



Roy Pettaway walks to the courthouse with Rev. Markel Hutchins.

11 Alive.com --- A Man Shot by Police Seeks Warrant

Reported by: [Jennifer Leslie](#)

Web Editor: [Tracey Christensen](#)

Last Modified: 4/25/2007

A man shot in the back after Fulton County police officers shot and killed his brother made his first legal move Tuesday to have the officers arrested.

Roy Pettaway filed an application for an arrest warrant for the two officers involved in the shooting last Sunday night -- 23-year-old Aissa Ware and 26-year-old Michael Bernard Wilson. His brother, Ron, was shot in the back of the head outside the Frozen Palace Nightclub after police responded to reports of a fight. Roy Pettaway was then struck by a bullet, which remains lodged in his back. Both men were unarmed.

Roy Pettaway and his family went to the Fulton County courthouse late Tuesday morning to see if they could have the officers arrested. While the magistrate clerk questioned whether Pettaway could get the warrants, she agreed to sign off on his application anyway. A judge will have to decide whether to actually issue them.

"This is about sending a strong message to law enforcement officers in this community and around the nation to tell them if you use force you better have reason to use force and you better use force only against those who are in the process of committing a crime because, if you do not, when the system fails, the people will demand justice," said family spokesman Rev. Markel Hutchins.

Ware and Wilson are on administrative leave, and could not be reached for comment on Tuesday. A judge will eventually hold a hearing to decide whether to actually issue warrants, but no court date has been set yet.

The shooting is under investigation by the GBI and the district attorney's office. Roy Pettaway said no one has called him to ask for his side of the story. He has not been charged with a crime.