

Prosecutors continue legal vendetta against 14-year-old Michigan boy

## **April 18 trial set for Nathaniel Abraham on new assault charges**

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Nathaniel Abraham, the 14-year-old Michigan boy convicted of second degree murder last November, will face a new trial on assault charges in connection with an alleged incident at the Children's Village youth detention facility where he was imprisoned for two years. At a pre-trial hearing on Tuesday, February 22, Oakland County Probate Judge Eugene Moore set April 18 as the trial date for Nathaniel and two other boys—Thomas Lundy, 16, and Quante London, 15—on assault and battery charges, stemming from a scuffle on a basketball court at the detention facility.

On January 13 Abraham, one of the youngest persons ever to be tried as an adult for murder in the US, was sentenced to detention at a juvenile facility, the W.J. Maxey Boys Training School, where he will likely remain until age 21, subject to periodic reviews by the court.

The Oakland County Prosecutor's Office is pursuing the assault charges even though the incident resulted in no injuries as part of its efforts to portray Nathaniel as an incorrigible and violent criminal. This is consistent with its efforts since Nathaniel's arrest, at the age of 11, for the 1997 shooting death of 18-year-old Ronnie Greene Jr., outside a Pontiac convenience store. Nathaniel, who suffers from severe mental and emotional problems, was prosecuted under a 1997 Michigan law that sets no minimum age for the prosecution of juveniles as adults for serious and violent offenses.

At trial, defense lawyer Geoffrey Fieger said that Greene's shooting was, at best, a case of reckless discharge of a firearm. Testimony and evidence

demonstrated the great improbability that Nathaniel deliberately fired at Ronnie Greene. An autopsy report concluded that the bullet which killed Greene entered through the top of his head, most likely having deflected off a tree. New evidence was also introduced at trial that the shot may have come from a party being held behind the convenience store.

After a jury found Abraham guilty of second degree murder, however, Judge Moore rejected the prosecution's request for a so-called blended or delayed sentence, whereby Nathaniel would have been held in juvenile detention until the age of 21, with the possibility at that time of being sent to an adult prison if the court ruled that he had not been rehabilitated. During the sentencing hearing January 13 Moore also attacked the law that was used to prosecute Nathaniel as "fundamentally flawed" and urged the state legislature to reassess the statute.

The prosecutor's office was angered and frustrated over Judge Moore's sentence and seized upon a fight on a basketball court to press further charges against Nathaniel. When he filed the charges in January, Oakland County Prosecutor David Gorcyca told the media, "We just cannot ignore every criminal act he may commit until his sentence is over."

The assault charge followed a hearing held last month where Nathaniel pled guilty to a breaking and entering charge that pre-dated the shooting death of Ronnie Greene.

According to prosecutors the basketball court fight took place on January 12, the day before his sentencing hearing on second-degree murder charges. Nathaniel's

attorneys have challenged the validity of the charges and the motivation behind them.

Daniel Bagdade, said, one witness stated that Nathaniel was trying to stop the fight, not join it. “Nate was trying to be a peacekeeper. He was trying to break this fight up.” He added, “Scuffles at J Building in Children's Village are probably quite common, due to the nature of the situation and the nature of the kids who are there. I was always under the impression that the overwhelming majority of them were handled internally. Why Nate was charged, along with the other kids, you will have to check with the prosecutor.”

By filing the assault charges the prosecutors are seeking to build up a case against any early release of Abraham from juvenile detention and at the same time make an implicit criticism of the sentence handed down by the judge. Moreover, the new charge makes clear the course of action the prosecutors would have pursued had they obtained the blended sentence they were seeking. They would have seized on any pretext to convict Abraham of criminal actions during his stay at the juvenile facility in order to compel the judge to sentence him to adult prison.



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