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# Jury Is Deliberating in Attempted Drive-By Shooting Trial of Rap Producer's Associate

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The jurors weighing the fate of an associate of rap mogul Marion "Suge" Knight began their deliberations Tuesday with two undisputed facts.

Timothy McDonald is charged with attempted murder, but no victim has come forward.

He is accused of assault with a firearm, but he didn't fire a gun.

The prosecutor told jurors that McDonald drove into rival gang territory ready to kill, and that the only reason he didn't pull the trigger was because sheriff's deputies interrupted the drive-by shooting in progress.

The defense attorney, in contrast, argued that his client went to the South Los Angeles neighborhood to pay tribute to a slain friend and did not intend to shoot anyone. Anthony Brooklier accused the sheriff's deputy of falsely testifying that McDonald pointed a gun out of a car window.

The closing arguments came after three days of testimony in a Torrance courtroom before Superior Court Judge Laura C. Ellison. During the trial, the six men and six women on the jury heard testimony from several officers and viewed the Chevrolet Monte Carlo sedan that was allegedly used in the attempted drive-by shooting.

McDonald did not testify in his own defense.

McDonald's mother, Mahalia, who attended the trial, said her son was just in the wrong place at the wrong time. She said she believes the sheriff's deputies framed her son to pressure him for information about Knight, owner of Death Row Records.

"It's just so hard to sit up and listen to so many lies," she said outside court.

Deputy Dist. Atty. Dara Williams argued that McDonald, a member of the Mob Piru Bloods, wanted to avenge the death of a fellow gang member who had been killed just a few days earlier. So he and Darryl "Biggie" Small went to South Los Angeles on Oct. 22 planning to kill a Denver Lane Blood. About 1:20 p.m. they stopped abruptly at the curb, and McDonald pointed a 9-millimeter semiautomatic handgun out the window. A man dressed in red crouched on the sidewalk, she said.

At the same time, two sheriff's deputies drove past, and Small grabbed his passenger's chest and McDonald pulled the gun back in the car, the prosecutor said. Deputy John Davoren yelled that

there was going to be a drive-by and called for backup.

McDonald then reached into the rear of the car and tried to hide the gun as the car sped away, Williams said.

After the arrest, deputies searched McDonald and found gloves in his jacket, which she told jurors were to conceal gunshot residue and fingerprints.

"But for the grace of God, but for those deputies driving by, there would have been a drive-by," Williams said. "Luckily they stopped it."

Defense attorney Brooklier countered by questioning Deputy Davoren's ability to see clearly what was happening and his failure to warn fellow deputies when he called for backup that McDonald was armed.

Brooklier said the deputy's testimony that he didn't want to scare neighbors and didn't want to create a traffic jam was "one of the most ridiculous arguments" he had ever heard.

"He tried to pull the wool over your eyes," Brooklier told jurors. "You shouldn't believe him."

Brooklier said the reason McDonald's fingerprints aren't on the gun and the reason no victim has been identified is because there was no attempted drive-by. He said he doesn't believe his client even pointed the gun.

"There are too many suspicious things that don't make sense," he said.

Jurors will continue deliberations this morning.