

## Teen in road rage case out of lockup; future of charges unclear

By GEOFF MULVIHILL  
Associated Press Writer

September 15, 2005, 12:53 PM EDT

CAMDEN, N.J. -- A 17-year-old football player was released from a detention center Thursday, two days after authorities say his punches killed a man who had followed him home and tried to run him down with a car.

The teen, a junior offensive and defensive lineman on Lindenwold High School's football team, must wear an electronic monitoring device except during football games, said his lawyer, Jeffrey Zucker. A family court judge ordered the boy released during a closed hearing.

Authorities said James Munter, 53, followed the teen home Monday after becoming enraged when the boy cut him off while the two were driving. Zucker said his client had cut off Munter inadvertently when pulling out of a gas station. Authorities said Munter followed the boy for three miles to his Lindenwold house and, when the teen ran across the street, ran into him with his car.

The teen, authorities said, rolled off the car and landed on his feet. He punched Munter, also of Lindenwold, twice through his open car window. Munter died Tuesday.

Prosecutors said they have not decided whether to upgrade the charges against the boy from aggravated assault to manslaughter, leave them as they are or drop the criminal case entirely.

The 6-foot-6, 300-pound teen was wearing shorts and a T-shirt as he left the Camden County Hall of Justice on Thursday morning. His hair was mussed and he looked bewildered. Neither he nor his family would talk to reporters.

Zucker said the teen, whose name has not been released by authorities because of his age, planned to play in Friday night's football game.

First Assistant Camden County Prosecutor James P. Lynch said an autopsy conducted Wednesday showed both blows were on left side of Munter's head — one near his eye and one on his ear. The force caused a blood vessel to break and Munter to lose blood to his head. He never regained consciousness before he died.

Lynch said Thursday that investigators were still gathering facts to help decide whether and how to prosecute the teen. "This case could not be more serious," Lynch said. "A gentleman lost his life."

Zucker said he hopes prosecutors will drop charges. If they do not, he said, he would argue that the teen acted in self-defense, punching Munter in the heat of the moment when he legitimately feared for his life.

It was the teen, Zucker said, who called an ambulance immediately after he punched the man.

Munter's family declined to speak with reporters after Thursday's court hearing. But his widow, Nadine Munter, told the Courier-Post of Cherry Hill for Thursday's newspapers that she did not believe the teen was acting in self-defense.

"My husband never got out of the car," she said. "He was strapped to his seat. He never had a chance."

Rocco Cipparone, a criminal defense lawyer who also teaches a criminal law course at Rutgers University School of Law in Camden, said to establish self-defense in New Jersey, a suspect must show that there was a reasonable expectation of death or serious bodily harm, must not have had an escape route and must use the minimum amount of force necessary to get out of the situation.

Cipparone said that even though the teen killed Munter with his fists, usually punches would not be considered deadly force.

Copyright 2005 Newsday Inc.