



Office of the Sheriff • Bibb County, Georgia
Sheriff David J. Davis

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July 26, 2021

To: Mr. Timothy D. Obelgoner, as agent for Philex, Inc. d/b/a "The Thirsty Turtle"

From: Sheriff David Davis

Re: Your Alcohol License

Dear Mr. Obelgoner,

I am writing to advise you that, as provided in Section 4-402(c) of the Macon-Bibb County Code of Ordinances, on or about the morning of July 24, 2021, I became aware of certain acts or events that occurred in the evening of July 23, 2021, and early morning of July 24, 2021, at or near The Thirsty Turtle. Section 4-402(c) charges the Sheriff's Office with supervising the activities of all alcohol licensees and provides for a review of an alcohol license if this Office becomes aware of certain stated categories of acts or events. Among those, Section 4-402(c)(6) encompasses

The occurrence of any event or events during the preceding calendar year, at or within 100 yards of the licensed business, whether related to each other or unrelated, or the commission of any act or acts in any place by the licensee or the business's owners or managers, which, in the aggregate, would cause the Sheriff to materially alter his or her recommendation as to the suitability of such business for the licenses it possesses or the need for conditions to be imposed on such licensee, upon consideration of the following:

a. Whether any such events constitute a crime under the laws of the United States, the State of Georgia, or the Macon-Bibb County Code of Ordinances;

b. The fact or severity of any personal injuries or loss of life suffered in any such event, as well as the number of people injured or killed therein;

c. Whether any such events included:

1. The use or brandishing of any firearm or other weapon;
 2. The use, purchase, sale, or distribution of Controlled Substances, in violation of O.C.G.A. tit. 16, ch. 13;
 3. Gang activity;
 4. The commission of any Sexual Offenses, in violation of O.C.G.A. tit. 16, ch. 6;
- or
5. Unlawful Gambling, in violation of O.C.G.A. § 16-12-2;
 6. The violation of any laws of the United States, the State of Georgia, or the Macon-Bibb County Code of Ordinances relating to the manufacture, distribution, sale, service, or consumption of alcohol.

d. The degree of knowledge, complicity, or involvement, and the actions of the licensee; or of the business's owners, agents, employees, or customers, with respect to such events; and

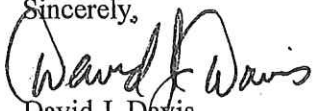
e. Any other factors which the Sheriff is charged with reviewing or which the County is authorized to consider as part of an initial license application under this Chapter.

Specifically, as provided for in Section 4-402(c)(6), I became aware of a shooting incident that occurred at or within 100 yards of The Thirsty Turtle during or about the early morning hours of July 24, 2021, in which two people were killed and two others were injured. These acts of homicide and shooting appear to constitute crimes under Title 16 of the Official Code of Georgia Annotated. The severity of the injury and loss of life occurring in this incident ranks it among the worst acts of violence Downtown Macon-Bibb County has seen in recent years. The shooting, necessarily, included the brandishing and use of a firearm. Finally, there appears to be some tangible nexus between the operations of the Thirsty Turtle and this incident. As stated by General Manager Matt Obelgoner, "We had a fight inside. We pushed them outside, and apparently somebody was waiting on the corner of Cherry Street with a gun already, and as the fight from the club came outside it kind of intertwined with what going on outside." *2 Dead, 2 Hurt After Shooting on Cherry Street in Downtown Macon*, 13WMAZ.com video interview, July 24, 2021.

In the aggregate, the incident and factors described herein have caused me to materially alter my recommendation as to the suitability of The Thirsty Turtle for the conduct of business as an alcohol retailer. Please note that the above recitation of facts is not necessarily intended to be complete, and that this review of your alcohol license is collateral to and separate from any ongoing criminal investigations relating to this incident. Other facts relating to this incident may serve as a further basis for reviewing or taking adverse action against this or other alcohol licenses.

Based on the information available to date about this incident, and in consultation with the Mayor's Office, I have made a determination at this time that the occurrence of this incident "create[s] a particular and severe risk of injury or death to any person or to any member of the public at large," pursuant to Section 4-402(e) of the Macon-Bibb County Code of Ordinances. For this reason, all alcohol licenses of this business are hereby revoked immediately and temporarily, for a period not to exceed 90 days. This matter is also being referred to the Macon-Bibb County Commission for possible further action. During this period of revocation, and effective immediately, any sale of alcoholic beverages, including where alcoholic beverages are provided at no extra charge with the payment of a cover or admission fee, will constitute a separate offense under the Macon-Bibb County Alcohol Code and could impact your ability to be licensed again in the future. The County Attorney's Office will be in touch with any further information as this matter develops.

Sincerely,


David J. Davis
Sheriff, Bibb County, Ga

cc: Mayor Lester Miller
Macon-Bibb Board of Commissioners
Michael McNeill, County Attorney
Janice Ross, Clerk of Commission
Chief Deputy Michael Scarbary
Colonel Henderson Carswell