

State of North Carolina
General Court of Justice
Twenty-Sixth Prosecutorial District
MECKLENBURG COUNTY

SPENCER B. MERRIWEATHER III
DISTRICT ATTORNEY

700 EAST TRADE STREET
CHARLOTTE, NC 28202
TELEPHONE: 704-686-0700
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January 5, 2024

Interim Special Agent in Charge Brandon Blackmon
North Carolina State Bureau of Investigation
5994 Caldwell Park Dr.
Harrisburg, North Carolina 28075

Re: Peter Evan Cory Death Investigation

Dear Interim SAC Blackmon:

Pursuant to N.C.G.S. 7A-61, my office has reviewed the investigation surrounding the shooting death of Peter Evan Cory on August 20, 2023. The case was investigated under case number 2023-02298. The documentation considered for the purposes of this review was provided by the North Carolina State Bureau of Investigation on November 2, 2023.¹ The purpose of this review was to examine whether the actions of Charlotte-Mecklenburg Police Department Officer Tyler Bourque were unlawful in the incident leading to the death of Peter Evan Cory.

The shooting occurred at approximately 8:09 a.m. at the residence of the decedent and his girlfriend, B.S.², located in an apartment complex at 327 W. Tremont Avenue in Charlotte. Shortly before the shooting, B.S. called Non-Emergency Police Services to report that her boyfriend was paranoid, having a panic attack, and seeing people who were not there. The dispatcher offered to transfer B.S. to 911, but B.S. politely declined and disconnected the call. The operator contacted 911 and asked police to follow up on the call. At approximately 7:34 a.m., a neighboring resident called 911 to request police assistance because he heard a male yelling and a female crying. The caller stated the yelling had been going on for approximately ten minutes and that he heard the male voice say, "Who are these people?" At 7:52 a.m., B.S. called 911 and requested police, then Medic. Before the 911 operator could transfer the call, there was a loud disturbance involving a male voice and B.S.'s call disconnected. B.S. called 911

¹ The North Carolina State Bureau of Investigation does not routinely provide verified transcripts of interviews as part of the investigative file; therefore, transcripts are not included as attachments to this review. For purposes of these reviews, however, this office reviews the actual underlying recorded video or audio interviews provided by the SBI.

² Witnesses who did not identify themselves publicly in media interviews or otherwise are not identified by name in this document. To name those who did not publicly identify themselves could have a chilling effect on witness cooperation in other cases.

again and asked for police. A male voice in the background loudly stated they did not need police before the call disconnected again.

Officers Tyler Bourque and Shawn McMichael were dispatched to the call. Officer Bourque arrived first and responded to the apartment with members of the Charlotte Fire Department. Upon arrival at the residence, Officer Bourque began knocking on the door. After knocking for approximately four minutes with no answer, Officer Bourque heard yelling and screaming from inside the apartment. At that point, a Fire Department employee unsuccessfully tried to find a key that unlocked the door while Officer Bourque attempted to kick in the door between attempts to find a key that fit the lock. Just under two minutes later, a single gunshot originated from inside the apartment. Officer McMichael, who arrived at the door to the residence simultaneously with the gunshot, successfully kicked in the door and Officers Bourque and McMichael entered the residence while announcing their presence.

Body-worn camera footage shows that as the officers entered the residence, terrified screams of “help me, help me, please help me!” and sounds of a physical struggle emanated from the back bedroom. Officer Bourque proceeded to the back bedroom where B.S. was located bleeding and suffering from a gunshot to her left arm. As Officer Bourque stood in the doorway, the decedent emerged from behind a dresser brandishing a firearm. [1]. The decedent extended the firearm in the direction of Officer Bourque. [2] [3] [4] [5] [6]. The gun then slipped or was knocked from the decedent’s grasp and landed on the floor. Officer Bourque entered the bedroom while giving the decedent multiple commands to “put it down” and Officer Bourque and the decedent both raced to recover the loose firearm. [7]. The decedent then tackled Officer Bourque, slamming him to the ground and dislodging Officer Bourque’s body-worn camera. Officer McMichael stepped in to push the decedent away from Officer Bourque and the decedent stabbed at Officer McMichael with a knife held in the decedent’s right hand. [8] [9]. Officer Bourque then fired his service weapon at the decedent one time, striking the decedent in the chest. Body-worn camera footage shows these events happened extremely quickly with less than 30 seconds passing between the time the officers entered the apartment and the time Officer Bourque fired his service weapon.

