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The Denver Post**Jury acquits student
Carjacking trial first in Denver**

October 15, 1992

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Howard Pankratz; Denver Post Legal Affairs Writer DENVER POST

A Denver jury took just 75 minutes yesterday to acquit a college student of the Sept. 21, 1991, carjacking of a 1991 Chevrolet Blazer taken from a woman at gunpoint in a parking lot.

The case against 19-year-old **David Milton II** was the first carjacking case to go to trial in Denver, where there has been an increase in carjackings in recent weeks. "I'd like to thank the jury from the bottom of my heart," **Milton** told the 11 women and one man who found him not guilty of aggravated robbery.

Milton said prosecutors offered him a deal before the trial which would have required him to plead guilty to menacing. Although warned that jury trials are "crapshoots," he rejected the deal.

"They offered me ... two years' probation. But I couldn't admit to doing something I didn't do," **Milton** said.

"I feel happy. I can go home. I was really worried, because my family couldn't have made it without me," he added.

Milton's wife returned home Tuesday from the hospital, where she gave birth to a boy Saturday. The couple also has a 2-year-old girl.

In addition to being a full-time student at Metropolitan State College, where he is studying aviation management, **Milton** also works for the Denver Parks and Recreation Department.

Several jurors offered their congratulations to **Milton** afterwards.

"I'm very happy for you," one said. "Not only didn't the prosecution have enough evidence, but in my heart I knew you didn't do it."

The prosecution's case rested on **Milton** being picked from a photo lineup by the victims of the carjacking at a 7-Eleven store near Eighth Avenue and Colorado Boulevard.

While testifying earlier yesterday, **Milton** calmly denied stealing the Blazer and threatening the owner and his fiancée with a gun.

"I would never do that," he said.

"I just don't have that violent behavior. I wasn't raised that way ... that's just not me."

Prosecutor Duncan DeVille claimed **Milton** was the man who terrified Joseph

Lupo and his fiancée Holly Lintz in the parking lot of the 7-Eleven.

Milton said the night of the carjacking he was visiting two friends and attending a party/

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