

## **A MYSTERY AT DOOR OF MAYOR'S ALTERCATION - BROTHER-IN-LAW WAS ATHLETE, CHANGED NAME**

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It was one **of** the most bizarre events in recent Detroit political history: Mayor Kwame Kilpatrick, while visiting his sister's house one afternoon last week, gets into an **altercation** with an officer while his brother-in-law stands by.

The Free Press is learning more about the man who watched it all unfold on his front porch, a story that carries its own bizarre twist.

It turns out Daniel Franklin Ferguson III - who married the **mayor's** sister, Ayanna Kilpatrick, and is a relative **of** one **of** the **mayor's** best friends, controversial city contractor Bobby Ferguson - has had his own brushes with the law.

Daniel Ferguson III was known, until last year, **as** Daniel Franklin Lyton, a onetime Detroit prep basketball star who became a two-time felon. He served about 9 years in federal prison after being caught with 5 kilograms **of** cocaine and a handgun, hidden in a pickup's gas tank. He remains on parole until 2011, court records show.

He could not be reached Thursday. The **mayor's** representatives declined to comment.

Daniel Ferguson, 37, legally changed his name in April 2007, according to Wayne County Circuit Court records.

It is not entirely clear why Lyton sought to change his name to Ferguson. His petition gave the reason **as** "born out **of** wedlock."

Under Michigan law, people who petition for name changes must verify under oath that they are not making the changes for fraudulent purposes.

If the person has a criminal record, state law presumes the person is seeking the name change "with fraudulent intent." The burden would have been on Lyton to prove to a judge his motives were benign. It was unclear from court records reviewed late Thursday what evidence, if any, Lyton presented.

Seven months after his name change, last Nov. 24, Ferguson married Ayanna Kilpatrick. The vows were administered by the Rev. Robert Brumfield **of** Oak Grove A .M.E. Church, who also is U.S. Rep. Carolyn Cheeks Kilpatrick's pastor.

Lyton changed his surname to Ferguson on his driver's license on Dec. 7, Secretary **of** State records show.

Daniel Lyton and Daniel Ferguson

**As** Daniel Lyton, he helped Detroit Cooley win three consecutive Class **A** state championships, starting on **a** team that featured Michael Talley, who went on to play **at** the University **of** Michigan.

Lyton's college career never blossomed. He attended the University **of** Missouri for two weeks before withdrawing. He returned to Detroit, transferring to Highland Park Community College and later to the University **of** Detroit Mercy and Riverside City College in California, where he played for 1 1/2 years. He applied for the NBA draft in 1993 but was not drafted.

Daniel Ferguson lives with his wife in **a** handsome white home on LaSalle Boulevard. Records show Ayanna Kilpatrick bought the house in 2003 for \$250,000, next **door** to Ayanna and Kwame Kilpatrick's mother, Carolyn Cheeks Kilpatrick.

It was **at** the couple's home where Detective Brian White **of** the Wayne County Sheriff's Office says the mayor shoved him into his partner **a** week ago. White said they stopped **at** the house after he saw **a** truck parked in front that belongs to Bobby Ferguson, Kwame Kilpatrick's close friend and **a** relative **of** Daniel Ferguson.

White was looking to serve Bobby Ferguson with **a** subpoena for **a** hearing in the criminal case against Kwame Kilpatrick.

Daniel Ferguson's exact relation to Bobby Ferguson is unclear. The **mayor's** staff said he is Bobby Ferguson's cousin, but JoAnn Kinney, the investigator with White that day, testified **at** the **mayor's** bond hearing last week that Daniel Ferguson identified himself **as** Bobby Ferguson's brother. Both investigators testified the conversation was polite and unremarkable until the mayor stepped in.

Mayoral spokesman James Canning declined to comment on Daniel Ferguson.

Ayanna Kilpatrick ordered two reporters off her property Thursday. She did not return **a** subsequent phone call.

The 1997 arrest

Daniel Ferguson's drug bust took place on **a** Nebraska highway in June 1997.

**At** the time, he was on probation in Michigan after pleading guilty in May 1996 to **a** felony charge **of** receiving and concealing stolen property.

According to federal court records, Ferguson was **a** passenger in **a** pickup pulled over by Nebraska State Trooper Wendy Brehm for tailgating **a** camper.

The driver, Nathaniel Turner, told Brehm they were returning to Detroit after celebrating Ferguson's birthday in Las Vegas. But when questioned separately, Daniel Ferguson said they didn't stop in Las Vegas because they had run out **of** money.

He told Brehm the truck belonged to an uncle and that they had no weapons or drugs. He invited her to search the truck and signed **a** consent form.

The trooper looked under the truck and saw two gas tanks. Although gauges showed both tanks were full, the rear one sounded odd when police tapped on it and the truck wouldn't start when the front tank was turned off.

The truck was driven to **a** garage, where 5 kilograms **of** cocaine and **a** handgun were found inside the rear tank.

Ferguson pleaded guilty on Feb. 23, 1998, to one felony count **of** possession with intent to distribute cocaine. He was sentenced to 10 years in prison **a** few months later, with some credit for time served. Appellate courts later let the conviction stand and said the search was proper.

State Police probe continues

Daniel Ferguson was thrust back in the limelight last week after the shoving allegations involving the mayor and White, an encounter that the mayor has declined to discuss. His lawyers have said Kilpatrick gently escorted White off the porch.

White said Daniel Ferguson told him the Ferguson Enterprises truck parked in front **of** his home was his, suggesting he worked for Bobby Ferguson.

State Police are still investigating the incident, which has resulted in additional restrictions on the **mayor's** bond in his criminal case stemming from the text message scandal. Attorney General Mike Cox soon will decide whether the mayor will face criminal charges in the incident.

"We're not going to comment until we have **a** decision to make," Cox spokesman Rusty Hills said Thursday. Hills said Cox has yet to see, let alone evaluate, the report on the State Police investigation.

Maria Miller, **a** spokeswoman for the Wayne County Prosecutor's Office, and State Police Capt. Harold Love also declined to comment.

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ILLUSTRATION: Photo

CAPTION: Daniel Ferguson was Daniel Lyton in June 1993 **as** he sat **at** his mother's house in Detroit before the NBA draft. Lyton, who won three straight state titles **at** Cooley High in 1987-89, was not drafted.

ANDRE J. JACKSON / Detroit Free Press

Ayanna Kilpatrick and Daniel Ferguson's home on LaSalle Boulevard in Detroit was the site **of** Mayor Kwame Kilpatrick's run-in with **a** sheriff's detective last week. Ferguson married the **mayor's** sister in November.

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