The Fire Department rendered aid to the decedent before he was pronounced deceased on scene. B.S. was treated for a gunshot wound to her left arm. Officer McMichael required 13 stitches to close an eight-inch laceration to the back of his head.

As you know, this letter specifically does not address issues relating to tactics, or whether officers followed correct police procedures or CMPD Directives.

A senior Assistant District Attorney (ADA) responded to the scene of this incident and monitored the investigation. I reviewed the investigative file as provided by the SBI. Finally, consistent with the District Attorney’s Office Officer-Involved Shooting Protocol, this case was presented to the District Attorney’s Officer-Involved Shooting Review Team, which is comprised of the office’s most experienced prosecutors.

A. The role of the District Attorney under North Carolina law

The District Attorney (DA) for the 26th Prosecutorial District is a state official and, as such, does not answer to city or county governments within the prosecutorial district. The District Attorney is the chief law enforcement official of the 26th Judicial District, the boundaries of which are the same as the County of Mecklenburg. The District Attorney has no administrative authority or control over the personnel of CMPD or other police agencies within the jurisdiction. That authority and control resides with each city or county government.

Pursuant to North Carolina statute, one of the District Attorney's obligations is to advise law enforcement agencies within the prosecutorial district. The DA does not arrest people or charge people with crimes. When the police charge a person with a crime, the DA decides whether or not to prosecute the charged crime. Generally, the DA does not review police decisions not to charge an individual with a crime. However, in officer-involved shooting cases, the DA reviews the complete investigative file of the investigating agency. The DA then decides whether he agrees or disagrees with the charging decision made by the police. If the DA concludes that uncharged conduct should be prosecuted, the case will be submitted to a Grand Jury.

If no criminal charges are filed, that does not mean the District Attorney's Office believes the matter was in all respects handled appropriately from an administrative or tactical viewpoint. It is simply a determination that there is not a reasonable likelihood of proving criminal charges beyond a reasonable doubt unanimously to a jury. This is the limit of the DA's statutory authority in these matters. The fact that a shooting may be controversial does not mean that criminal prosecution is warranted. Even if the District Attorney believes a shooting was avoidable or an officer did not follow expected procedures or norms, this does not necessarily amount to a violation of criminal law. In these circumstances, remedies (if any are appropriate) may be pursued by administrative or civil means. The District Attorney has no administrative or civil authority in these matters. Those remedies are primarily in the purview of city and county governments, police departments, and private civil attorneys.

B. Legal standards

The law recognizes an inherent right to use deadly force to protect oneself or others from death or great bodily harm. This core legal principle is referred to as the right to "self-defense." A police officer does not lose the right to self-defense by virtue of becoming a police officer. Officers are entitled to the same protections of the law as every other individual. An imminent threat to the life of a police officer or others entitles the officer to respond in such a way as to stop that threat.

Under North Carolina law, the burden of proof is on the State to prove beyond a reasonable doubt that a defendant did not act in self-defense of himself or others. The Supreme Court of North Carolina defined the law of self-defense in State v. Norris, 303 N.C. 526 (1981). A killing is justified under North Carolina law if it appeared to a person that it was necessary to kill in order to save himself or another from death or great bodily harm. The law requires that the belief in the necessity to kill must be reasonable under the circumstances. Id. at 530.

C. Use of deadly force by a law enforcement officer

The same legal standards apply to law enforcement officers and private citizens alike. However, officers fulfilling their sworn duty to enforce the laws of this State are often placed in situations in which they are required to confront rather than avoid potentially dangerous people and situations.

The United States Supreme Court stated, “[t]he ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.” Graham v. Connor, 490 U.S. 386, 396 (1989). The Court further explained that “[t]he calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation.” Id. at 396–97. A situation in which an officer is confronting an armed person with uncertain motives is by definition dangerous, and such a circumstance will almost always be tense, uncertain, and rapidly evolving. In these circumstances, we are not deciding whether the officer’s belief in the need to use deadly force was correct but only whether his belief in the necessity of such force was reasonable.

In conducting a legal analysis, this office must take its guidance from the law, and a decision must not be based upon public sentiment or outcry. The obligation of a District Attorney is clear; he must simply apply the law to the known facts.

