



Five youths face trial in slaying

One teen discharged, another facing charge of first-degree murder in 2006 stabbing death

September 30, 2008

BETSY POWELL
PETER SMALL
COURT BUREAU

One of the six youths charged with first-degree murder in the 2006 death of 17-year-old Omar Wellington in Flemingdon Park has been committed to stand trial on the original charge.

The tall, baby-faced teen, wearing a black suit, murmured, "All right," when Ontario Justice David Cole delivered what he called the "bottom line."

Cole presided over a 54-day preliminary hearing that ran from January to July.

The judge also decided four young men will stand trial on the reduced second-degree murder charge.

He discharged a sixth youth who hugged fellow accused before he was let out of the prisoner's box into the arms of joyful family members.

"I feel good, but at the same time my friends ...," he said, expressing concern for the other five accused. "My friends are like my brothers, you know."

The discharged teen's lawyer, Stacey Nichols, said it was the right decision. "It's not a big surprise to me ... I'm very, very pleased."

The teen's father, who attended virtually every preliminary hearing date where 33 civilian, police and expert witnesses testified, said the experience was stressful for the family.

"Finally, justice is served," he said. "We are very relieved as a family. We will have our son home with us."

The young man's parents, aunt and cousins and friends were on hand, several with eyes glistening.

The discharged accused, who is now 18, was arrested along with his co-accused in March 2007 and has been in custody since then.

Toronto homicide Det. Scott Spratt, who investigated the slaying with Det.-Sgt. Dean Burks, said the decision was expected.

He called Cole a very experienced judge ruling on a difficult preliminary hearing.

Burks added that the evidence supported the decision.

Wellington was stripped and beaten for hours in plain view near Flemingdon Park, but no one called police before he was eventually stabbed to death.

The identities of the accused are protected under the Youth Criminal Justice Act.

They ranged from 14 to 17 when the charges were laid.

Before he was fatally stabbed, Wellington was attacked July 14, 2006, on a hot and muggy afternoon in Flemingdon Park, a public housing complex near Don Mills Rd. and Eglinton Ave. E.

Dozens of witnesses watched as a youths stomped and stripped the teen to his boxer shorts, according to previous reports.

At the time of the arrests, police characterized the homicide as a revenge killing linked to gang activity.

A publication ban on all evidence heard at the preliminary hearing remains in effect.