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## Two Atlantic City men acquitted in Stanley Holmes slaying

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A jury found Wednesday that two Atlantic City men charged with shooting a man to death in August 2006 at Stanley Holmes Village were not responsible for the killing.

Jeremiah Hurt, 28, and Jy Smartel, 27, were acquitted of murder, conspiracy, endangering an injured victim, aggravated assault and weapons offenses late Wednesday afternoon. The jury deliberated for about eight hours over two days, beginning Tuesday.

Hurt, aka "Twin," and Smartel, aka "Boog," were charged with murder in the shooting death of Eduardo Gomez, 26, aka "Gua." Hurt and Smartel's trial began Nov. 10 before Superior Court Judge Michael Donio.

Gomez, of East Orange, Essex County, was visiting friends at Stanley Holmes Village when he was shot multiple times. Six bullets struck him: two in the head, two on the right side of the torso and one each in the right hip and left knee, according to an autopsy report. He was shot with two different-caliber bullets. Hurt's attorney, Michael Schreiber, and Smartel's attorney, Ralph Kramer, have claimed Gomez was armed and also fired shots.

Both defendants previously served prison sentences, according to state Department of Corrections records. Hurt's prior conviction included drug possession and resisting arrest; Smartel served his sentence for aggravated assault, drugs and weapons offenses.

In his closing statement to the jury Monday, Schreiber said there was no convincing proof that either Hurt or Smartel was the shooter. Eyewitnesses for the state may have claimed to have heard gunshots or alleged confessions from the men - but no eyewitness testified to actually seeing either man shoot Gomez, Schreiber said.

"That alone should give reasonable doubt," Schreiber said. "Reasonable doubt means not guilty."

Kramer told the jury the trial moved quickly in part because the state's case was "extremely weak."

Acting Chief Assistant Prosecutor Chet Wiech told the jury that Gomez was a "perfect victim," in that he carried drugs, money and a gun. Witnesses for the state placed Hurt and Smartel at the scene of the crime, he said, while witnesses for the defense gave inconsistent statements.

Reached by phone, Schreiber said he was pleased with the jury's decision. "I was happy that they were fair," Schreiber said. "There was a lot of evidence for them to look at. ... It appeared they were very careful in their deliberations."

"I believe they rejected the state's argument in the case," he said.

After the verdict, Wiech asked that Hurt and Smartel continue to be held at the Atlantic County Jail on the fourth-degree charge of possession of a weapon by a convicted person.

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That charge was not presented to the jury, so they would not know that Hurt and Smartel had previous convictions. Hurt is also being held on a third-degree witness-tampering charge.

Donio ordered the men be held on \$30,000 bail. He asked Schreiber and Kramer to submit briefs on the matter by Tuesday.

Schreiber said he was caught off guard by Wiech's request to keep the men in jail.

"The jury already ruled they were not guilty of possession of a weapon," he said. "My client has been in jail for over two years."

Wiech had no comment on the verdict, according to a spokeswoman for the Atlantic County Prosecutor's Office.

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