What the law demands is an evaluation of the reasonableness of the officer’s decision at the moment he fired the shot. The Supreme Court of the United States has provided guidance on what is objectively reasonable and how such an analysis should be conducted. That guidance indicates that it is inappropriate to employ “the 20/20 vision of hindsight,” and an analysis must make “allowance for the fact that police officers are often forced to make split-second judgments.” *See* Graham v. Connor, 490 U.S. at 396. The Court suggests that when reviewing use of force cases, caution should be used to avoid analysis “more reflective of the ‘peace of a judge’s chambers’ than of a dangerous and threatening situation on the street.” Elliot v. Leavitt, 99 F.3d. 640, 643 (4th Cir. 1996).

D. The officer-involved shooting of Peter Evan Cory

Officer Tyler Bourque

Officer Tyler Bourque was interviewed by SBI agents on September 1, 2023 at the SBI District Office in Harrisburg, North Carolina. In that interview, Officer Bourque stated he had been employed with the Charlotte-Mecklenburg Police Department for approximately five years and was assigned to patrol. On August 20, 2023, he was in his assigned police uniform when he was dispatched to this call at 327 W. Tremont Avenue. Officer Bourque recounted that he had not had any previous interaction with the residents of this particular apartment.

Officer Bourque recalled that the call for service was regarding a male and female arguing, and, at the same time, a priority medical call came in for the same apartment building.

Officer Bourque walked to the front door of the building and was let in by a member of the Charlotte Fire Department who walked with him to the elevator and then to the apartment.

Officer Bourque recounted that he could not hear anything from inside the apartment. He knocked three or four times to make contact and to check the welfare of anyone inside. Officer Bourque recalled that when he stopped knocking, he heard a gunshot and scream from inside the residence. At that time, Fire Department personnel started trying keys for the building to gain access to the apartment. Between attempts to find the right key, Officer Bourque attempted to kick the door open but was unsuccessful. Officer Bourque recounted that Officer McMichael arrived on the scene while he was trying to kick the door open, and Officer McMichael was able to breach the door.

Officer Bourque recalled that he and Officer McMichael both entered the well-lit apartment with guns drawn and started to clear the apartment while announcing themselves as police officers. Officer Bourque first entered the kitchen and then made his way to a back bedroom where a female was screaming for help. He kicked open the door to the room where the screams were coming from and saw that there was a dresser that had been pushed up against the door. He could see a person with short dark hair, ducking down behind the dresser and could see a black semi-automatic handgun in the individual's right hand. Officer Bourque also saw a white female with blonde hair crouched in the corner where the bed and the wall met.

Officer Bourque recounted that he saw the gun the decedent was holding slide to the right side of the dresser that was blocking the door and across the floor. Officer Bourque stated that he went for the gun to keep it away from the decedent, who was also going for the gun. Officer Bourque could not remember if he fought the decedent for the firearm but did remember seeing Officer McMichael go for the decedent since the decedent no longer had the gun.

Officer McMichael pulled the decedent off Officer Bourque and attempted to place the decedent into custody. Officer McMichael and the decedent were fighting in close proximity when Officer Bourque noticed that the decedent was holding a small black knife in his right hand. Officer Bourque recalled that the decedent swung the knife at Officer McMichael who was able to push away from the decedent with his left hand.

Officer Bourque stated that based on what he had seen, he perceived a deadly threat to everyone in the room and fired his service weapon one time at the decedent. After being struck by the bullet, the decedent dropped the knife and fell back, clenching his chest. At this time, Officer Bourque saw Officer McMichael holding his head with a considerable amount of blood coming from Officer McMichael's wound. Officer McMichael asked Officer Bourque to place the decedent under arrest so Officer McMichael could seek medical attention.

Officer Bourque placed the decedent in custody using two sets of handcuffs together due to the decedent's large size. As he rolled the decedent onto his back, Officer Bourque saw an additional black handgun in the corner of the bedroom. Once the decedent was restrained, Officer Bourque removed the decedent's t-shirt with his pocketknife so he could better provide care. A Fire Department member came to assist and placed a chest seal on the decedent's wound. Officer Bourque then stepped back and allowed the Fire Department to render aid to the decedent.

Officer Bourque recalled that both his and Officer McMichael's body-worn cameras fell off during the incident. As additional officers began to arrive, Officer Bourque picked up his camera and was led out of the apartment.

Officer Shawn McMichael

Officer Shawn McMichael was interviewed by SBI agents on September 12, 2023, at the SBI District Office in Harrisburg, North Carolina. In that interview, Officer McMichael stated that he has worked with the Charlotte-Mecklenburg Police Department since 1999 and was assigned as a patrol training officer for the Central Division. Prior to his current employment, he was a Military Police Officer from 1994-1998.

