

DAYTON - A judge Monday acquitted a Dayton man of murder after a jury deadlocked 11-1 for acquittal.

Willie John Feaster claimed self-defense at his July murder trial in the fatal stabbing of Rajeev K. Das. Defense attorney Clyde Bennett of Cincinnati said Tuesday that Montgomery County Common Pleas Judge David A. Gowdown announced in court Monday that he would journalize his decision within several days, freeing Feaster.

"Willie is really elated," Bennett said. Feaster has been in Montgomery County Jail in lieu of \$250,000 bail since the homicide April 6, 2002.

"Willie maintained his innocence all along," Bennett, Feaster's third court-appointed attorney, said. "He felt it was unfortunate he had to protect himself and kill this young man."

Bennett contended that Feaster, 45, knifed Das, 26, in self-defense at a rooming house at 29 S. Findlay St., where both men lived. Police found a closed butterfly knife beneath the victim's body near the home's doorway.

Bennett said Feaster rejected prosecutors' offer to plead to a lesser offense of voluntary manslaughter. When Bennett learned the jury was one vote away from acquittal, he quickly said he would ask Gowdown to find Feaster had proved self-defense.

Assistant county prosecutors John Slavens and Ted Valley told the jury in July that Feaster exploded in an inexplicable rage and challenged Das, who had moved into the home weeks earlier.

Valley said Feaster plunged the blade straight into Das' chest. He discounted the knife found beneath Das' body, claiming it was unlikely Das would have folded it up before he collapsed from the wound.

Das was leaving about 6 p.m. with Stephanie Howard, 19, and George R. Marshall, another resident. Howard said she offered a simple greeting to Feaster, but he inexplicably became angry and followed them downstairs, verbally abusing Howard and challenging Das.

Neither witness saw Feaster stab Das once in the heart with a 5-inch blade that he drew from a sheath on his belt. Marshall, who witnessed the clash, said he had earlier seen Das with the butterfly, but had never seen Feaster with a knife.

Feaster told the jury that the woman and Das were intoxicated, and that she came into his room and flopped into his lap before he became angry.

Feaster claimed Das came at him with the butterfly knife and he drew his knife and struck a defensive blow first. Feaster, who had no wounds after the brief fight, called 911 minutes later from a cell phone, met police outside the house and directed them to Das.

Feaster has a long prison record, and the jury learned he was convicted of robbery for taking \$10 from someone in the early 1980s. The jury did not learn he has spent about 20 years in Ohio prisons for breaking and entering, robbery and parole violations.

Valley and Slavens were unavailable for comment late Tuesday.