

Pedestrians hit at 321 intersection

Written by

Thursday, 13 September 2007 06:01

An incident near Wendy's in Boone sent a pedestrian to the hospital just after 4 p.m. yesterday.

30-year-old James Paul Meeks and 49-year-old Dan Wardell Herring, both of Lenoir, had run out of gas and were attempting to cross 321 from Wendy's to Appalachian Exxon. According to Boone Police officer Scott Macklin, the men thought that when the left lanes stopped for the light, they had the clear. Meeks started to run across the road and ended up in the direct path of a 2001 Chevrolet Cavalier. Meeks was transported to Watauga Medical Center and then flown to Johnson City Medical Center for his injuries, and is reported to be in stable condition. Herring, who hit the door of the vehicle, declined medical treatment on scene.

According to Macklin, the driver, 19-year-old Kimberly Lynn Smith was not at fault. She was 85 feet from the intersection, Macklin said, and had no expectations of meeting pedestrians.

Macklin says pedestrians only have the right-of-way at a crosswalk or an intersection. While both Meeks and Herring could have been charged with failing to yield to traffic, District Attorney Gerry Wilson decided not to prosecute.