Officer McMichael recalled that on August 20, 2023, he received an assist medic call for service at 320 Tremont Avenue. Officer McMichael was dispatched with Officer Bourque. Officer Bourque and firefighters arrived on scene prior to Officer McMichael. Officer McMichael reported he was wearing his department-issued patrol uniform.

Officer McMichael stated that when he arrived on scene, Officer Bourque told him that he had just heard a gunshot inside the apartment. Officer McMichael did not recall hearing the gunshot Officer Bourque was referring to, but he did hear a female inside the apartment screaming. Officer McMichael recounted that Officer Bourque attempted to enter the apartment by kicking the door and was unsuccessful. Officer McMichael kicked in the door and saw that there were things stacked behind the door to keep it barricaded. Officer McMichael entered the apartment and announced he and Officer Bourque as police officers. Officer McMichael recounted that he went straight into the apartment and Officer Bourque went to the right, entering the kitchen. Officer McMichael did not know where the residents of the apartment were, but noticed a bedroom to the left and did not see anyone on that side.

Officer McMichael recounted that he heard a female screaming loudly in the bedroom to the right of the apartment and saw the door was closed. Officer Bourque went to the closed door and Officer McMichael took Officer Bourque's spot in the kitchen. Officer Bourque either kicked or shouldered the bedroom door which was also barricaded. Officer Bourque stood in the doorway of the bedroom and then went to the left and McMichael went to the right. Officer McMichael reported that he could smell the recent gunshot and saw a female with blonde hair on the edge of the bed.

Officer McMichael reported that, at this point, his memory of the events is unclear, but he recalled that at some point he holstered his weapon and got into an altercation with the decedent, during which the decedent stabbed him with something. He remembered Officer Bourque firing his weapon at the decedent in front of Officer McMichael.

Officer McMichael estimated that altercation lasted about 20 seconds and did not recall the decedent saying anything during the events.

After the shooting, Officer McMichael noticed he was bleeding profusely and knew he had to stop his own bleeding. He checked with Officer Bourque to ensure Officer Bourque could handcuff the decedent by himself and then sought aid from the Fire Department.

Officer McMichael stated that he sustained an 8-inch laceration just above his left ear down to the middle of his head that required approximately 13 stitches.

B.S.

B.S., the decedent's girlfriend, was treated for a gunshot wound by a number of medical personnel on scene. B.S. made statements about the events leading up to the shooting to each of these first responders which were documented in their reports. The first medic documented that B.S. reported the decedent shoved her up against a wall and choked her, which was the reason she called 911. This medic noted corresponding marks on B.S. The second medic also noted hand marks around B.S.'s neck. The third medic documented that B.S. stated that the decedent had been up all night and had been drinking, eating marijuana gummies, and using cocaine. This medic documented that B.S. reported the decedent became paranoid and that B.S. tried to calm him down. He then became violent, grabbed her by the neck and hit her head on the dresser. This third medic inquired whether the decedent had been violent before and B.S. denied a history of domestic violence.

B.S. was interviewed by SBI Agents on August 21, 2023. B.S. stated that she and the decedent lived together in the apartment and had dated for approximately two years. She reported that she and the decedent had used cocaine the evening before and morning of the shooting. On that morning, the decedent told B.S. that there were lasers in the room and people outside, and he was very paranoid. After struggling to calm the decedent down, she called her parents to see if they could help. B.S.'s father attempted to help, however, the decedent told B.S. it was not B.S.'s father and the decedent would not calm down.

B.S. reported that she called the police to see if they could help but stated that she could not get through to 911, so she texted her address to 911. B.S. claimed that she never felt unsafe and this was not a domestic dispute. Instead, she stated she contacted the police because she thought the decedent needed extra help such as medicine or a hospital visit. However, prior to police entering the apartment, B.S. stated that the decedent accidentally discharged the gun, shooting B.S. in her left arm. B.S. said she knew the shot was accidental because the shot startled the decedent, who started crying after the gun went off.

B.S. recalled that prior to the shooting, the decedent had a small, black semi-automatic handgun. Additionally, the decedent had a green and brown folding knife in his hand when the officers came in the bedroom. B.S. stated the police entered the bedroom after the gunshot and a police officer jumped on top of the decedent, then the other officer came in and shot the decedent in the chest while the decedent was lying on the ground. She recalled that, at some point, the decedent stabbed the first officer that entered the room.

