



## **AG Announces Court of Criminal Appeals Upholds Three Montgomery County Murder Convictions**

(MONTGOMERY) –Attorney General Luther Strange announced that the Alabama Court of Criminal Appeals on Friday upheld the murder convictions of Karvis Lamar Dennis, Angelo Jermon Frazier and Milas Jason Smith.

Karvis Lamar Dennis, 31, of Shorter, was convicted in the Montgomery County Circuit Court in October 2013 for the murder of Byron Tubner. He was sentenced to 22 years imprisonment.

Evidence presented at Dennis' trial stated that around 11p.m. on October 12, 2012, gunshots were heard by several neighbors in the Gladlane Estates area of Montgomery County. Testimony established that while a witness was at his home, he heard someone outside saying, "I'm shot. Help me" and that he saw a man, who was later identified as 17-year old Byron Tubner, staggering and falling across the street. At that time, a cream-colored car sped away from the scene. Tubner had a gunshot wound to his side. Police found no weapon on Tubner's person or anywhere around him. Dennis' fiancée testified that Tubner had stolen a gun belonging to Dennis from her, and she and Dennis were attempting to get it back when the incident occurred. Dennis' fiancé testified that Tubner pointed his gun at Dennis before Dennis fired the gunshot that hit Tubner. Dennis admitted to police that he shot Tubner.

Former Alabama Corrections Officer, Angelo Jermon Frazier, 33, of Grady, was convicted in the Montgomery County Circuit Court in January 2013 for the murder of David Stinson. He was sentenced to 25 years imprisonment.

Evidence presented at Frazier's trial stated that on January 8, 2011, friends and family were gathered in Grady, Alabama, to celebrate Frazier's grandmother's birthday. Stinson, who had been in a relationship with Frazier's mother, Teresa Foster, was at the party. Frazier was angry with Stinson's presence at the party because Stinson took money from Foster, told Foster what she could and could not do, had been using Foster's car and told her that she could not have it back. Later, Frazier and Stinson began arguing outside. The only evidence offered at trial about the shooting was Frazier's video-taped statement to law enforcement. In his video-taped statement, Frazier claimed that Stinson kept "talking crazy" and coming at him. Frazier stated that



Stinson "bowed up" multiple times, so he fired one shot at Stinson's legs to get him to back off. According to Frazier, Stinson came at him again, so he fired a second shot at Stinson's legs, at which point Stinson fell to the ground but was still alive. Frazier also told investigators that he did not know how many shots he fired, but he knew he fired at least two shots. After shooting Stinson, Frazier immediately went back into the house. Frazier testified that he waited until the first officers arrived but when he heard Stinson was dead he became "scared" and immediately left.

Milas Jason Smith, 39, of Montgomery, was convicted in the Montgomery County Circuit Court in August 2013 for the murder of David Hall. He was sentenced to 35 years imprisonment.

Evidence presented at Smith's trial stated that around 2 p.m. on November 19, 2010, David "D.J." Hall, the victim, and his cousin, Charles Hall, were walking up Lake Street. While the two were walking, Smith pulled onto Sharp Street, and ran through an alley toward Ross Street with a gun in his hand. A short time later, Smith began shooting multiple rounds at both David Hall and Charles Hall. Law enforcement recovered 11 shell casings from a nine-millimeter Luger from the scene. Charles Hall fired his .40 caliber pistol about three times, but David Hall was unarmed. After he returned gunfire, Charles Hall turned around and saw David Hall lying dead with a gunshot wound to the head. Meanwhile, Smith ran back to his vehicle and fled the scene. Testimony indicated that Smith previously had a "beef" with David Hall.

The cases were prosecuted at trial by Montgomery County District Attorney Daryl Bailey's office and former District Attorney Ellen Brooks' office. Each defendant subsequently sought to have his conviction reversed on appeal.

The Attorney General's Appeals Division handled the cases during the appeals process, arguing for the Alabama Court of Criminal Appeals to affirm the convictions. The Court did so in decisions issued on Friday.

Attorney General Strange commended Assistant Attorneys General of his Appeals Division David Bjurberg, Division Chief, who handled the Dennis case; Jack Willis, who handled the Frazier case; and Yvonne Saxon, who handled the Smith case.