



Montgomery case on hold as expert unable to testify

By: Aaron Mesmer

CHARLOTTE – It could be days before it is known if the man accused of killing two Charlotte-Mecklenburg police officers is fit to stand trial.

Demetrius Montgomery is accused of killing officers Sean Clark and Jeff Shelton in 2007. But, after two days of testimony, his competency hearing is now on hold.

The delay is a result of the defense still having to call one last medical expert to the stand before the prosecution can call their one witness. But the doctor for the defense is in the hospital, and there's no time table for his release or when he'll be ready to testify.

The defense has already called four witnesses in two days for Montgomery. They're trying to convince a judge that the suspect isn't fit to stand trial.

One of the defense's psychiatrists says the 27-year-old is a paranoid schizophrenic and, as a result, isn't communicating with his doctors or lawyers. However, prosecutors say Montgomery only acts that way around his doctors and attorneys and seems fine with his family.

The prosecution has implied that Montgomery might be faking his condition, although a psychologist for the defense doesn't believe that's the case.

Scott Broyles, a professor at Charlotte School of Law, said prosecutors will try to prove Montgomery is faking the disorder.

"There are enough cases where the defendant simply wants to get away into a mental institution, let the case go stale, go cold, and the evidence to weaken," Broyles said.

It will ultimately be up to the judge to decide whether or not that's the case.

Defense attorney Rob Heroy said the two years that have passed since the deaths of the Charlotte-Mecklenburg police officers could weigh on the judge's final decision.

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