

Jury finds Mobley not guilty

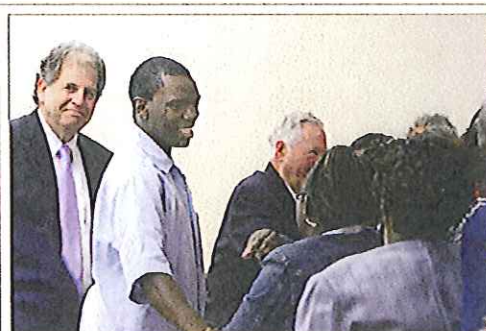
York man relieved that '07 murder case comes to end

By Matt Garfield · CCI Newsgate Feed
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A jury needed less than two hours to acquit Antonio Mobley of murder, bringing a swift end to a case that has stretched nearly two years.

Mobley sat quietly in his chair as a clerk read the verdict to a packed courtroom at 2:18 p.m. Behind him, friends and relatives jumped up and shrieked in a celebration quickly quieted by Judge Lee Alford.

Across the aisle, the family of the late Dawud Chester left the room in silence.



Andy Burriss

Antonio Mobley is greeted by family members in the courtroom at the Moss Justice Center in York on Friday after being found not guilty of murder. Andy Burriss/aburriss@heraldonline.com

The verdict came after three days of testimony in which prosecutors tried to prove that Mobley shot and killed Chester, 17, in a street fight on California Street in York.

"My heart goes out to the Chester family," said Mobley's mother, Marjorie, as she left the Moss Justice Center in York. "I know there is a God. That's all I can say."

Reached late Friday afternoon, Antonio Mobley, 27, said he was relieved to be back home in York. The voices of friends and relatives could be heard in the background as Mobley gave a brief interview.

"It went the way it's supposed to," he said of the trial. "Justice was served."

Mobley's defense lawyers didn't call any witnesses, instead focusing their efforts on exposing holes in the prosecution's case.

They hammered the point that detectives initially pursued another suspect and prodded witnesses to acknowledge their stories had changed since the September 2007 shooting.

In explaining the decision after the trial, attorney Jack Swerling said he and Melvin Roberts looked at each other moments before it was their turn to call witnesses. Both had reached the same conclusion.

"They had put up a couple of the people that we had thought about," Swerling told The Herald. "We got out of them some of things we would've wanted to show.

"At that point, we really couldn't add anything."

Prosecutor DeWayne Pearson of the state attorney general's office was less

forthcoming as he left the courtroom. "All I can say is, we presented the case that we had," he said.

The case already had taken a number of unusual turns by the time it reached Pearson's desk.

Mobley initially was charged with murder by York police, but 16th Circuit Solicitor Kevin Brackett dropped the charge soon after, lamenting what he called a botched investigation by the department. He cited a search warrant found in the case file that said witnesses saw another man shoot Chester.

Brackett passed the case on to the state attorney general's office, which chose to use the state grand jury's newly granted authority to investigate gang crimes.

Police said the shooting culminated a series of fights between the Cali Boys and Valley Boys, two neighborhood groups that had been around since 2004 but mostly operated as cliques.

Mobley's defense team brought together two men with a wealth of legal experience. Roberts has practiced law for 54 years in the city of York, but he got help from Swerling, the 6-foot-5 attorney known as "Mr. Murder" for his work on numerous high-profile cases during a four-decade career.

The attorneys got several witnesses to acknowledge their versions differed from what court transcripts show they told a state grand jury last year.

Swerling delivered an hour-long closing statement that shifted from a technical review of the law into a rip-roaring sermon that other lawyers said they could hear from outside the courtroom.

"You change the story as you need to change the story," Swerling said of the witnesses. "That's what these folks do. They told you so many lies, they can't even get it straight as to who did what."

"This is why this case cries out for a not-guilty verdict — cries out for it," Swerling bellowed.

But in his closing arguments, Pearson recalled the half-dozen witnesses whose testimony indicated Mobley was the shooter. "Much like cream, the truth will rise to the top. And despite the best efforts of some people, you'll still be able to see it."

Less than three hours later, jurors sided with Swerling. The attorney exchanged hugs and handshakes with his client before departing the courtroom in victory.

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Mobley's fate now in hands of jury

By Matt Garfield · The Herald
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YORK — The fate of accused killer Antonio Mobley is now in the hands of a jury, after prosecutors and defense lawyers finished their closing arguments this morning.

Judge Lee Alford delivered final instructions to jurors, clearing the way for deliberations to begin just after 12:20 p.m.

Each side gave hour-long closing arguments, with Jack Swerling speaking for the defense and Dwayne Pearson representing the state Attorney General's office. Mobley is accused of murder in the 2007 shooting death of Dawud Chester.

Much of Swerling's argument focused on inconsistencies in the eyewitness testimony. He pointed out that many of the witnesses gave different accounts to investigators, a grand jury and ultimately the jury in the murder trial.

"You change the story as you need to change the story," he said. "That's what these folks do. They told you so many lies, they can't even get it straight as to who did what."

Pearson acknowledged the six eyewitnesses in the case may have troubled pasts, but he argued their recollections ultimately pointed to Mobley.

"They all have their agendas," he said. "But there is something that is consistent in each and every thing they said."

Standing in front of the jury box, Pearson said the witnesses' testimony ultimately gave an accurate portrayal of what happened.

"Much like cream, the truth will rise to the top," he said.

The jury can find Mobley guilty of murder, guilty of voluntary manslaughter or not guilty, Alford instructed this morning before jurors left the courtroom. Several dozen friends and relatives filled much of the courtroom at the Moss Justice Center, where they gathered to await the verdict.



Jim Stratakos

Antonio Mobley consults with his attorney Jack Swerling.







