



KYM L. WORTHY  
PROSECUTING ATTORNEY

COUNTY OF WAYNE  
OFFICE OF THE PROSECUTING ATTORNEY

FRANK MURPHY HALL OF JUSTICE  
1441 ST. ANTOINE STREET  
DETROIT, MICHIGAN 48226-2302

Weekly Updates  
Week of August 16 – 22, 2015  
Two Pages

*For Immediate Release*

Contact: Maria Miller  
Wayne County Prosecutor's Office  
Assistant Prosecuting Attorney  
(313) 224-5817  
(313) 213-0457  
[mmiller@waynecounty.com](mailto:mmiller@waynecounty.com)

## **NEWS UPDATES**

### **Monday, August 17, 2015**

Erin Justice – Charged with the killing of Alicia Marie Fox. Today he will have a special pre-trial hearing before Judge Timothy Kenny in Courtroom 602 at 11:30 a.m.

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Please review the press release attached on the Lately and Dmarco Hoskins indictments. Please contact the Detroit Police Department for photographs of the defendants.

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Erin Justice – Charged with the killing of Alicia Marie Fox. Today he had a special pre-trial hearing held before Judge Timothy Kenny; the case is scheduled to go to trial on September 9, 2015 at 9:00 a.m.

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## **Father to Be Arraigned on Charges in Connection with the Shooting Death of Three-Year-Old Boy**

On August 5, 2015 Prosecutor Kym L. Worthy charged a Detroit juvenile male, age 11, in connection with the shooting death of a three-year-old boy. The shooting took place on Monday, August 3, 2015, at approximately 1:40 p.m. in the 16000 block of Eastwood Street in Detroit. It is alleged that while visiting his father's house, the 11-year-old juvenile respondent took an unsecured handgun from a bedroom closet and threw it out of the bedroom window into the backyard. He then retrieved the gun and entered a vehicle parked in the father's backyard. The three-year-old entered the same parked vehicle and a short time later was shot once in the face by the juvenile respondent.

Today Curry Bryson, of Detroit will be arraigned in 36th District Court at 10:30 a.m. on the following charges: Manslaughter, Child Abuse Second Degree, Felony Firearm, and Weapons — Altering ID Marks. It is alleged that Mr. Bryson owned and stored in a grossly negligent manner the firearm that his son, 11-year-old used to shoot and kill three-year-old Elijah Walker. Bryson will have his Probable Cause Conference on August 24, 2015, at 8:30 a.m. and the Preliminary Examination is on August 31, 2015 at 1:30 p.m. before Judge Ronald Giles. Judge Giles set a 10,000/10% bond.

The juvenile respondent has been charged as a juvenile with Manslaughter – Death by Weapon Aimed with Intent But without Malice and Felony Firearm. The next court date for him will be changed from August 19, 2015 at 9:00 a.m. to a date to be announced for a special pre-trial hearing before Judge Szymanski in the Lincoln Hall of Justice.

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Press Release  
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Three Pages

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## **DPD Officer Indicted by One Man Grand Jury for Lying During Homicide Investigation**

Today an indictment was unsealed by Judge Timothy M. Kenny for Detroit Police Officer Elijah Lately, 25 (DOB: 4/14/90). Lately, an officer for four years, was indicted on August 14, 2015 by a one man grand jury on two counts of Lying to a Police Officer During a Violent Crime Investigation, which carries a maximum penalty of four years in prison.

### **Allegations**

Brandon Rice was killed on April 23, 2015 at 7:20 a.m. on the 300 block of Elmhurst in Highland Park, Michigan. The Detroit Homicide Task Force began an investigation into the Rice case on April 24, 2015. Early on in the four month investigation, Detroit Police Officer Elijah Lately was identified as a potential witness; he was questioned on April 24, 2015 by a Michigan State Police detective and again on July 20, 2015 by a Detroit Police Homicide detective. Both times he was interviewed he denied having any information about the Rice homicide. Lately is charged with the crime of Lying to a Police Officer during a Violent Crime Investigation because it is alleged that, despite his denials, he knew of the plan to kill Rice, the identities of the persons involved, and details about the homicide scene. It also alleged that Lately lied about not having contact with suspects since April 24, 2015.

"The allegations against the officer in this case are deeply disturbing. I would like to commend the Detroit Homicide Task Force and the members of my office for their excellent work," said Prosecutor Kym L. Worthy.

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Lately is currently being held on a \$400,000 cash/surety bond; he has also been suspended without pay by the Detroit Police Department. His next court date is a Pretrial Conference on August 25, 2015 before Judge Kenny.

### **Dmarco Dorian Hoskins**

Today an indictment was also unsealed for Dmarco Dorian Hoskins, 25 (DOB: 1/7/90), of Highland Park, Michigan. He has been charged in the homicide of Brandon Rice with Conspiracy to Commit Murder, First Degree Murder, and Witness Intimidation. His case will be heard before Judge Qiana Lillard. The Pre-Trial Conference is scheduled for August 21, 2015 at 9:00 a.m.

## **Background Information on the One Man Grand Jury**

### **The Petition**

The Prosecutor files a petition with the circuit court alleging why there is probable cause to suspect that a crime has been committed and that a person or persons may be able to give material evidence regarding the crime or offense. (MCLA 767.4) The judge then signs an order directing that an inquiry be made relating to the formal complaint. The petition is for six months and can be renewed for an additional six months. (MCLA 767.3)

### **Subpoenas**

When the judge issues a subpoena, the person called before the grand jury is entitled to legal counsel; no delay is permitted in appearing before the judge. All matters revealed are subject to secrecy provisions. (MCLA 767.4)

### **Penalties - Contempt**

Witnesses neglecting or refusing to appear can be found in contempt of court. After a hearing in court, such witnesses can be fined \$1,000 and/or imprisoned for up to one year. Witnesses can "purge" themselves of the contempt by offering to appear before the court. The judge may then commute or suspend the sentence. (MCLA 767.5)

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## **Penalties - Disclosure of Proceedings**

Except in cases of prosecutions for contempt or perjury against witnesses, any judge conducting the inquiry, or any prosecuting attorney and other persons admitted to such inquiry at the discretion of the judge, who disclose information from the grand jury are guilty of a misdemeanor punishable by imprisonment not more than a year or by fine not less than \$100 or more than \$1,000 or both. (MCLA 767.19 f)

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