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Man, 24, acquitted of murder

Defendant accused in McDougald Terrace shooting

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A 24-year-old Durham man escaped a mandatory life prison sentence Thursday when he was acquitted on a charge of gunning down another person in McDougald Terrace two years ago.

Jurors deliberated all afternoon in Durham County Superior Court before finding William Joseph Johnson not guilty of first-degree murder and possession of a firearm by a convicted felon.

Johnson was accused of fatally shooting Kenneth Holder outside the McDougald Terrace public housing community in April 2002. A single bullet pierced Holder's

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heart and other vital organs. Prosecutor Mitchell Garrell hinted that the slaying might have been linked to illegal drugs.

"I don't think this slaying was the direct result of a drug deal gone bad, but there was certainly some drug dealing going on," he said. "Still, a life taken in McDougald Terrace is worth the same as a life taken anywhere else in the city."

The prosecution's case rested largely on the testimony of a man who claimed to be a witness to the shooting.

Defense attorney Michael Driver argued, however, that the witness was unreliable and that the prosecution didn't prove its case.

Testimony indicated that the witness, Tony Angelo Taylor, claimed Johnson had offered to sell him the murder weapon for \$275. So police wiretapped Taylor and gave him \$275, sending him off to buy the gun on an undercover basis.

But Taylor threw away the wiretap and fled, spending the money on motel rooms along the way, according to testimony.

"He knew he had double-crossed the police and was on the run," Driver said after Thursday's acquittal. "That didn't help his credibility as a witness any."

The only other witness who placed Johnson near the scene was a woman who said she saw him speeding away in his girlfriend's car. She did not claim to see the fatal bullet being fired.

"If I could sit down and design my witnesses, I might prefer a deacon in some local church," Garrell said late Thursday. "But Mr. Taylor was the person who was there. I had to use him."

Johnson still faces drug charges in an unrelated case.