B.S. estimated that the shooting officer was four to five feet from Cory when he discharged his weapon one time. She described the two officers as (1) a heavy-set white male and (2) a younger and leaner white male. It was the younger officer who fired his weapon.

B.S. reiterated she was never in fear for her life, and it was her belief that a taser could have been used instead.

E. Calls for service

A review of the recordings reveals that B.S. called Non-Emergency Services reporting her boyfriend was paranoid, having a panic attack, and seeing people who were not there. When the operator offered to transfer B.S. to 911, she politely declined and hung up.

At 7:34 a.m., a neighboring resident in the apartment building called 911 to report that he heard a male voice yelling and a female crying and that it had been going on for approximately ten minutes.

At 7:52 a.m., B.S. connected with 911 and requested Medic, but disconnected on transfer to Medic with a loud disturbance involving a male voice in the background.

At 7:53 a.m., B.S. again connected with 911 asking for police. A male voice is also heard on the call saying they do not need police.

F. Physical evidence

Officer Bourque's service weapon, a Glock 17 9mm, was turned over to SBI agents. Officer Bourque's weapon was loaded with WIN 9mm ammunition. There were 16 rounds of ammunition in the magazine and one round in the chamber of the firearm, meaning one spent round. That spent WIN 9mm casing was located and collected from the bedroom floor.

The decedent's weapon, which was used to shoot B.S., was a Canik SPX Rival 9mm loaded with Hornady 9mm Luger rounds. A spent Hornady 9mm Luger round was located and collected from the bedroom floor.

Officer Bourque's knife, used to cut the decedent's clothes, was in the bedroom. Two additional knives were located in the bedroom, including a wooden-handled pocket knife engraved with "Peter" on the handle and containing suspected blood on the blade.

The additional firearm Officer Bourque saw near the bed was also located and collected by agents. That firearm was a black Smith & Wesson M&P Shield EZ with seven FC Luger 9mm rounds in the magazine and one FC Luger round in the chamber.

G. Video evidence

Body-worn cameras (BWCs) worn by Officers Bourque and McMichael captured the events as they quickly unfolded. Officer Bourque's BWC showed he arrived at the door of the residence at 8:02:52 a.m. and knocked without answer until screaming is heard coming from inside the apartment at 8:06:30 at which time, a Fire Department employee began attempting keys while Officer Bourque attempted to kick in the door. At 8:08:23, a gunshot was heard within the apartment and Officer McMichael kicked in the front door.

At 8:08:51, Officer Bourque entered the residence. Immediately upon stepping through the front door, Officer Bourque's BWC recorded sounds of a physical struggle as well as B.S.'s terrified screams of, "Help me! Help me! Please help me!" Officer Bourque ran toward the cries and kicked in the bedroom door. Officer Bourque's BWC recorded the decedent standing up from behind a dresser brandishing a gun in his left hand. That gun is briefly lowered in the direction of Officer Bourque before falling to the floor.

Amid considerable commotion, Officer Bourque issued commands to, “put it down” before going for the firearm now located on the floor. Officer McMichael’s BWC captured Officer Bourque struggling with the decedent before the decedent lifted Officer Bourque and slammed him to the ground. Officer McMichael intervenes and is struck when the decedent swings a knife that is visible in his right hand. Officer McMichael’s BWC is dislodged from its mount as a gunshot can be heard on both BWCs at 8:09:18.

H. Autopsy report

The Mecklenburg County Medical Examiner’s Office performed an autopsy on Peter Evan Cory on August 29, 2023. The cause of death was determined to be a gunshot wound of the chest. Toxicology testing of the decedent’s blood sample indicated the presence of cocaine (.30 mg/L) and benzoylecgonine, a cocaine metabolite (4.9 mg/L).

A copy of the Report of Autopsy Examination and the Toxicology Report is attached as Exhibit 1.

I. Conclusion

It is undisputed that Officer Bourque fired his service weapon once at the decedent, striking him in the chest. The central issue in this review is whether Officer Bourque was justified under North Carolina law in using deadly force in the protection of himself or another. A police officer – or any other person – is justified in using deadly force if they, in fact, believed that they or another person were in imminent danger of great bodily harm or death from the actions of the person who was shot, and if their belief was reasonable. The body-worn camera video, the statement of Officer McMichael, Officer McMichael’s physical injuries, B.S.’s physical injuries, and the physical evidence all corroborate the account of Officer Bourque.

