

Man gets less than year for shot that killed student

BY MARGARET MATRAY
Staff writer

NORFOLK — At age 19, Ke'Shawn Alexander died while trying to break up a fight and protect his sister.

On Friday, a judge sentenced the man who fired the shot that killed Alexander to serve six months behind bars.

Judge Jerrauld Jones sentenced Joseph Burke Jr. to six years in prison on an involuntary manslaughter conviction, with all but half a year suspended.

Burke had already served nearly a year in jail after his arrest, so he is expected to be released soon.

The punishment was in line with state sentencing guidelines, which recommended either probation with no incarceration, or a sentence of six months.

Jones said it was a very difficult case but that the court must have a reason to sentence more harshly than the guidelines, which are there to ensure fairness and help prevent sentencing disparities.

Alexander was shot and killed Feb. 6 outside Burke's house in the 1300 block of Olinger St. in the Campostella area.

Burke and Alexander's older sister, TyQuanda, were in the process of breaking up.

TyQuanda thought Burke owed her money, so Burke's sister told her to come over to his house, prosecutor Shavaughn Banks wrote in a

court document. She went there with her mother and younger brother.

After they arrived, a black car pulled up, and two women got out and attacked

TyQuanda. Ke'Shawn Alexander got out of the car to protect his sister and break up the fight, the prosecutor wrote.

Banks said in court Friday that it was Burke's new girlfriend who started the altercation.

Burke flashed a handgun and fired it. He called 911 after the shooting and told the dispatcher he was trying to fire a warning shot in the air, the prosecutor wrote. But Alexander hit Burke's arm as the gun went off, lowering it and sending Burke's shot off course.

Burke's defense attorney, Andy Protogyrou, has said his client didn't intend to kill Alexander.

Before he was sentenced Friday, Burke apologized to Alexander's mom and family, saying he was "extremely remorseful" and lives with anger toward himself every day. He said he prays that in time, they can forgive him.

During the hearing, Protogyrou argued that there was no malice in the case, and alcohol and drugs wer-

en't involved.

The backstory was significant to the case, and that's why the guidelines were low, he said.

Both families involved were good people, he said, but good people can make mistakes: "A gross mistake happened."

He cited Burke's lack of a criminal record and referenced more than a dozen letters that had been filed in support of him. Protogyrou said his client had served nearly twice what sentencing guidelines recommend and noted Burke's numerous medical diagnoses, including diabetes that led to a partial foot amputation, kidney disease and a prior stroke.

Banks, the prosecutor, countered that giving Burke a sentence of one year would be a "slap in the face" for Alexander's family. Sentencing guidelines in the case were "woefully inadequate," she said.

She asked the judge to exceed the guidelines and sentence Burke to the maximum allowed — 10 years — and if not that, at least five years.

Human life, Alexander's life, has value, Banks said.

Burke brought a gun to a fistfight, she said, and it was his actions that led to Alexander's death: "But for his actions, we wouldn't be here today."

A neighbor testified Alexander was an "exceptional" teen who took care of his mom. The Lake Tay-



Joseph Burke Jr.

lor High School senior would take a bus to pick up his mom from the grocery store. She described him as sweet and innocent. His death shocked those who knew him.

Alexander's mom and twin sister testified that his

death changed their lives forever.

"I never thought I would lose a child behind a bullet," his mom, LaDawn Alexander, said as relatives wept in the court gallery.

"I know he's an angel, and he's watching over us."

Pilot writer Jonathan Edwards contributed to this report.

Margaret Matray,
757-222-5216,
margaret.matray@
pilotonline.com

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