

Attorney: Flowers will testify in first-degree murder trial

BY MICHAEL HENRY

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Testimony in the first-degree murder trial of Robert Earl Flowers Jr. began Tuesday in Dare County Superior Court and will likely continue through the end of the week.

Judge J. Richard Parker of Manteo is presiding.

Flowers of Manteo was charged with first-degree murder, attempted first-degree murder and assault with a deadly weapon with intent to kill, following an altercation at 12:36 a.m. on Jan. 22, 2000, during which a man was killed. The state is not seeking the death penalty.

Defense attorney Kris Felthousen of Manteo said in his 15-minute opening statement that Flowers will testify.

On the day of the alleged offenses, Dare County sheriff's officers responded to reports of a shooting at 1347 Burnside Road near Manteo. Upon arrival, they found the body of Plymouth resident Angelo Bennett, 26, in the yard.

Police allege that Flowers shot Bennett and fired shots at Kevin White, also a Plymouth resident and

an acquaintance of Bennett. White, now 36, was not injured.

Flowers, now 23, turned himself in to the Dare County Sheriff's Office at approximately 7 a.m. the day after the shooting.

Deputy Alfred Jackson testified that Flowers "was shaking very bad" when he was taken into custody at the Dare County Detention Center, where he has remained for approximately 17 months. When told of the pending charges against him, Flowers asked Jackson: "What if it was self-defense?" the deputy said.

The defense admitted that Flowers fired a gun on the evening of the incident but argues that he acted in self-defense, based on a bullet that was found lodged in a vehicle at 1346 Burnside Road, a residence across the street and directly behind the area from which Flowers is alleged to have shot.

Witnesses have testified that as many as six shots were fired that evening, coming from different locations. White's vehicle was not

searched by investigators, testimony revealed.

Assistant district attorneys Robert Trivette and Kevin Leahy are prosecuting the state's case.

"There is no doubt that Robert Flowers shot and killed Angelo

Bennett at close to midnight on the night of Jan. 22, 2000," Trivette said in court. "Four people will testify that he shot him [Bennett] in the back as he tried to move away from him."

Testimony from eyewitnesses on Tuesday laid out the events that transpired at Nekeysha McCleese's 1347 Burnside Road home in the hours leading to the shooting.

A group of friends had gathered to celebrate McCleese's birthday that evening, and a brief argument about a gold chain transpired between Bennett and Tramon Flowers, the defendant's brother, McCleese said.

Tramon Flowers left the residence with his three friends, and Bennett and White later followed them to "squash" the argument and settle their differences.

The two groups returned separately shortly thereafter, this time with Robert Flowers accompanying Tramon and the others.

Bennett and Robert Flowers then became involved in a minor verbal altercation at the house, after which Robert Flowers allegedly moved his shirt, revealing the black handle of a gun, according to testimony by Tatanisha Spencer.

Spencer said she tried to warn Bennett in a bedroom that Flowers had a gun, but he became angry with her and had to be restrained by White. The Flowers brothers and their friends then left the home, both McCleese and Spencer said, and were soon followed by Bennett and White.

"I know what I was trying to do [warn him of the gun] and I couldn't get to Angelo to let him know," Spencer said, breaking into tears. "He was a close friend."

The verbal squabble continued outside, when Flowers allegedly pulled the gun and fired a shot into Bennett's shoulder. McCleese said Bennett then moved toward Flowers, who missed with a second shot, before the victim turned to run.

"And that was the one that killed him," a stoic McCleese said of the third shot. "He fell immediately right there."

Trivette said the bullet entered the rear of Bennett's skull and exited through his forehead, killing him instantly.

Two Dare County Sheriff's deputies were stationed at the entrance to the courtroom Tuesday, conducting searches with metal detectors of those who entered the courtroom. The searches are a result of retaliatory threats that followed Bennett's shooting last year.

Approximately four hours were needed to choose a jury of seven women and five men on Monday. A male alternate was also selected. Two jurors reside on Roanoke Island.

The trial, originally scheduled to begin May 7, was postponed that morning due to the unrelated murder of the victim's brother at a Bertie County nightclub the day before.

Parker granted one pretrial motion by the defense Monday to limit the presence of witnesses in the courtroom to family members and lead investigator W. Kevin Duprey of the Dare County Sheriff's Office.

Flowers was a stand-out on the Manteo High School football team and a page for former Gov. Jim Hunt.



PHOTO BY MICHAEL HENRY/SENTINEL STAFF

Robert Flowers Jr., left, confers with his attorney Kris Felthousen at the beginning of his trial Tuesday. Flowers, 23, is charged with three crimes, including first-degree murder, and could face life imprisonment if convicted.