



OFFICE OF THE DISTRICT ATTORNEY

District Attorney Susan K. Treadaway
Blue Ridge Judicial Circuit, Cherokee County
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FOR IMMEDIATE RELEASE

Notice of Sentencing

**Man Who Murdered Stepchild's Father Sentenced to Life in Prison with the Possibility of Parole,
Plus Five Additional Years to Serve
State vs. Nicholas Michael Mimms**

April 16, 2026 – District Attorney Susan K. Treadaway announces that on April 15 Chief Superior Court Judge David L. Cannon Jr. sentenced convicted murderer Nicholas Michael Mimms, 37, of Powder Springs, to life with the possibility of parole plus an additional five years to serve. He was also ordered to have no contact with the victim's family members.

Mimms was previously found guilty of the murder of Eduardo Gilberto Figueroa, 31. The jury returned its verdict on February 13, convicting Mimms of felony murder, aggravated assault, and possession of a firearm during the commission of a felony. The jury found Mimms not guilty of malice murder.

The charges stem from the fatal shooting of Figueroa at approximately 12 p.m. on August 7, 2021, outside a home on Mohawk Trail in the Acworth area of Cherokee County.

Figueroa had recently established parental rights to a son he shared with his former fiancée, who later married Mimms. His first court-approved parenting time was scheduled for August 7 from 12 to 2 p.m., with Mimms, the child's stepfather, designated to supervise the visitation.

Figueroa arrived just before noon, carrying snacks, diapers, toys, and a stuffed animal. Mimms was outside on the deck, wearing a bulletproof vest and armed with a firearm. Neither the child nor the child's mother was present at the home.

"These were two men with very different plans about how this day should go," said Assistant District Attorney Megan S. Hertel, who prosecuted the case on behalf of the State. "Eduardo Figueroa arrived with love, excitement, and gifts for the son he was going to meet for the very first time. The defendant brought a bulletproof vest and a loaded gun. This was a tragedy, and it should never have happened."

Evidence presented at trial demonstrated that Figueroa was unarmed and, after being told the child was not present, had begun to walk away, when the defendant called him back to talk.

A surveillance camera captured audio of the shots, as well as video showing the demeanor of the defendant immediately afterward. Figueroa was struck four times, in his side, back, and arm. The entire interaction was under two minutes.

When Cherokee Sheriff's Office deputies responded to the scene, they found Figueroa lying face down on the deck, dead from multiple gunshot wounds. Mimms told deputies he acted in self-defense, claiming Figueroa had threatened him and was dangerous.

At the sentencing hearing, the court heard victim impact statements from Figueroa's family, who described their profound loss and the lasting impact of his death on all of their lives. They spoke of his excitement to finally meet his son and his desire to be part of the child's life.

"The heartbreak this family has endured is unimaginable. On a day that should have been filled with smiles and laughter, a young father was senselessly gunned down," said District Attorney Susan K. Treadaway. "This sentence ensures the defendant is held accountable for taking a father from his child and forever altering the lives of those left behind."

The case was investigated by Cherokee Sheriff's Office and prosecuted by Assistant District Attorney Megan S. Hertel, with the assistance of Deputy Chief Assistant District Attorney Geoffrey Fogus, of the Office of the District Attorney, Blue Ridge Judicial Circuit.

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The Office of the District Attorney for the Blue Ridge Judicial Circuit is committed to seeking justice, acting with integrity, and collaborating with partner agencies in the criminal justice system in order to protect the citizens of Cherokee County and the State of Georgia.

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