

ATTORNEY'S OUSTER FROM CASE ASKED

Detroit Free Press (MI) - Thursday, April 8, 1982
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The Wayne County Prosecutor's Office moved Wednesday to disqualify W. Otis Culpepper as defense attorney for Cary Vincent Goins, accused of murdering a Detroit policeman and wounding another last week.

Assistant Prosecutor Timothy Kenny said Culpepper may have a conflict of interest in defending Goins because he is also defending a witness in the **case**, Ernest Files, in a second-degree murder trial scheduled to begin Monday in Recorder's Court.

Goins, 17, faces a pre-trial examination today in 36th (Detroit) District Court on charges of first-degree murder, assault with intent to murder and using a firearm in the commission of a felony. If convicted, Goins faces a mandatory life sentence with no parole.

GOINS ALLEGEDLY shot plainclothes policemen William Green, 29, and Eric Byers, 36, on March 29 as they approached youths standing on the corner of Woodward and Leicester. Green died several hours later of a head wound, and Byers is hospitalized with a shoulder wound.

Files, according to investigators, was one of the youths at the corner when the shooting took place. Files, 21, free on \$100,000 bond, is accused of killing Wilson Curtis III last year in the Seldon Bar-B-Que restaurant near Wayne State University in a dispute involving a woman.

KENNY SAID Files' testimony in the Goins **case** could be influenced because his fate -- a possible life sentence if convicted -- will be in Culpepper's hands next week during his own murder trial.

"It is our position that the people, like the defendant, are entitled to a fair trial," Kenny said. "This is a possible conflict preventing the people **from** getting that fair trial."

Culpepper said Goins and Files know of his position in each **case** and have still agreed to retain him.

"If I am allowed to continue with Mr. Goins, I will give him and Mr. Files the best representation possible," he said. "If not, I will bow out (of the Goins **case**) gracefully."

SOME investigators have said that Goins is a lieutenant in Young Boys Inc., a well-organized drug ring that often uses children as runners and nets an estimated \$400,000 a week. According to court records, Culpepper has represented several alleged members of the organization.

Culpepper -- known for his unorthodox courtroom style -- discounted any relationship between Goins, Young Boys Inc. and his own practice.

Edition: METRO FINAL

Section: NWS

Page: 3A

Record Number: 8303190296

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