

Macomb judge orders silence to honor shooting victim; killers get life

Detroit News, The (MI) - Friday, September 26, 2008

Author: Christina Stolarz / The Detroit News.

Macomb judge orders silence to honor shooting victim; killers get life

By Christina Stolarz

The Detroit News

MOUNT CLEMENS — A Macomb Circuit Court judge on Thursday ordered two one-minute moments of silence in his courtroom to honor a shooting victim before he sentenced both the man's killers to life in prison.

Judge Donald Miller ordered the silence on behalf of Mohammed Al-Harbi, a clerk at a pizza shop in Eastpointe who was gunned down during an armed robbery in September 2007.

"That poor guy probably took about a minute, while you were running him down ... for him to realize that he's dying," Miller said to **Winfred Roger Phillips**, 28, before he sentenced him to life in prison without parole. "It chills the blood. I have a habit of referring to defendants as gentleman. You don't deserve that title."

Miller gave the same tongue-lashing to **Phillips**' co-defendant Isaiah Mayweather, 26, who was also sentenced to life in prison without parole.

A Macomb County jury in August found the duo guilty of felony murder after 2 ½ hours of deliberation.

Authorities say **Phillips** entered the Original Buscemi's pizza shop and party store, walked to the back and shot Al-Harbi, the clerk, 11 times while he was sweeping up before the store's closing. They said Mayweather jumped over the checkout counter to steal cash and then shot the store manager, Sinan Hanna, in the head. Hanna survived, but did not attend the sentencing.

Jurors were shown about 16 surveillance cameras — that were positioned throughout the party store — that captured the crime from different angles.

"It was a hard case, a difficult case to defend when there are 16 cameras," said Mayweather's defense attorney, Joseph Kosmala.

Mayweather said during his sentencing that he was dissatisfied with his attorney and the court's decision to deny his motion for new representation before trial.

Miller said that he recalled Mayweather withdrawing his request, and assured Mayweather that he was well-represented by Kosmala.

"You've had the benefit of one of the finest defense attorneys in this jurisdiction, if not the state," Miller said. "There was no defense. Everything added up to you, including your own statements."

A relative of Mayweather, who left the courtroom crying, declined to comment.

However, the owner of Buscemi's said life in prison isn't enough punishment for the crime committed.

"You'll never forget this thing," said Mike Karana, who came to the store about 10 minutes after the shooting. "It's not something minor. They deserved more. A very humble guy was a victim."

Phillips' defense attorney, Timothy Barkovic said his client plans to appeal the conviction.

Miller also ordered **Phillips** to give any money he receives during his prison term to the family of Al-Harbi.

You can reach Christina Stolarz at (586) 468-0343 or cstolarz@detnews.com.

Edition: Online

Section: Metro

Record Number: det27727791

Copyright (c) The Detroit News. All rights reserved. Reproduced with the permission of Gannett Co., Inc. by NewsBank, inc.