

# Trial set for Abernathy, accused in near-fatal beating of Giberson

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CHARLESTON — An Oct. 6 trial date has been scheduled for a man accused of beating a woman to the point that she was comatose.

The trial date for Jason A. Abernathy, 34, of Charleston on a charge of aggravated domestic battery was set during a status hearing on Thursday. Circuit Judge Gary Jacobs allotted one week on the court's schedule for the jury trial.

Abernathy is accused of beating Gina Giberson, 41, at her home at 211 Fourth St. in Charleston on Oct. 16 to the point that she was comatose in an area hospital for about two weeks. He is alleged to have beaten her with a baseball bat.

Abernathy has pleaded not guilty to the aggravated domestic battery charge. He was acquitted last month of a separate drug possession charge.

The judge tentatively scheduled a pretrial hearing for Aug. 21 in the aggravated domestic battery case, but said he is not opposed to changing this date. Defense attorneys Monroe McWard and Mark Wykoff told him they are still working with Coles County State's Attorney Steve Ferguson to find a hearing date that fits all their schedules.

Jacobs asked the defense and prosecution to have all their motions in the case filed by Aug. 1 and he gave them 10 days after this date to respond to any motions that are filed.

The aggravated domestic battery charge would normally carry a possible sentence of three to seven years if there is a conviction, but a prison sentence of six to 30 years would be required for Abernathy because of his criminal record. He is being held without bond at the Coles County jail.

Giberson's house was destroyed by two fires shortly after the reported time of the alleged attack, and Charleston police have said the fire was apparently caused by arson. No arson charges have been filed.

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