

3 TEENS CONVICTED IN SLAYING OF YOUTH

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Two Detroit youths were convicted Tuesday of first-degree murder in the shooting of a 16-year-old Benedictine High School student attending a back-to-school party.

A third defendant was convicted of second-degree murder.

Damion Todd, 17, was convicted of first-degree murder, which means a mandatory sentence of life in prison without parole. His mother, Pamela, 35, sobbed as she left the courtroom of Recorder's Court Judge Michael Talbot, where the verdict was brought in against her only child.

A short time later, Talbot found Vernard Carter, 17, guilty of first-degree murder, saying Carter clearly had aided in the crime.

Todd and Carter also were found guilty of assault with intent to murder and of using a firearm in a felony.

Talbot found the third defendant, Derrick McClure, also 17, guilty of second-degree murder, assault with intent to do great bodily harm less than murder and using a firearm in a felony.

CARTER AND MCCLURE chose to have their cases decided by Talbot rather than a jury.

Todd will be sentenced Dec. 30; Carter and McClure on Jan. 9.

Melody Rucker was killed Aug. 16 when **Todd** fired a shotgun toward a group of teenagers leaving a party in the 17000 block of Sunderland near Outer Drive. Her classmate, Vinita Smith, who was shot in the arm, was in court for most of the testimony in all three cases.

"I think it was very unfair what they (the jury) did to **Damion**," Pamela **Todd** said, adding that her son has no prior criminal record. "He could have gotten manslaughter."

Todd's attorney, Cornelius Pitts, said, "We think that there was sufficient evidence for them to deduce that there was a lesser offense."

John Rucker, father of the slain girl, said he was satisfied with the verdict.

"From what's going on now with young people . . . the only thing I can see that's going to change them is stiffer penalties," said Rucker, 46.

IN HIS CLOSING arguments, Pitts told jurors they had to consider **Todd**'s intent when he fired the gun.

Todd testified that he meant only to scare some youths who earlier had fired at a car carrying

him, Carter, McClure and Dewayne Smiley, the prosecution's key witness.

As they drove away, some youths in a second car fired shots at them, Smiley testified.

Todd suggested that they go to McClure's house and get the shotgun, Smiley testified. **Todd** testified that it was Smiley who suggested the gun.

McClure joined them and the four returned to the party, said Smiley, who was not charged in the case.

CUTLINE

Melody Rucker

Caption: Photo

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