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Weekly Updates
Week of May 22 – 28, 2016
Four Pages

For Immediate Release

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NEWS UPDATES

Tuesday, May 24, 2016

Kevin Smith - The defendant accused of robbing and shooting Judge Terrance Berg was found guilty by a jury of: Conspiracy to Commit Robbery, which carries life or any term of years in prison; Felon in Possession of a Firearm, which carries a five year penalty; and Felony Firearm, which carries a two year mandatory consecutive sentence. He was found not guilty of Assault with Intent to Murder and Armed Robbery, which each carry sentences of life or any term of years in prison. His sentence hearing will be heard on June 8, 2016 at 8:30 a.m. before Judge Timothy Kenny.

Robert Bashara -The continuation of the post-conviction hearing is in progress and will continue on June 14, 2016 at 10:30 a.m. before Judge Vonda Evans.

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Roseville Man Arraigned in Fatal Car Crash on Chalmers

Prosecutor Kym Worthy has charged Jonathon Lloyd Horton, 31 (DOB: 8/16/84) of Roseville, in connection with a fatal car crash. On May 23, 2016 at 2:30 a.m., it is alleged that Horton was driving his vehicle on Chalmers, and as he approached Mayfield Street, he crashed into a car, killing the driver Jerrica Hicks, 26, of Nashville, Tennessee. Ms. Hicks and a male passenger in her car, were taken to a local hospital for treatment. Horton was investigated and arrested. It is alleged that he was driving while intoxicated at the time of the fatal car crash.

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Horton has been charged with OWI Causing Death and Manslaughter with Motor Vehicle. He was arraigned in 36th District Court this afternoon and remanded to jail. His probable cause conference is on June 3, 2016 at 8:30 a.m. and his preliminary examination is on June 9, 2016 at 1:30 a.m., both before Judge Deborah Langston.

Wednesday, May 25, 2016

Indictment Unsealed in Homicide of Three-Year-Old Detroit Girl

Today Judge Timothy Kenny, Chief Judge of the Wayne County Circuit Court Criminal Division, unsealed the indictment and arraigned Diallo Davis, (DOB: 7/16/92), of Detroit in connection with the March 27, 2016 shooting of a three-year-old girl. Judge Timothy Kenny, Chief Judge of the Wayne County Circuit Court Criminal Division, unsealed the indictment and arraigned the defendant. He has been remanded to jail and his calendar conference will be heard on May 31, 2016 at 9:00 a.m. before Judge Kenny.

Davis is the fourth defendant charged in the case. On April 6, 2016, a one man grand jury indicted Paul G. Kendall, 24 (DOB: 8/1/91), of Ecorse, Reginald L. Street, 19 (DOB: 11/30/96), and Jonathan L. Burks, 30 (DOB: 8/9/85), both of Detroit. On April 20, 2016, Paul Kendall was found dead in his cell at the Wayne County Jail. Street and Burks have a final conference in the case on June 16, 2016 at 9:00 a.m.

Allegations

On March 27, 2016, at approximately 2:00 a.m., it is alleged that Diallo Davis and the three defendants went to a home located in the 16800 block of Riverview in Detroit and fired shots that killed a three-year-old Aniya Montgomery. The child was taken to a local hospital and pronounced dead on arrival. A 39-year-old man and a 26-year-old man who were inside in the home sustained non-fatal gunshot wounds. They were taken to local hospitals and treated for their injuries. The specific facts of the case will be presented in court.

Unsealing of Indictment

Today Defendant Davis was arraigned on the following charges: First Degree Murder; Felony Murder; two counts of Assault with Intent to Murder; Home Invasion First Degree; Discharge of a Firearm in or at a Building Causing Death, Discharge at Building Causing Injury, Felon in Possession of a Firearm and Felony Firearm.

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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)

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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Grandparents Charged in Fatal Shooting of Mariah Davis

Prosecutor Kym Worthy has charged Frederick Davis, 65 (DOB: 4/16/51) and Patricia D. McNeal, 65 (DOB: 9/18/51), both of Detroit, in connection with the fatal shooting of their grandchild Mariah Davis, who was five years old at the time of her death. On May 11, 2016 at approximately

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9:40 p.m., Davis and McNeal were babysitting Mariah and her brother, along with a neighbor's child, at their home in the 19700 block of Oakfield in Detroit. It is alleged that at midnight, Mariah went into her grandparent's bedroom and retrieved a handgun from under a pillow, took it to another room and shot herself in neck. Davis went into the room and observed the injured child on the bed. He retrieved the gun and called 911.

Davis and McNeal have been charged with one count each of Involuntary Manslaughter, three counts each of Child Abuse Second Degree and one count each of Felony Firearm. Davis has also been charged with Felon in Possession of a Firearm. They are expected to turn themselves in to be processed and arraigned at 10:30 a.m. on Thursday, May 26, 2016 in 36th District Court.

Great-Grandfather and Mother of Four-Year-Old Charged in Non-Fatal Shooting Incident

Joseph Williams, 80 (DOB: 9/2/35) and Andrea L. Drewery, 30 (DOB: 11/1/85), both of Detroit, have been charged by Prosecutor Worthy in a non-fatal shooting incident. On November 2, 2015 at approximately 7:45 a.m. at their home in the 14000 block of Terry Street in Detroit, Andrea Drewery's four-year-old son found a handgun belonging to his great-grandfather, Joseph Williams. The victim shot himself with the handgun, injuring his hand. The child was treated at a local hospital and survived his injury. It is alleged that Williams and Drewery had knowledge that the unsecured handgun was in the home and accessible to the four-year-old and his young brother.

Joseph Williams and Andrea Drewery will each be charged with: Child Abuse Second Degree and Felony Firearm. They are expected to turn themselves in to be processed and arraigned at 10:30 a.m. on Thursday, May 26, 2016 in 36th District Court.

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