

Teen to ask federal judge for bond

Seventh-grader held on murder charge since May 12

By Lora Hines

[lohines@jackson.gannett.com](mailto:lohines@jackson.gannett.com)

WEST POINT — Anita Higginbotham can't understand why a judge won't set bail for her neighbor, 14-year-old accused killer Tyler Edmonds.

"I would let him back in our house," she said. "He's trustful. He will show up to court."

Edmonds has been held at the Oktibbeha County jail since May 12. He and his half sister, Kristi Fulgham, 27, were charged with capital murder that day in the shooting death and robbery of Fulgham's former husband, Joseph "Joey" Fulgham.

Jim Waide, Edmonds' attorney, has said Fulgham used her influence over Edmonds and coerced him to falsely confess to killing Joseph Fulgham. Edmonds later recanted his confession, according to court documents.

Waide believes Edmonds should be allowed to post bond because the boy doesn't have a police record and he won't run away before trial because his mother still lives in West Point, according to court papers. Edmonds' case has been the subject of numerous local media reports.

But Circuit Judge James Kitchens repeatedly has denied bail for Edmonds, a seventh-grade student at Fifth Street Junior High School who is charged as an adult. The state Supreme Court has upheld Kitchens' rulings.

Waide wants a federal judge to decide whether bond should be set for Edmonds. A hearing is scheduled for Feb. 27 in Oxford.

Kristi Fulgham also has been in jail since her arrest. She and Joseph Fulgham were living in the same home in the Longview community outside Starkville when Joseph Fulgham was shot in the head with a .22-gauge rifle.

Neither Waide nor Kristi Fulgam's attorney, Stephanie Mallette, would comment. Oktibbeha Assistant District Attorney Patricia Favor also would not comment.

Kitchens has issued a gag order, preventing prosecutors, attorneys and possible witnesses from discussing the case.

Capital murder carries a maximum penalty of death. However, the U.S. Supreme Court prevents children younger than 16 charged with murder from being executed.

If convicted, Edmonds could be sentenced to life imprisonment without parole.

Kitchen's decision to postpone Edmonds' trial at least twice unfairly prolongs Edmonds' incarceration, Waide says in court papers.

Edmonds' mother, Sharon Clay, would not comment. Danny Edmonds, father of Kristi Fulgham and Tyler Edmonds, couldn't be reached.

Fulgham's mother, identified in court documents as Carol Morgan, couldn't be reached.

Joseph Fulgham's parents couldn't be reached. In letters to the court, they express how their son's death has affected them.

"My hope is God will keep Kristi Fulgham and Tyler Edmonds in jail until they die of natural causes," Joseph Fulgham's mother, Ann Cash, wrote.

Those closest to Edmonds say they can't believe he would kill anyone. They say he is a well-mannered teenager who enjoys helping people and going to Wal-Mart.

"He has never given us any trouble," said the Rev. Alan Garbutt of Bible Baptist Church in West Point.

Garbutt baptized Edmonds and often visits him at the jail.

"He's just holding out hope he'll get out," Garbutt said. "There's nobody (in jail) as young as he is."

Edmonds is the only teenager at the jail charged with capital murder. He is held in an area set aside as an inmate infirmary, Oktibbeha County Sheriff Dolph Bryan said.

Higginbotham said the boy spent so much time at her home "we treated him like family. He would help around the house. He is a lovable person."

Higginbotham's husband, Larry, said he promised Edmonds they would do whatever the boy wanted if he gets out of jail.

"We'll go to Pizza Hut and do whatever else you want," Larry Higginbotham said he told Edmonds.

"He said he wants to go to Wal-Mart. He liked to go there and look."