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**\*\*\*MEDIA ALERT\*\*\***

**For Immediate Release**  
*September 6, 2023*

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**MAN WHO BEAT GAS STATION CLERK WITH WRENCH**  
**RECEIVES 10 YEARS IN PRISON AFTER SUCCESSFUL TRIAL**

Evansville, IN – Prosecutor Diana Moers announces that on September 1, 2023, James Francisco Payne was sentenced to 10 years to be served in the IDOC. The sentence was handed down by Judge Robert J. Pigman of the Vanderburgh County Superior Court. This sentencing follows a guilty jury verdict on January 9, 2023, of Battery by Means of a Deadly Weapon and Battery Resulting in Serious Bodily Injury, both Level 5 Felonies. The two convictions merged as one count for sentencing purposes.

In May of 2022, James Payne stormed into a Circle K and came behind the counter to ask the clerk where the knives were at. When the Circle K clerk wasn't sure how to respond, Payne then struck him in the head with a wrench multiple times causing a laceration. Deputy Prosecutors John Bober and David Whitehead presented video evidence at trial, which confirmed the victim's testimony of the incident.

Prosecutor Diana Moers commended the victim for his testimony: “The brave survivor in this case testified that he has lasting fear and anxiety from this brutal attack. He will no longer work alone and is afraid to leave his home at night. His testimony serves as a reminder of the very real and lasting impact a brutal attack of this kind has on the life of a person which, in turn, will affect their lives in many ways even after the physical threat is neutralized. I am pleased that this violent Defendant is now removed from Vanderburgh County and will no longer pose a threat to the people of this community.”

Prosecutor Moers thanks her Deputies for the successful prosecution, Victim Advocate Lisa Deutsch for her efforts in this case, and thanks EPD Detectives Peter DeYoung and Todd Lincoln for their outstanding investigative work.

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