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## **Man awarded \$123,000 in wrongful arrest case**

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VIRGINIA BEACH - How much is six days in jail worth?

A jury Thursday said: \$123,000.

A Circuit Court jury awarded that amount to a man who spent six days in jail after being wrongly arrested for allegedly robbing a cab driver in 2003.

The jury found that police Officer K.C. Reilly did not have sufficient probable cause to seek an arrest warrant for Joshua B. Shepherd, 28, a computer engineer. Shepherd had sued the officer for \$850,000.

The criminal case against Shepherd hinged on a single fingerprint and a description of the robber's long dreadlocks. Shepherd, however, said he has always worn short, blond hair.

During a two-day civil trial, Deputy City Attorney Mark Stiles argued that the mistake did not constitute malicious prosecution.

On Aug. 2, 2003, cab driver Joseph Brannon was robbed at gunpoint near the College Park neighborhood. He said the robber was in his mid- to late 20s, weighed 150 to 160 pounds and had long, blond dreadlocks.

Police found four sets of fingerprints on the cab. One matched Shepherd's. The others were untraceable. Shepherd said he had been a passenger in the cab a few hours before the incident.

For four months, the crime went unsolved. Then, in December 2003, Reilly got an arrest warrant against Shepherd. He said he relied on the 911 call, the incident report, a memo from another investigator, evidence and interviews with Brannon.

For several months, police could not find Shepherd to arrest him.

In July 2004, Shepherd was stopped for a speeding violation in Blacksburg and taken into custody. He was released six days later on \$10,000 bail.

At a preliminary hearing on Sept. 3, 2004, the charges were dropped when Brannon could not identify the man who robbed him.

Shepherd's attorney, Moody E. "Sonny" Stallings Jr., told the jury that Reilly was lazy and had arrested Shepherd to close the case.

"This," Stallings said, "is not the way law enforcement should act."

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