

MIAMI-DADE COURTS: Murder trial witnesses say they were threatened

Two witnesses in a murder trial said they were threatened, and two others now claim to have forgotten what they saw and heard about the case.

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Someone may be threatening witnesses in the ongoing murder trial of two men accused of killing a security guard during a robbery five years ago at the Mayor's Jewelry store in Coral Gables.

The trial of Shird Myrick and Andre Williams started last week. So far, two witnesses for the prosecution have said they were threatened. Two other witnesses testified that they couldn't remember what they had told police about the case back in 2003, or even what they had told prosecutors a few weeks ago.

Two of the four witnesses have been jailed on perjury charges. Williams and Myrick are charged with killing Luis Brito, a 57-year-old security guard at the Merrick Park jewelry store who was shot in the stomach. Police think Williams drove the getaway car -- a silver BMW that was found abandoned nearby -- and that Myrick carried the tools they were planning to use to break the jewelry case glass. Two other men also are charged in the case -- Ehren Witt, the suspected shooter, and Milton Hall, who also was allegedly in on the robbery. Witt and Hall will be tried later.

Testimony in the trial first went off the rails Wednesday when Deondra Presley insisted she didn't remember telling police that she spoke with Williams shortly before the murder. She told police in 2003 that he asked her about security at Merrick Park, which is near her home. She also told police that Williams was in a silver BMW that day, that she also saw Myrick in it, and that an hour or so after she first spoke with Williams, she saw both men again in the car, which they abandoned near her house.

But on Wednesday she said she didn't remember saying any of that.

When she left the courtroom, she was handcuffed and charged with perjury. Later, Presley came back into court, in handcuffs, and took the stand again.

THREAT ALLEGED

She said that three men came to her house Tuesday night and showed her a copy of the statement she gave police in 2003. She said they told her they would kill her if she said the same thing again. Another woman testified Wednesday that she was also threatened before she was set to go to court. After a bit of coaxing from the prosecutor, she repeated her earlier statement to police. Thursday morning opened with Myrick's ex-girlfriend taking the stand and saying over and over again that she didn't remember anything from the 30-page statement she gave to police in 2003. Marquita Wilcox said she didn't remember saying that Myrick told her he was involved in the robbery and wanted to turn himself in, that he got her to drive to Ohio to pick him up or that he hid with her at a friend's house in Ft. Lauderdale for a week.

She couldn't even remember what she had told Assistant State Attorney Gail Levine when they spoke just two weeks ago. "You remembered every single answer that day, but you can't remember anything today. Isn't that right?" Levine asked. "Yes," she said. "And you don't care if you're committing perjury?" Levine asked. "I'm not committing perjury," she said quietly. During her hourlong testimony, she said she didn't remember or didn't recall more than 25 times, at one point going so far as to say "I don't recall if I remember." When she walked out of the courtroom, she was charged with perjury. Her brother, Cedric Wilcox was similarly evasive, saying, "I don't remember" 32 times in the span of just 20 minutes in the afternoon. He was not charged with perjury. Levine declined to comment on the case.

'HIGHEST CONCERN'

Miami-Dade state attorney's office spokesman Ed Griffith said authorities were watching the trial closely but declined to say if they will open a witness tampering investigation. "Issues of witness intimidation are of the highest concern to both prosecutors and police," he said. "Once the trial has been completed, we would certainly sit down and review all the issues in this case."

Asked if Williams threatened any of the witnesses, defense attorney Terry Lenamon said, "My client has no reason to threaten anybody."

Myrick's attorney, John Weinberg, said he didn't know what his client might have done: "I have no idea." Veteran defense attorney Carl Kafka, a former prosecutor, said that the testimony in the case could be more harmful to the defendants than it is to the prosecution. The testimony from two witnesses that they were threatened is particularly damaging to the defense, he said. "That makes them seem even more dangerous to the jury," he said.

TAKING A RISK

But he said Levine is walking a fine line by arresting her own witnesses on perjury charges. "The state has to be very careful not to look like they're using their muscle to intimidate people when they don't like the truth," he said. "The defense can say that when the government doesn't like the truth, they put people in handcuffs," he said. The rest of the evidence will be crucial, he said. Police found the silver BMW abandoned a few blocks away shortly after the robbery. In it they found a bag with hammers and a towel. On the towel: Myrick's DNA. They also found a latex glove inside the car and another dropped nearby. Both had Williams' DNA in them. Police say Hall left his DNA inside the jewelry store, where he bloodied himself getting six Rolexes out of the display case. And Williams and Hall were captured together in Ames, Iowa a few weeks after the murder. Testimony is set to continue Friday in front of Miami-Dade Circuit Judge Reemberto Diaz.