

NEWS RELEASE

R. Andrew Murray
District Attorney

June 2, 2011

Woman admits guilty role in the deaths of two of her children

CHARLOTTE, NC – On February 28, 2010, at approximately 6:06 a.m. the Charlotte-Mecklenburg Police Department (“CMPD”) and the Charlotte Fire Department (“CFD”) were dispatched to a house located at 920 Rowan Street, Charlotte, North Carolina, in response to a house fire. There were four children located at the scene who had been inside the house at the time of the fire. Two of the children, seven-year-old Miracle Wall and four-year-old Elisha Morgan, were able to get out of the home; their two younger brothers, 14-month-old Gabriel Hawthorne and 26-month-old Josiah Hawthorne, were found deceased inside the house. The Medical Examiner determined the cause of death for both Gabriel and Josiah Hawthorne to be smoke inhalation/carbon monoxide toxicity due to house fire. The fire investigation performed by the CFD determined that the fire started in the bedroom where the children had been sleeping.

Orgal Paulette Opata, age 27, is the biological mother of all four children and lived with them at the house located at 920 Rowan Street. Opata left the four children home alone in the early morning hours of February 28, 2010, while she went out with a friend. While left unattended, one of the children began to play with the heater and it caught fire. Opata was charged in connection with the house fire and resulting deaths of Josiah and Gabriel.

Opata admitted that she left her children alone that night while she went out and, that when she left, the kerosene heater was on. Opata stated that the kerosene heater was the only heat source in the home and that she and her children had spent that entire winter living at 920 Rowan Street without central heat. They also had no hot water at their house except for a couple of weeks in November 2009. The house they had lived in the previous winter had no central heat and they used space heaters at that house in an attempt to stay warm. Opata chose to spend money on things other than the heat during the winter months while her children were subjected to living in the cold.

On February 28, 2010, by leaving the children alone with a kerosene heater, Opata acted in such a reckless and careless manner as to show a thoughtless disregard for consequences and a heedless indifference to the safety of her children and is therefore guilty of Involuntary Manslaughter for the deaths of Josiah and Gabriel Hawthorne.

Opata pled guilty to two counts of Involuntary Manslaughter, three counts of Felony Child Abuse and four counts of Exposing Children to Fire. All of the sentences are in the aggravated range under North Carolina’s sentencing guidelines and will run consecutively for a total prison sentence of 120-164 months. The aggravating factors that apply to this case are N.C.G.S. 15A-1340.16(d)(6): the offense proximately caused serious injury to a firefighter; (d)(11): the victims were very young; (d)(15): the defendant took advantage of a position of

trust or confidence, including a domestic relationship, to commit the offense. Opata was sentenced by The Honorable W. Robert Bell, Superior Court Judge, in courtroom 5350 of the Mecklenburg County Courthouse.

Prior to this case being resolved in court, the assigned prosecutor met with Josiah and Gabriel's biological father, Jerry Hawthorne, as well as their paternal grandmother, Alesia Greene.

Note: Almost all guilty pleas entered in criminal administrative court are the result of an agreed upon plea arrangement between the State and the defendant, which is then approved by the sentencing judge. For more information about why most cases must be resolved by plea negotiation instead of jury trial, please visit the "Understanding Criminal Court" section of the DA's website at www.charmeckda.com.

// End //

