

Charlotte Sun

TUESDAY MARCH 22, 2005

L 113 NO. 81

AN EDITION OF THE SUN

America's Best Community Daily

www.sun-her

Deep Creek boy charged with felony for throwing egg from car

By MEGAN RADISH
STAFF WRITER

PORT CHARLOTTE — A 14-year-old Deep Creek boy with no prior criminal record has spent two nights at a Department of Juvenile Justice facility in Lee County and may be in for another three weeks there.

His offense: throwing an egg from a car and striking another car's window.

The boy was a passenger in a Buick driving on Peachland Boulevard at 9 p.m. Saturday when he threw an egg out the window, according to Charlotte County Sheriff's Deputy Anthony Cimino, the arresting deputy. The egg struck another car driving in the opposite direction, splattering on the driver-side window and the rear window.

The arresting officer filed a felony charge against the boy — throwing a deadly missile at a moving vehicle — and booked him into the Charlotte County Jail. Since he is a juvenile, the boy was sent to a state facility in Lee County. After spending the night there, the boy had a detention hearing Monday, where he was sentenced to 21 days of confinement.

The boy's family is fighting the charge. Russell Kirshy, the family's lawyer, said the charge does not match the case.

"An egg is not a missile or a hard object," Kirshy said Monday. "In fact, there really is no charge to fit this case."

Sgt. Donna Ogden, supervisor of juvenile operations for the Sheriff's Office, said a criminal a

charge is open to the interpretation of the arresting officer.

According to Cimino's report:

The driver of the car that was hit by the egg made a U-turn and gave chase to the Buick and a black Mustang that was following it.

The driver — who was traveling with his wife and two small children in the back — caught up to the Mustang, which was traveling with the Buick, and cut the Mustang off at Waterside Drive and Bassett Avenue. The man made the Mustang driver call the owner of the Buick, who returned to Waterside and Bassett.

Deputy Cimino, who was dispatched to the scene, arrived to

See EGG, page 4

★ EGG

From page 1

find the drivers arguing in the street.

Cimino learned the name of the boy who had thrown

the egg. The deputy did not find the boy Saturday, but learned his address and questioned the boy at his home Sunday night.

The boy said he had thrown the egg but added, "It was an accident that it had

hit the other car," the deputy reported.

Cimino decided to charge the boy with violation of Statute 790.019, which states: "Whoever, wantonly or maliciously, shoots at, within, or into, or throws any

missile or hurls or projects a stone or other hard substance which would produce death or great bodily harm ... in a vehicle of any kind being used or occupied by any person ... shall be guilty of a felony of the second degree."

Kirshy said he believes the case will be resolved and hopes the boy will be home by today.

You can e-mail
Megan Radish at
mradish@sun-herqld.com.