

## State drops murder cases in Port Deposit-area shooting



ELKTON — Prosecutors have dropped murder cases against two stepbrothers — including a 15-year-old Perryville High School student — in the fatal shooting of their stepfather inside their Port Deposit-area home last year.

Citing recent bench rulings that rendered “key pieces of evidence” inadmissible at trial, prosecutors dismissed first-degree murder and all other charges against teenager Willie Woodberry and Alishawaine Raheen Monk, 24, on Wednesday afternoon.

The dismissals were carried out by Deputy State’s Attorney Steven L. Trostle during a courtroom hearing that was scheduled relatively late and, as a result, was not listed on the daily court docket for Wednesday.

During pre-trial motions hearings, the state alluded that Monk was the alleged triggerman. Prosecutors maintained that Woodberry and his then 11-year-old brother was with Monk during the slaying and that they were the only three people inside the house, other than Robertson, at the time.

The youngest stepbrother also was charged in the murder case — as a juvenile — but prosecutors later dropped their case against him.

In the wake of Wednesday's dismissed cases, Woodberry's defense lawyer, Edward A. Richitelli, postulated that investigators charged Woodberry as an adult with first-degree murder and other felonies in hopes of leveraging him to reveal what he might know about the killing.

"The state wanted to pressure my client by holding a possible life sentence over my client's head," Richitelli asserted.

Richitelli maintained Woodberry's innocence.

"There is a big difference between suspecting something and having evidence that it happened. There is no physical evidence against my client whatsoever — no ballistics, no powder burns, no DNA, no blood evidence," Richitelli said. "It was a terrible death, but I am convinced that my client did not kill him and did not know that it (the fatal shooting) was going to happen."

Tina Robertson, who is the mother of Woodberry and Monk, could not be reached Wednesday night for comment on the dismissed murder cases.

Monk is represented by Elkton-based lawyer C. Evan Rollins, who is the son of Cecil County State's Attorney Ellis Rollins III.

In accordance with a State Ethics Commission ruling, which Ellis Rollins sought after winning the State's Attorney's position in 2010, Rollins has no involvement in any criminal case in which his son is the defendant's lawyer, to avoid possible conflicts, he explained.

"If there is a case in which Evan has entered his appearance, I insulate myself from it. My staff will mark that file, so they know it can't go anywhere near Ellis Rollins, and it goes exclusively to the deputy state's attorney," Rollins said, noting that the deputy state's attorney can handle it or assign it to an assistant state's attorney.

Should the prosecutor handling the case need guidance, under the arrangement, he or she can consult Harford County State's Attorney Joseph I. Cassilly, he added.

That arrangement was followed in the Monk murder case, the state's attorney reported.

The state's cases against Woodberry and Monk suffered major blows earlier this year when evidence suppression motions by Richitelli and Evan Rollins were granted.

In January, after a daylong hearing, Cecil County Circuit Court Judge Brenda A. Sexton blocked prosecutors from presenting all statements that Woodberry had made to Maryland State Police investigators over the course of six separate interviews.

Sexton did so in response to one of Richitelli's motions, concluding that Woodberry was in custody, that he had a right to a lawyer, that he had requested an attorney and that detectives did not honor that request before interviewing him.

The substance of those statements wasn't disclosed during any of the courtroom hearings. After that January motions hearing, Sexton lowered Woodberry's to an unsecured \$25,000, meaning he wouldn't have to pay the bail unless he failed to appear for court, and Woodberry was released. The judge listed several pre-trial release conditions for Woodberry, including that he return to school.

At that point, Woodberry had spent about six months in jail without bond as a pretrial inmate charged as an adult.

Then in April, during another motions hearing, Sexton ruled that prosecutors wouldn't be allowed to present cell phone records and Facebook records that purportedly placed Monk at or near that Green Lane residence around the time that Robertson suffered three gunshot wounds, leaving him dead facedown on the floor near a dining room table.

The judge did so in response to a defense motion by Evan Rollins.

Also during that hearing, Woodberry and his 12-year-old stepbrother both invoked their Fifth Amendment right not to testify during Monk's and Woodberry's murder trials — further hampering the state's murder cases.

With the domino-effect of the brothers invoking their right to remain silent at trial, prosecutors found themselves precluded from introducing any statements that the younger siblings made to police during the investigation.

During the April proceeding, Rollins successfully argued that the handgun prosecutors planned to present at trial should be ruled inadmissible because investigators made a tenuous connection between the weapon and his client.

According to court records, detectives alleged that they tied Monk to the suspected murder weapon — a chrome Taurus Judge revolver that a citizen found in a neighborhood near the Green Lane residence on April 26, 2014, and then turned over to authorities.

Court records alleged that associates of Monk's had told investigators that Monk usually carried a chrome .45- caliber Taurus Judge handgun or a .357 magnum.

Rollins argued that the gun was found about four miles away from the Green Lane residence and that the discovery was made more than two months after the murder occurred.

He also maintained that investigators lacked fingerprints and DNA evidence linking Monk to that handgun.

In addition, Rollins argued that investigators had not established a ballistic match between the bullets that the handgun can fire and the bullets recovered from Robertson's body. Regarding the cellphone and Facebook records, Rollins successfully argued that, while the state possessed those records and affidavits relating to them, it had no witness to authenticate those documents.

Records cannot stand on their own as evidence at trial because a defense lawyer must have an opportunity to conduct cross-examination, he contended.

The judge then lowered Monk's bond to \$150,000 and he, too, was released from jail. Monk had spent the past nine months in jail without bond, dating back to his July 2014 arrest.

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