

New Evidence For Fourth Trial; D.C. Prosecutors Say Moore Admitted to 1994 Slaying [FINAL Edition]

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Start Page:B.01Section:METRO

Prosecutors unveiled new evidence against alleged killer Corey A. Moore yesterday, a jailhouse letter portrayed as a confession, as his fourth trial on the same murder charges opened yesterday in D.C. Superior Court.

Assistant U.S. Attorney Glenn L. Kirschner read the slang-laced letter in his opening statement to jurors, saying it was a veiled reference to Moore killing Byron Hammond and wounding Reginald Jackson the night of Oct. 27, 1994. Jackson survived, though Moore didn't know it at the time, the prosecutor said.

"It ain't my fault that joker ain't ride the bus to the dark side like his man did," Moore's allegedly wrote to a friend a few weeks after the shooting. "I thought work was done and stepped off. He played out on me."

Kirschner then told jurors that Moore, now 25, fled the scene after the shootings.

"Corey Moore ran through the woods and, at least for the moment, got away with murder," he said. "That was seven years ago. The time has come for that to come to an end."

The letter, which prosecutors did not discover until years after the slaying, provided a new turn to one of the most intricately balanced cases in District criminal law. The three earlier trials each ended in hung juries, despite weeks of deliberations each time, leaving Moore neither convicted nor legally absolved. Such a stalemate is unprecedented in the District and rare in U.S. criminal law, according to judicial sources and legal scholars.

Moore is charged with second-degree murder and six other felonies. He could be sentenced to life in prison if convicted.

The stakes are especially high in Moore's case, because FBI reports describe him as one of the District's most lethal criminals. Moore has been charged with killing two men before Hammond, with trying to kill another man and with robbing yet another at gunpoint.

Police documents also describe him as the suspect in the slaying of the lone eyewitness to one of those killings.

But he has never been convicted of any of those crimes. His only adult conviction is for a gun charge, and he has completed that prison term.

That earlier string of acquittals led to Moore's arrest in Hammond's slaying, said Nikki Lotze, his defense attorney. She told jurors that frustrated police and FBI agents considered it to be "payback time."

She said police dropped or greatly reduced charges against men already in custody in exchange for implicating Moore in Hammond's slaying. They also gave signals to Jackson, the surviving eyewitness, during his videotaped statement to name Moore as the killer, Lotze said.

"But you can't persuade physical evidence to lie, and you won't find any physical evidence that shows Mr. Moore was in the car that night," she said.

Hammond was driving his Plymouth Grand Fury along Newcomb Circle, a cul-de-sac in Congress Heights, when he was shot in the back of the head. Jackson was shot through the neck. He initially told police he had been walking down the street when he was shot by an unknown gunman. But then, police and prosecutors say, he finally admitted he was only scared of naming the true killer. When given photographs to sort through, he picked out Moore's picture.

"I'm 100 percent sure that's him," he told police.

Prosecutors say Moore had gotten in the car a few minutes earlier, pretending to be friendly with Hammond. In reality, they say, he was furious because the word on the street was that Hammond had killed a friend of his a few months earlier.

With a rap song about an ambush slaying blaring on the car's tape deck, Moore shot both men with a Colt .45 pistol, Kirschner said yesterday. The gun was never recovered, but rounds of ammunition very similar to those used in the shooting and an extended clip for a Colt .45 were found in the apartment of Moore's sister. The clip bore Moore's fingerprint, FBI lab tests showed.

But in the car, Moore's fingerprints were found only on the inside edge of the driver's window, as if he had leaned in to speak to the driver. Tests did not find his fingerprints, DNA, hair or clothes fibers elsewhere in the car.

"Corey Moore is innocent," Lotze repeated time and again to jurors yesterday. "The government wants you to think this letter is some sort of confession. That's complete and utter hogwash. Mr. Moore could not confess to this crime because he didn't commit it."

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