

MURDER CASE DISMISSED AS KEY WITNESS SKIPS COURT

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A Detroit woman walked out of police custody in a Recorder's Court witness room and took with her the first-degree murder and kidnapping case against a man suspected of being a major Detroit cocaine dealer.

Chief Recorder's Court Judge Dalton Roberson said Thursday that he dismissed the charges against **Mark McCloud** and two other men because the witness, Diane Starsky, was the only person linking them to the case.

McCloud was on trial with his brother Kenny and George Cheatham on charges of kidnapping and killing Michael Braggs in September -- less than a week after **McCloud** was acquitted of murder and conspiracy charges in what police said was a drug- related machine-gun slaying of three people.

Starsky walked out of an unlocked witness room Monday where she had been left unattended.

Roberson dismissed the case after testimony had begun, so the charges against **McCloud** cannot be reinstated because of the constitutional ban on being tried twice for the same crime.

"I gave them the rest of the day to find her and they didn't. I ordered her testimony stricken because there was no cross- examination," Roberson said.

According to the testimony Starsky did give, the McClouds and Cheatham suspected Braggs had stolen money from a **McCloud** relative and abducted him at gunpoint from Starsky's house. A passerby testified he saw a man shoot Braggs on Fenkell, but was unable to identify the gunman.

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