

# NEWS RELEASE

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**R. Andrew Murray**  
District Attorney

**April 8, 2011**

**Mark Tanner McMahan pleads guilty in death of Donald McDermott**

Mark Tanner McMahan, age 19, pled guilty to Felony Death by Vehicle, Possession of Toxic Vapors and Inhaling Fumes for the Purpose of Causing Intoxication in the death of Donald McDermott, age 17.

McMahan entered his plea on Thursday, April 7, 2011, in Mecklenburg County Superior Court before The Honorable W. Robert Bell, Superior Court Judge. The felony sentence to be imposed was left in the discretion of the court. Judge Bell sentenced McMahan to 25-39 months in prison; that sentence was suspended pending McMahan's successful completion of 36 months of supervised probation. As a condition of probation, McMahan must serve 6 months in prison. He will be supervised on probation upon his release, and the first six months of that supervision must be intensive supervision. During his period of probation he will be responsible for paying restitution to McDermott's family, completing two-hundred (200) hours of community service, completing a G.E.D. or high school equivalency program and getting a substance abuse assessment.

McDermott was killed on April 25, 2010, when he was a passenger in a car driven by McMahan that crashed into a concrete support pillar at the movie theater in Birkdale Village in the Town of Huntersville. McDermott suffered multiple blunt traumas. McMahan admitted that night, and in a subsequent interview, that he had been inhaling air duster while driving in Birkdale Village and that he passed out before crashing into the movie theater. Further, McMahan admitted to using the inhalant earlier in the evening and losing control of his car at that time as well. McMahan also acknowledged that he wrecked his car the month before the wreck while inhaling air duster. The North Carolina State Bureau of Investigation analyzed a sample of McMahan's blood and reported that the chemical 1, 1-Difluoroethane (DFE) was present in McMahan's blood. According to the Journal of Analytical Toxicology this chemical "is used as a propellant in many commonly available aerosolized products such as keyboard cleaners. Fluorocarbon compounds containing DFE produce a sudden onset of intoxication."

After a thorough review of the evidence by prosecutors, it was determined that McMahan was guilty of the crimes of Felony Death by Vehicle, Possession of Toxic Vapors and Inhaling Fumes for the Purpose of Causing Intoxication and he subsequently pled guilty to those charges.

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