

Charges dropped in killing seen on YouTube

by UPI

TORONTO - Murder charges were dropped against two men allegedly videotaped killing a Toronto teenager hanging out with friends near a mall, a prosecutor said Thursday.

Even though the surveillance video of 18-year-old Abdikarim Ahmed Abdikarim's killing was posted on YouTube by Toronto police hoping to draw leads, few people came forward to help police build a case, Joe Callaghn said.

Owen Anthony Smith, 36, and Wendell Damian Cuff, 26, were not in court to hear they were now free after 11 months in custody, due to a jail guards job action, The Toronto Star reported.

A two-camera security video shows two men in dark clothing briskly approaching Abdikarim and his friends outside a housing complex near the upscale Yorkdale Shopping Center around 10 p.m. March 14, 2008. One man fires six shots into the crowd.

Abdikiram, who police said had no gang links, was hit in the head. Five other males were wounded, officials said.

Smith, who police believed was the shooter, was arrested after a two-week manhunt.

"After a thorough and careful analysis of all the available evidence in this case, including the video footage, I have concluded that the evidence of the identity of the shooter and the evidence of the degree of participation of the second male are insufficient to pass the test at a preliminary inquiry," Callaghn told the Ontario Court of Justice.

"I am therefore of the view that there is not a reasonable prospect of conviction at this time. As such, I am asking that the charge against Mr. Cuff and Mr. Smith be noted as withdrawn by the Crown," he said.

Cuff and Smith were each charged with one count of first-degree murder and five counts of attempted murder.

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