



Genesee County Prosecutor's Office

David Leyton, Prosecutor



Charges Filed Against Two Teens in Goodrich Shootings

March 9, 2007

FLINT, MI – Genesee County Prosecutor David Leyton has authorized criminal charges against two teenagers from the Grand Blanc area for their participation in a series of gun-related crimes in the Grand Blanc-Atlas Twp. area on or about March 2, 2007.

According to investigative reports from the Genesee County Sheriff's Department, Spencer Javor-Pendergast, age 15, and Daniel Schell, III, who turned 15 today, took two handguns to school late last week, planned to shoot someone in order to steal a car, fired shots at a party store in Goodrich breaking the front window and later shot at a county sheriff's deputy outside the same store, and also planned to shoot employees at a store in Atlas Township. The weapons, .22-caliber and 9 mm handguns, had been stolen from a grandfather of one of the boys, the reports said.

Javor-Pendergast is being charged as an adult with 9 felony counts including Assault with Intent to Murder, which carries a possible sentence of life in prison or any number of years. Six other gun-related charges have also been issued against Pendergast along with Resisting/Obstructing a Police Officer and Fleeing and Eluding, all felony charges.

Schell is charged on a Petition to Genesee County Family Court with five gun-related felony counts. With respect to Schell, Prosecutor Leyton stated "With this Petition, I am requesting the Family Court to designate Daniel Schell for trial as an adult, but within the jurisdiction of Family Court. The Court will, under the Michigan Court Rules, have to evaluate the circumstances of the case and decide whether to try him as an adult or a juvenile."

"I do not take this action lightly," said Prosecutor Leyton after authorizing the charges against both teens. "I am well aware of the ages of the two young men. This is the third time in the last month that I have deemed it necessary to charge a 15-year-old teen as an adult."

"Youth violence is a serious concern to me and the community," he continued. "In making these charging decisions, I have to balance the seriousness of the offenses, the danger to the community, and the ages and background of the offenders. In this instance, the crimes are serious. They include shooting at a police officer by Mr. Javor-Pendergast. Such circumstances, in my judgment, call for the strong response of charging him as an adult in District Court."

"With regard to Mr. Schell, the seriousness of the circumstances justify my request that the Family Court designate him for trial as an adult. Because he is not being charged with certain enumerated crimes outlined in Michigan law, I did not have the discretion to charge him as an adult in District Court. Whether he is tried as an adult or a juvenile will be for the Family Court Judge to decide based upon an evaluation of the circumstances," he concluded.

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