The evidence in this case is clear that Officer Bourque was responding to a call for service regarding a dispute between a male and a female when he heard screams and a gunshot come from inside the residence. After breaching the door, Officer Bourque and McMichael ran toward the screams where they were confronted with an injured female and the decedent, who was brandishing a gun. Officer Bourque commanded the decedent to, “put it down” before being forced into a struggle for a firearm that had been dropped or knocked loose. During that struggle, Officer Bourque was tackled to the ground by the decedent who was considerably larger than Officer Bourque. Officer McMichael then attempted to intervene in defense of Officer Bourque. At this point, the decedent stabbed Officer McMichael with a knife, a deadly weapon, injuring him. Officer Bourque fired at the decedent in clear defense of Officer McMichael who was in the process of being attacked with a deadly weapon.

In a matter of seconds, Officers McMichael and Bourque confronted a sequence of serious and imminent threats: a gunshot behind a closed door, the brandishing of a firearm, the physical assault of an officer, and finally the stabbing of an officer about the head. Under certain circumstances, any *one* of these threats might have been enough to justify the use of lethal force. Accordingly, when the corroborated evidence is considered in totality, there is no question that Officer Bourque was indeed reasonable in his belief the decedent posed an imminent threat of great bodily harm or death to himself and Officer McMichael and his use of lethal force is

justified by law. Accordingly, I will not be seeking charges related to the death of Peter Evan Cory.

If you have any questions, please contact me directly.

Sincerely,

A handwritten signature in black ink that reads "Spencer B. Merriweather III". The signature is written in a cursive style with a distinct "III" at the end.

Spencer B. Merriweather III
District Attorney

CC: Chief Johnny Jennings, Charlotte-Mecklenburg Police Department

Exhibits

The decedent emerged from behind a dresser holding a firearm in his left hand.

[Return](#)



The decedent extended the firearm in the direction of Officer Bourque. 1 of 5.

[Return](#)



The decedent extended the firearm in the direction of Officer Bourque. 2 of 5.

[Return](#)



The decedent extended the firearm in the direction of Officer Bourque. 3 of 5.

[Return](#)



The decedent extended the firearm in the direction of Officer Bourque. 4 of 5.

[Return](#)



The decedent extended the firearm in the direction of Officer Bourque. 5 of 5.

[Return](#)



