

MAN ALLEGEDLY GAVE ASSAULT RIFLE TO PAIR - DETROITER ARRAIGNED IN FATAL CAR ATTACK

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A 39-year-old Detroit **man** was arraigned Friday on a second-degree murder charge for **allegedly** supplying the **assault rifle** used **to** spray a car with bullets Monday, killing one child and wounding four other people.

"Today, we have taken what I consider **to** be the final step in the conclusion of this case," Wayne County Prosecutor Michael Duggan said at a Friday morning news conference where he announced the charge against Bryant K. Daniels. Duggan also promised **to** crack down on people who supply guns for criminal activities.

Daniels was arraigned later Friday on the murder charge and one count of possession of a firearm in commission of a felony. Detroit 36th District Court Magistrate Charles Anderson III entered a not-guilty plea on Daniels' behalf and ordered him held without bond. A preliminary exam is scheduled for March 11.

Second-degree murder carries a maximum penalty of life in prison. The firearm charge carries a mandatory 2-year prison sentence.

Duggan alleged that Daniels provided the M1 **rifle** that Willie Robinson, 24, of Detroit **allegedly** used in Monday's **assault** .

Robinson and Joel Allen, 24, of Detroit are being held on charges of first-degree murder and **assault** with intent **to** murder. They were arraigned Wednesday.

Duggan said the key elements for second-degree murder are acting with wanton and willful disregard that someone will be killed or injured.

"It's hard **to** imagine a more wanton or willful act than giving a loaded gun **to** an agitated **man** who's on his way back **to** a confrontation," Duggan said.

He said Daniels is being charged under state rather than federal law because federal law only applies **to** illegal possession of a weapon.

"We have not done enough **to** prosecute people supplying guns **to** criminals," Duggan said. "I think this is going **to** be a turning point in the way we go after that."

The shooting happened after Robinson and Anthony Niebrzydowski, 22, got into an argument in front of a home in the 16700 block of Dolphin Street over the sale of a \$40 radio. Police said Niebrzydowski or a friend threw a baseball bat at Robinson's vehicle.

Duggan said Robinson and Allen then drove **to** the 11300 block of Minock Street, where Daniels was working on a truck in front of a friend's home. Duggan said Robinson told Daniels about the confrontation and that he wanted **to** go back **to** confront Niebrzydowski.

At that point, Duggan said, Daniels offered **to** let Robinson use his M1. Duggan said Robinson and Allen drove Daniels **to** his apartment at Schoolcraft and Outer Drive **to** get the **rifle** , then dropped Daniels off at Minock.

Around 12:30 p.m., police said, Robinson and Allen pulled up **to** the Dolphin address and Robinson got out of his car and opened fire on Niebrzydowski, his sister and her children, who were getting into a car **to** go **to** a mall.

Ajane Pollard, 7, was killed. Her brother, Jason Pollard Jr., 6, was wounded and remained in serious condition Friday at Children's Hospital. Two other children, Alyah Pollard, 4, and Aerica Pollard, 6, were released from the hospital Monday. So was their mother, Aelizabeth Niebrzydowski.

After the shooting, Duggan said, Robinson and Allen returned the **rifle to** Daniels, who threw it in a Dumpster.

The next day, he called the police **to** report what he had done. But officers couldn't find the weapon when he showed them where he had tossed it, court records said.

Duggan said police found bullets for the **rifle** in a search of Daniels' apartment.

Duggan said Daniels told them he bought the **rifle** on the street for about \$100 seven or eight years ago in an apparently legal transaction. Although Daniels said he thought Robinson only planned **to** use the weapon **to** scare Niebrzydowski, Duggan said Daniels should have known Robinson was likely **to** use it in a felony.

Duggan said authorities are trying **to** find out where the gun came from. He also said that Daniels' only prior criminal conviction was for welfare fraud around 1993. He was given probation. The case will be tried by assistant prosecutor Terrence Haugabook.

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Caption: Photo RICHARD LEE/Detroit Free Press

Bryant K. Daniels is in the upper right quadrant at his video arraignment Friday in 36th District Court. Assistant Wayne County Prosecutor Robert Moran is in both of the left quadrants.

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