

NEWS RELEASE

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Three murder trials and verdicts last week

CHARLOTTE, N.C. – **Montreall Lavell Banner, 18**, was tried for 1) first-degree murder and 2) attempted armed robbery in connection with the 2011 murder and attempted robbery of Isaac Rodriguez, 21. On November 9, 2012 the jury returned verdicts of *guilty as charged*. The Honorable Yvonne Mims Evans, Superior Court Judge, sentenced the defendant to *life in prison with parole eligibility after 25 years*.

On July 23, 2011, Banner, who was 17 at the time, and a co-conspirator, Jeremy Jackman, attempted to rob Rodriguez in Rodriguez's hotel room. Rodriguez resisted, and Jackman fired one shot, killing Rodriguez. Banner and Jackman fled the scene separately. Jackman was arrested within minutes. Banner was arrested later that night when he sold the murder weapon to an undercover CMPD police officer.

Banner is the first defendant under the age of 18 to be tried in Mecklenburg County since the passage this year of a new sentencing law for murders committed by defendants who were under the age of 18 at the time of the crime. Previously, the law required a mandatory sentence of life without parole, regardless of the age of the defendant. The new law gives the Court discretion in the case of defendants under age 18 to sentence to life without parole or life with parole eligibility after 25 years. The new law, however, mandates the latter sentence in cases where the defendant is convicted of first-degree murder solely under the "felony murder rule," as was the case in Banner's trial.

Kavron Robert Hart, 27, was tried for first-degree murder for the 2009 killing of Cody Jeffries, 29. On November 9, 2012, the jury found Hart *guilty* of voluntary manslaughter. The Honorable Mark E. Klass, Superior Court Judge, sentenced Hart to 55-75 months in prison.

The homicide occurred on October 17, 2009 in the parking lot of the Embassy Suites, located on South Tryon Street. Hart, an employee at the hotel, witnessed Cody Jefferies and his girlfriend arguing in the parking lot after a fire alarm. After seeing the argument, Hart went to his vehicle to retrieve his gun and intervened. When Hart told the couple to leave, Jefferies walked toward Hart in an aggressive manner. Hart backed up and fired his gun one time, striking Jefferies in the chest, killing him. Hart left the scene and was arrested about 9 hours later.

Randy Edward Cook, 53, was tried for first-degree murder for the 2010 killing of Leonard Heard, 58. On November 8, 2012, the jury found Cook *not guilty*. The homicide occurred on May 12, 2010 on Monroe Road near the intersection of Wendover Road. Cook stabbed Heard twice with a knife, claiming that Heard was threatening his life. The two had engaged in a

brief confrontation earlier wherein Heard had been the aggressor striking Cook multiple times with his fist.

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