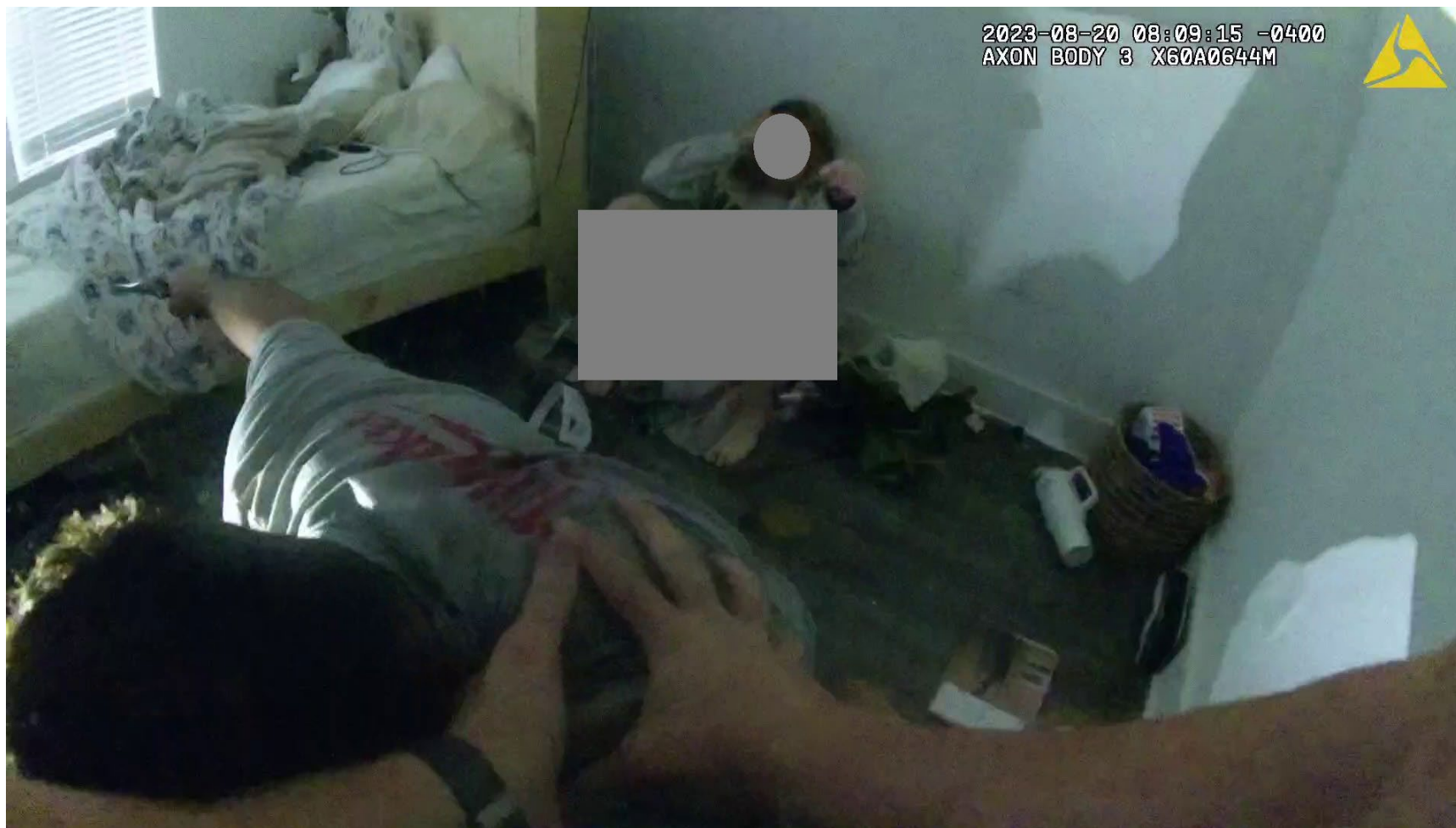
The decedent and Officer Bourque both attempt to recover the dropped firearm.

[Exhibit](#)



The knife is visible in the decedent's right hand. 1 of 2.

[Return](#)



The knife is visible in the decedent's right hand. 2 of 2.

[Return](#)



Exhibit 1

Mecklenburg County Medical Examiners' Office

3440 Reno Avenue, Charlotte, NC 28216
Telephone 704-336-2005
Fax 704-336-8353

REPORT OF AUTOPSY EXAMINATION

DECEDENT

Document Identifier: B23-5333
Name: Peter Cory
Age: 28
Race: White/Korean
Sex: Male

AUTHORIZATION

Authorized By Jonathan Privette, MD. Received From Mecklenburg County

IDENTIFICATION

Body Identified By Papers

ENVIRONMENT

Date of Exam: 8/28/23 Time of Exam: 1015
Persons Present: Elizabeth Fisher

CERTIFICATION

Cause of Death:

GUNSHOT WOUND OF THE CHEST

Pathologist Jonathan Privette, MD
Date Finalized: December 18, 2023



SUMMARY AND INTERPRETATION

The decedent is a 28-year-old male who was shot by Law Enforcement.

Autopsy examination reveals a gunshot wound of the chest and blunt-force injuries.

Please see separate report for toxicology details.

Based on the history and autopsy findings, it is my opinion that the cause of death in this case is a gunshot wound of the chest.

DIAGNOSES

- Gunshot wound of the chest
- Blunt-force injuries, minor

EXTERNAL DESCRIPTION

Length: 75 inches
Weight: 229 pounds
Body Condition: Intact
Rigor: 3+
Livor: Posterior
Hair: Brown
Eyes: Brown
Teeth: Natural
Body Development: Normal
Body Nourishment: Normal
Clothing: Shirt (previously cut), shorts
Accompanies the body: None
Identifying Marks: Tattoos as diagrammed
Medical Intervention: None

INJURIES

GUNSHOT WOUND OF THE CHEST

Entrance location: Anterior, right chest near midline

Inches above the heel: 57 inches

Inches R/L of midline: 3/4-inch right of anterior midline

Wound characteristics: The entrance gunshot wound measures 1/4-inch and exhibits 1/2-inch beveling predominantly at the 8 o'clock position. Soot and/or stippling are not grossly identified in association with this injury.

