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Guns found at home invasion suspect's home Video

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Video



August 26th, 2009

Guns found at home invasion suspect's home

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CHARLOTTE, N.C. -- A search warrant shows that two guns were found at the home of a teenager accused of being involved in a home invasion that ended with one of the suspects dead.

Was the death of 15-year-old Marcus Fluker an act of revenge or an act of self-defense?

"I would not like to be the prosecutor that has to take that case," said Scott

Broyles, who is an assistant professor with the Charlotte School of Law and a former assistant U.S. attorney.

This situation began Saturday afternoon when 76-year-old C.L. McClure and his wife were the victims of a home invasion. They were tied up and robbed by four suspects.

After McClure broke free, family members say he pursued the suspects in his car to get their license plate number and shot Fluker during a confrontation.

One of those suspects was 17-year-old Matthew Morgan. He was on electronic monitoring at the time of the home invasion.

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When police searched his home, they found a roll of duct tape, a BB gun rifle and a black bag with two handguns. Sources say that two of those guns belonged to McClure and were allegedly stolen during the home invasion.

Broyles feels that strengthens the self-defense argument.

"The fact they were stolen from his house seems to indicate they had weapons on them at the time he confronted them after the chase concluded. So I do think it strengthens his hand," Broyles said.

But there is another scenario: What if McClure only thought he saw the suspects making a move and they never pointed a gun at him?

"It doesn't mean he has to be right, but were his beliefs reasonable? Did he reasonably believe his life was in danger given the circumstance?" Broyles said.

Sources also tell NewsChannel 36 that the 15-year-old shooting victim has a juvenile arrest history with several burglary charges.