

**N.Y., Utica - 12/22/2011**

**Waterville teacher accused of sexually abusing girl  
(By WKTV News )**

The Waterville **teacher** accused of sexually abusing a girl under the age of 11 during the course of several years is now headed to trial for the accused crimes. David Lemery was in Oneida County Court in Utica on Thursday and his attorney said they do not plan on accepting a guilty plea in this case. At Lemery's previous court appearance, it was stated that Lemery and his attorney would return December 22 to decide whether or not to pursue a psychiatric defense. However, nothing of that was mentioned at the December 22 appearance. Lemery is a **Physical Education teacher** at Waterville Central School and has been on paid administrative leave since first being charged.

Lemery has been charged with two counts of first-degree sexual conduct against a child, and two counts of the same charge in the second degree. The charge states that the offense had to have happened twice over the duration of 3 months. In December, Lemery's attorney waived a hearing to suppress certain statements Lemery made to authorities, but reserve the right to discuss their relevance or whether they might be prejudiced. Over the summer, the Oneida County District Attorney's office extended a plea offer to Lemery, but he rejected it. The details of that offer have not been disclosed at this time. Lemery remains out of custody on \$15,000 cash bail or bond, and the judge set a trial date of March 5.