Injuries: The wound track lacerates the skin and soft tissue of the anterior chest, fractures the sternum at ribs #2, lacerates the distal aortic arch, left upper lung lobe, fractures left rib #2, the left scapula, terminates its course in the soft tissue of the posterior, left chest from where a partially deformed projectile is recovered. Associated injuries include bilateral hemothoraces.

Bullet retained: Yes

Trajectory in the anatomical position: Right to left, front to back, and upward

OTHER INJURIES

There is 1/8-inch laceration at left finger #5. There are abrasions/contusions at the dorsal aspect of the bilateral feet and left ankle.

INTERNAL EXAMINATION

Body Cavities

Organ positions: Normal

Abnormal fluid collections: See Injuries

Adhesions: None

Cardiovascular System

Heart Weight: 430 grams

Pericardium: Normal

Coronary arteries: Normal

Chamber and valves: Normal

Myocardium: Normal

Aorta and major branches: See Injuries

Respiratory System

Right Lung Weight: 740 grams

Left Lung Weight: 300 grams

Soft tissues: Normal

Hyoid bone and laryngeal cartilages: Normal

Obstructions: None

Lung parenchyma: See Injuries

Pulmonary arteries: Unobstructed

Gastrointestinal System

Grossly unremarkable

Liver

Liver Weight: 1970 grams

Grossly unremarkable

Spleen

Spleen Weight: 180 grams

Grossly unremarkable

Pancreas

Grossly unremarkable

Urinary

Right Kidney Weight: 160 grams

Left Kidney Weight: 180 grams

Grossly unremarkable

Reproductive

Grossly unremarkable

Endocrine

Thyroid gland: Normal

Adrenal glands: Normal
Neurologic
Brain Weight: 1570 grams
Scalp: Normal
Skull: Normal
Vasculature: Normal
Leptomeninges: Normal
Brain: Normal
Immunologic System
Grossly unremarkable
Musculoskeletal System
See Injuries

MICROSCOPIC EXAMINATION

Sections submitted: None
Findings:

SPECIAL PROCEDURES

Radiographs reveal a projectile at the chest.

DISPOSITION OF PERSONAL EFFECTS AND EVIDENCE

The following items are released with the body:
None

The following items are preserved as evidence:
Blood stain card
Projectile
Clothing

END OF REPORT

JP/km

DID#: 39299261

TOXICOLOGY REPORT

Office of the Chief Medical Examiner Toxicology Folder: T202310129
Raleigh, NC 27699-3025 Case Folder: F202307749
Date of Report: 14-dec-2023
DOD: 20-aug-2023
Page: 1
Spencer Merriweather
District Attorney's Office 26
700 E Trade Street
Charlotte, NC 28202

DECEDENT: Peter Evan Cory
Status of Report: Approved
Report Electronically Approved By: Sandra Bishop-Freeman, PhD

* * *

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SPECIMENS received from Jonathan Privette on 25-aug-2023

S230030733: 20.0 ml Blood CONDITION: Postmortem
SOURCE: Aorta OBTAINED: 21-aug-2023

** Comments Concerning This Specimen **
Unless otherwise noted, all testing on this specimen was
performed by NMS Labs. The Test Panel includes abused and
therapeutic drugs, some of which are not tested at OCME(THC,
LSD) but the results must be reported. Other drugs may
appear due to add-on testing directed by OCME. Contact the
lab for a full list.

** End of Comments Concerning This Specimen **

Benzoylcegonine ----- 4.9 mg/L 12/14/2023
Cocaethylene ----- None Detected 12/14/2023
Cocaine ----- 0.30 mg/L 12/14/2023
Organic Acids/Neutrals ----- None Detected 12/14/2023
Other Organic Bases ----- None Detected 12/14/2023

S230030734: 8.0 ml Blood CONDITION: Postmortem
SOURCE: Vena Cava OBTAINED: 21-aug-2023

Ethanol ----- None Detected 12/14/2023

TOXICOLOGY REPORT

Office of the Chief Medical Examiner Toxicology Folder: T202310129
Raleigh, NC 27699-3025 Case Folder: F202307749
Date of Report: 14-dec-2023
DOD: 20-aug-2023
Page: 2
Decedent: Peter Evan Cory

* * *

SPECIMENS received from Jonathan Privette on 25-aug-2023 (Continued)

S230030735: 4.0 ml Vitreous Humor CONDITION: Postmortem
SOURCE: Eye OBTAINED: 21-aug-2023

Accredited by the American Board of Forensic Toxicology, Inc.