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Press Release
April 24, 2015
One Page

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For Immediate Release

No Charges to Issue in Dispute at Dearborn Kroger Store

Today Prosecutor Kym L. Worthy has determined that no charges will issue in connection with an alleged altercation that occurred on February 12, 2015 at approximately 6:00 p.m. at a Kroger grocery store located in the 15200 block of Michigan Avenue in Dearborn. It is alleged that a 61-year-old Dearborn man and a 46-year-old man, also from Dearborn, and his 44-year-old brother from Kentucky, had a verbal dispute that allegedly became physical while shopping in Kroger. Dearborn Police Department officers responded to the store and investigated and interviewed witnesses. Cross-complaints were filed in this matter. The 61-year-old man filed an assault and ethnic intimidation complaint against the 46 and 44-year-old men. The 46 and 44-year-old men filed an assault complaint against the 61-year-old man.

On February 23, 2015, the Dearborn Police Department sent a warrant request to the Wayne County Prosecutor's Office for review. WCPO conducted interviews and reviewed witness statements of the cross-complainants. Additionally, other witnesses were interviewed and photographs related to the incident and an in-store video was reviewed. Neither the video nor the photos captured the alleged incident. After a thorough review of the evidence, it is concluded that there is insufficient evidence to charge the 46 and 44-year-old men with a crime. There is also insufficient evidence to conclude that the 61-year-old man should be charged with a crime.

"We spent considerable time and resources trying to get to the truth in this case so that a charging decision could be made using the appropriate legal standards," said Prosecutor Worthy. "After months of investigation and follow up work, we simply do not have sufficient, credible and admissible information to be able to proceed on either the complaint or cross complaint."

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