man who assaulted him, District Attorney General Ken Baldwin confirmed Friday.

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Randall M. “Randy” Gardner, 56, 1915 Marbleton Road, Unicoi, was killed in the shooting. It happened Aug. 25 in the parking lot of Crossroads Country Store near where the road intersects with Tenn. Highways 67 and 107.

Baldwin had previously said there was an altercation between the two men that day, but he was able to release more details Friday after the grand jury concluded it was a case of self-defense.

“I was there (at the grand jury proceeding), but I did not present any information to the grand jury,” Baldwin said. The grand jury heard evidence from Washington County Sheriff’s Investigator Jeremy Kite, he said.



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“He spent right at two hours presenting the investigation to the grand jury. I was present. He played videos and statements and even did a PowerPoint for the grand jury and he told them about all the various pieces of evidence that he had gathered.”

The complicated case boiled down to Gardner believing that Ray Shelton, the man who killed Gardner, was involved with Gardner’s ex-girlfriend. They had apparently broken up months prior to the shooting, but Gardner was apparently angry because he thought his friend and his ex-girlfriend were involved.

“(Gardner) thought Mr. Shelton and the ex-girlfriend had gotten together and he was very angry about it,” Baldwin said. “It was not true. There were texts that would indicate that nothing like that occurred. It was all accusations.”

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Gardner and Shelton had known each other for years, Baldwin said, and often sold and bought weapons from or for each other. The day of the shooting, the men were meeting for Shelton to give Gardener \$800 for two guns Shelton had sold for him.

Baldwin, on Friday, relayed what Kite told the grand jury about the investigation.

Shelton was in his truck with his seatbelt on when Gardner pulled up “almost window-to-window facing the opposite direction,” Baldwin said. Gardner got out of his truck and walked over to Shelton and got the money. Shelton also returned a rifle to Gardner he had tried to sell for him, but was unable to get the price Gardner wanted for it.

“Mr. Gardner sees that Mr. Shelton has a handgun that he wanted to sell and Mr. Gardner asked to see the weapon.”

Shelton checked the weapon to make sure it was not loaded, and handed it to Gardner.

“Mr. Gardner takes the handgun, looked at it and begins to pistol whip Mr. Shelton with it. (Gardner) smashed Mr. Shelton in the face with it,” Baldwin said.

Shelton, who has a legal handgun carry permit, pulled out a weapon and raised it up and shot twice. One hit Gardner in the arm, and the fatal shot hit him in the right side.

“He fired two shots while he’s being assaulted,” Baldwin said. Gardner collapsed. He said Shelton got out of the vehicle, told a customer at the store and called 911. He put the gun and his cell phone on the hood of his truck (and) x

that's where the investigators found the weapon and cellphone when they arrived."

Baldwin said the investigation revealed that Gardner was angry at Shelton and he indicated to more than one person that he was going to do bodily harm to Shelton at some point in time.

"Of course, Mr. Shelton didn't know that," Baldwin said.

With the decision made by the grand jury on Friday, the case was closed, Baldwin said.



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Becky Campbell

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