

## Jury finds Billy Joe Shaver not guilty

*Acclaimed country singer-and-songwriter acquitted of aggravated assault charges in connection with 2007 shooting in bar south of Waco.*

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Country music singer and songwriter Billy Joe Shaver was on his way to Houston to play a scheduled gig Friday after a McLennan County jury acquitted him of aggravated assault in the shooting of a man outside a bar in 2007.

Billy Coker, the man Shaver shot, looked stunned after state District Judge Matt Johnson read the verdict, which a jury reached after deliberating for less than two hours.

Coker, 53, said he was disappointed but would respect the justice system's outcome. Prosecutor Mark Parker told Coker, an electric company worker who lost a tooth and still has the bullet lodged in his neck, that he was sorry.

Shaver, meanwhile, hugged supporters, including members of his band.

Willie Nelson, a friend of Shaver's, had watched the final two days of testimony from the courtroom gallery but had left by the time the verdict was read.

"I knew in my heart we would win," Shaver said outside the historic courthouse, wearing a big grin.

When asked about Coker, the 70-year-old Texas Country Music Hall of Fame member said: "I am very sorry about the incident. Hopefully things will work out where we become friends."

Shaver's lawyer, Dick DeGuerin of Houston, said it was a fair trial.

DeGuerin, considered one of the state's best criminal defense lawyers, tried the case for free with three associates.

Shaver still faces a charge of unlawful carrying of a handgun by a license holder for bringing his gun to Papa Joe's Texas Saloon the night of the shooting.

Earlier in the day, Shaver testified that he feared for his life when he shot Coker in the upper lip on the back patio of the bar in Lorena, just south of Waco, with a .22-caliber pistol that was smaller than the palm of his hand.

Shaver said he was nervous after Coker brandished a knife in the bar and then asked him to step outside.

"I wanted to scare him ... wanted to beat him to the punch. \u2026 I feared he was going to kill me," Shaver said.

During cross-examination, prosecutor Beth Toben tried to use Shaver's outlaw image against him.

She suggested that he could have just left the bar if he had felt so intimidated.

That would have been "chicken shit," Shaver replied.

Toben asked whether Shaver was jealous that Coker at the time was talking to Shaver's wife, Wanda.

"I get more women than a passenger train can haul. I'm not jealous," Shaver said.

During her final argument, Toben noted that several witnesses, including Coker, said Shaver fired without provocation. She also suggested he shot because he was angry that Coker told him to shut up earlier in the night.

"He may be a honky-tonk hero," referring to the title of Shaver's autobiography, "and he may have written a lot of wonderful songs, ... but on that day, he was a honky-tonk bully."

Perhaps the most critical testimony came from Daniel Silvas, who said he saw the shooting from his truck after he pulled into the bar.

Silvas said he saw a quarrel between two men, one of whom he later learned was Shaver. The other man then went at Shaver with a knife as Shaver backed away, Silvas said.

"To me it looked like (Shaver) was just trying to ... to get away" before firing, Silvas said.

Shaver said he had spent that day with his wife, taking pictures around the Waco area as potential album art for an upcoming release.

After going to a suspension bridge, a cemetery and other places meant to reflect the spiritual nature of some of the songs, they stopped at Papa Joe's on the Interstate 35 frontage road.

He said he didn't even finish one beer that day.

After the bar's owner introduced him to Coker, Shaver said he quickly became annoyed at him and later intimidated.

Coker at one point poured Shaver's drink into a cup, Shaver said. He said it bothered him, but he decided to let it go.

Later, Shaver said, Coker forcibly moved him to a different table. "I should have stopped it then," Shaver said. "But I was so happy that day. I said, 'Well, let it go.'"

Shaver also said Coker used his folding, single-blade knife to stir his beer and then wiped the blade on his shirt.

"It scared me because I was in the condition I was in," Shaver said, alluding to shoulder and neck injuries he suffered about five months earlier.

"I couldn't fight him, no way, he was built like a doggone fireplug. He's younger than I was," Shaver said.

Shaver said that when Coker realized Wanda Shaver had previously been married to Coker's cousin, "He went bad real quick." Wanda Shaver's former husband had committed suicide, and there was bad blood between Wanda and Coker's side of the family, according to earlier testimony.

When the conversation between Wanda Shaver and Coker grew uncomfortable, Shaver said he suggested they leave.

At that point, Shaver said, Coker "swiveled around in his chair with the knife in his hand and he said 'Shut the (expletive) up' as loud as he could. It didn't hurt my feelings, but he did scare me."

Soon after, Coker asked him to step outside, Shaver said.

"Next he headed for the door," Shaver said. "And being a John Wayne type of person I went ahead and got to the door, too."

Shaver said he went out first and waited for Coker. Shaver said he watched a member of the band that was playing that night hand Coker something he believed to be a gun.

Shaver searched his pocket, he said, and breathed a sigh of relief when he felt his .22.

"I said, 'Where do you want to do this? Why do you want to do this?'" Shaver said, and then Coker came "stomping" at him. "I was supposed to run I guess."

He said he grabbed his gun "and raised it up as (Coker's) arm was coming up. And pow."

Shaver is tentatively scheduled to play at the Giddy Ups bar on Manchaca Road tonight, club management said.

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Additional reporting by staff writer Michael Corcoran

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