

PRESS RELEASE FROM
THE OFFICE OF SHANE A. TIEMAN
SCIOTO COUNTY PROSECUTING ATTORNEY

November 18, 2021

Waverly Man Found Guilty of Manslaughter

Scioto County Prosecutor Shane A. Tieman announced that on November 18, 2021 Defendant Dustin Lynn Underwood, age thirty-nine of Waverly, Ohio was found guilty of Voluntary Manslaughter by a Scioto County Jury for an indictment arising from an incident in Rarden, Ohio on February 3, 2020.

On February 3, 2020, Defendant and the victim Lonnie Elliott had gotten into an altercation after Mr. Elliott had brandished a gun at Mr. Underwood in the vicinity of his two teenage children who resided on Mr. Elliott's property with their mother Sabrina Gilbert. Sabrina Gilbert approached Mr. Elliott about his behavior and during this argument, Defendant Underwood grabbed and tackled Mr. Elliott to the ground. At some point in the struggle the gun discharged, striking Ms. Gilbert. The gun ultimately was found on the ground and came into the possession of the Defendant who attempted to shoot Mr. Elliott. Mr. Elliott was incapacitated due to a severe beating he received at the hands of Defendant and his son. Mr. Elliott ultimately succumbed to the injuries he suffered at the hands of the Defendant.

The incident resulted in a three-count indictment for Murder, Voluntary Manslaughter and Felonious Assault. After a four-day jury trial before Judge Mark E. Kuhn the jury found Defendant guilty of Voluntary Manslaughter with a gun specification, finding provocation by the victim. Defendant Underwood was sentenced to thirteen to eighteen years in prison.

The State of Ohio was represented by Assistant Prosecutor Matthew F. Loesch and Prosecutor Tieman. Attorney James T. Boulger of Chillicothe, Ohio represented Defendant Underwood.

Prosecutor Tieman wished to thank the Scioto County Sheriff's Office, the Pike County Sheriff's Office and BCI for their assistance in the prosecution of Mr. Underwood.