

NEWS RELEASE

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Shooter, man who left crash scene among 3 convicted during trial week

CHARLOTTE, N.C. – A man who struck a person with a vehicle and left the scene, as well as a man who shot his girlfriend and her teenage son, were convicted at trial by the Mecklenburg County District Attorney's Crimes Against Persons Team during the week of August 5, 2013. A third defendant pled guilty before his case was called for trial. The proceedings were held before The Honorable Anna M. Wagoner and The Honorable Robert C. Ervin, Superior Court Judges.

James Edward Johnson, 46, was tried for felony hit and run causing serious injury or death. The jury returned a verdict of *guilty*. Johnson also admitted his status as a habitual felon. Judge Ervin sentenced Johnson to 84-110 months in prison. Around 5 a.m. on Nov. 28, 2010, Johnson was driving his pick-up truck on Brookshire Boulevard near Interstate 85 when he struck and killed 68-year-old George Lee Calebro, who was crossing the street. Johnson then fled the scene, leaving Mr. Calebro behind to die. Another motorist saw the crash and called 911. Johnson's truck was captured on video surveillance running a nearby red light immediately after hitting Mr. Calebro. Johnson also returned to the scene soon after the crime, saw the police and emergency vehicles, and again left without informing the police. After seeing images of the suspect vehicle on the local news, Johnson turned himself in to police – more than 36 hours after the crime. Johnson was not charged with a homicide offense because there was no evidence to prove that he committed a crime or traffic violation that led to the crash.

James Foster, 38, was tried for 1) two counts of assault with a deadly weapon with intent to kill inflicting serious injury and 2) two counts of assault with a deadly weapon with intent to kill. The jury returned verdicts of *guilty* for two counts of assault with a deadly weapon with intent to kill inflicting serious injury and two counts of the lesser-included offenses of misdemeanor assault with a deadly weapon. Judge Wagoner sentenced Foster to 69-92 months in prison. In May 2011, Foster got into an argument with his girlfriend, struck her in the face and then left the Charlotte home where she lived with her three children. Foster later returned to the home intoxicated and fell asleep. When he awoke, his girlfriend told him he had to leave. As he was removing his belongings from the home, Foster produced a gun and pulled the trigger. The gun did not fire, so Foster grabbed another gun and fired, shooting both his girlfriend and her teenage son twice. Two other younger children, who were nearby in the home, were not injured.

Dontavious Clyburn, 27, pled guilty to second-degree kidnapping. Judge Wagoner sentenced Clyburn to 21-35 months in prison.

Note: For more information about the District Attorney's Office, visit www.charmeckda.com. For

updates and other information, “like” the DA’s Office on Facebook at www.facebook.com/charmckda and follow us on Twitter: @CharMeckDA.

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