

OFFICE OF THE DISTRICT ATTORNEY
BLUE RIDGE JUDICIAL CIRCUIT



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FOR IMMEDIATE RELEASE

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Marietta Man Sentenced to 12 Years, 4 to Serve for Road Rage Incident Involving Gunfire
State vs. Jayvon Rowha Waller

October 8, 2019 – District Attorney Shannon Wallace announced that Marietta resident Jayvon Rowha Waller, 28, was sentenced September 26 for charges related to a 2018 road rage incident involving gunfire in Woodstock.

The incident occurred on May 22, 2018, on Highway 92 near Hames Road. After a Chevy Silverado truck cut in front of Waller's Volkswagen Jetta, Waller tailgated, then pulled up next to the truck where he yelled at the driver and delivered an obscene gesture. Waller then used his Glock 23 pistol to fire through his passenger window into the driver's side of the truck.

Six bullets hit the intended target. One of the bullets grazed the driver's back; another broke the rear passenger window; four others were lodged in the side of the vehicle.

Inside the truck were three passengers: the driver, a woman, and their one-year-old child. After firing his weapon, Waller left the scene and proceeded to drive to the parking lot of First Baptist Church Woodstock. He concealed several shell casings in the trunk of his vehicle and did not call 911.

After hearing testimony, the Cherokee County jury deliberated for about three hours on August 29 prior to finding Waller guilty on all five counts, including three counts of aggravated assault, possession of a firearm during the commission of a felony, and possession of marijuana.

"Jayvon Waller took out his anger on another motorist, created dangerous conditions for other drivers on a busy highway, and shot a weapon into a vehicle with three passengers. After the incident, he did not accept responsibility for his actions and tried to hide evidence," said Deputy Chief ADA Zachary Smith, who prosecuted the case on behalf of the State. "These are serious offenses and we are pleased the jury found him guilty on all counts."

During the sentencing hearing, Waller's attorney, James Luttrell, argued for a lesser sentence but Senior Judge Frank C. Mills, III commented that the sentence must reflect a road rage incident that involved shots being fired. Judge Mills then sentenced Waller to 12 years with the first 4 years to be served in the state penitentiary.

"Road rage is something that happens all over the country. Fortunately, most incidents do not involve firearms. When Mr. Waller pulled alongside the victim's truck, took out his firearm, and started shooting, he placed many lives in danger. Had those bullets traveled a slightly different path, this case could have easily been a homicide,"

said District Attorney Shannon Wallace. “This sentencing protects Cherokee County motorists by taking a dangerous man off our roads.”

The Office of the District Attorney for the Blue Ridge Judicial Circuit is committed to seeking justice, acting with integrity, and collaborating with partner agencies in the criminal justice system in order to protect the citizens of Cherokee County and the State of Georgia.

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