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Sun Herald (Biloxi, MS)

2006-08-24

Section: LOCAL-FRONT

Edition: TSH

Page: A3

DUI UP TO FELONY DUE TO BOY'S INJURIES

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GULFPORT --- Investigators have upgraded a DUI charge to a felony in a case involving a 12-year-old boy's serious injuries while riding his bicycle.

Harrison County sheriff's investigators arrested Dustin Joseph Ladner, 22, of Moran Road on the felony charge on Tuesday. Ladner initially was charged with misdemeanor DUI after the accident Aug. 13 on Moran Road near Linda Lane.

The child, Jamie Perez, is hospitalized at the University of South Alabama Medical Center in Mobile. Relatives said Jamie probably will remain hospitalized for a couple of months. He has undergone several surgeries. Family members said he had internal injuries, a broken hip bone and lost skin from being dragged along the road.

Sheriff's officials said the misdemeanor was upgraded because of the severity of the boy's injuries.

Ladner did everything possible to avoid the accident, according to **Wayne Woodall**, his attorney.

The crash report states that Jamie told deputies his bike didn't have brakes so he couldn't stop when he drove off Linda Lane onto Moran Road as Ladner's eastbound Toyota Tacoma approached.

The bike struck the pickup's right-rear fender wall and the child became caught on the edge of a trailer Ladner was using to haul a four-wheeler, **Woodall** said.

"Ladner took evasive action as much as possible considering the presence of oncoming traffic in the opposite lane, which prevented him from completely moving out of his lane of travel to try to avoid the accident," according to **Woodall**.

Ladner will plead not guilty when arraignment is set, **Woodall** said. Ladner was booked in at the Harrison County jail and released on a \$10,000 bond set by Justice Court Judge Melvin Ray.

Jamie's mother, Edna Joyner, has missed work while staying at his bedside at the hospital, said Dorothy Anderson, Joyner's sister. Joyner, who works at a fast-food restaurant, has two other children, ages 16 and 8.

Friends of the family have set up a benefit bank account to help meet financial needs. Donations can be made at any branch of Hancock Bank.

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