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**KINGS COUNTY DISTRICT ATTORNEY KENNETH P. THOMPSON
ANNOUNCES INDICTMENT OF AN S.U.V. DRIVER WHO HIT AND
KILLED A 9-YEAR-OLD BOY AND INJURED TWO OTHERS IN FORT
GREENE**

*DEFENDANT DROVE AN S.U.V. ON THE SIDEWALK THE WRONG-WAY
DOWN A ONE-WAY STREET AND KILLED A 9-YEAR-OLD BOY AND
SERIOUSLY INJURED HIS 4-YEAR-OLD BROTHER*

Brooklyn, February 14, 2014—Kings County District Attorney Kenneth P. Thompson today announced the indictment of Anthony Byrd, 59, for criminally negligent homicide, after allegedly driving recklessly, causing injuries to two pedestrians and killing a 9-year-old boy. Byrd was indicted on charges including Criminally Negligent Homicide, two counts of Assault in the Third Degree, and vehicle and traffic violations of Reckless Driving, One Way Roadway and Driving on Sidewalk. If convicted, he faces a maximum of four years in prison.

District Attorney Thompson said, “The death of this innocent 9-year-old child and the severe injuries to his 4-year-old brother were truly tragic and avoidable and we will seek to hold the defendant accountable for his actions. The people of Brooklyn must be free to walk down the streets of our borough without fear that they may be run over or injured by a motorist driving dangerously.”

According to the indictment, video surveillance showed that on November 2, 2013, at 12:49 PM, Byrd drove his 2000 Ford Expedition westbound along Dekalb Avenue. As Byrd made a left hand turn onto Clermont Avenue, he narrowly avoided hitting two pedestrians who were walking their dog. Byrd’s S.U.V. then swerved to the right and onto a sidewalk where he struck the exterior of a restaurant, The Black Iris, located at 228 Dekalb Avenue, and a parked vehicle. Pedestrians can be seen on the video running as the vehicle made a U-turn onto the sidewalk.

Byrd then accelerated his vehicle in a diagonal direction into oncoming traffic on Dekalb Avenue. The vehicle then struck a westbound car while driving in the wrong direction along Dekalb Avenue. According to the indictment, Byrd then veered off Dekalb Avenue and onto Clermont Avenue, where he struck and broke the leg of pedestrian Elaine Driscoll, 29. Byrd then hit 4-year-old and 9-year-old brothers who were walking down the street with their mother, Anna Kovel.

The 9-year-old, Lucian Merryweather died at the scene and his 4-year-old brother, Theodore Merryweather, was severely injured. Mrs. Kovel was not physically injured. Byrd was arrested at the scene.

An indictment is an accusatory instrument and not proof of a defendant’s guilt.

The case is being prosecuted by Craig Esswein, Chief in the Vehicular Crimes Bureau.

Defendant Information

ANTHONY BOYD, D.O.B. 4/12/1954

Charges:

- Criminally Negligent Homicide
- Two Counts of Assault 3
- VTL 1212- Reckless Driving
- VTL 1127- One way roadway
- VTL 1225a-Driving on Sidewalk

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