

7-YR. DEAL TAKEN IN MURDER

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Wednesday, April 3th 2002, 1:64AM

A 28-year-old Far Rockaway man charged in the murder of a tenant patrol leader pleaded guilty to gun possession yesterday in exchange for a seven-year-sentence.

Johnathon Whitmore, 28, could have faced 25 years to life for his part in a March 10, 2000, gun battle at the Redfern Houses.

Tenant activist Maria Medina, 45, died when a stray bullet went through a metal door and hit her as she crouched near an elevator. She and Whitmore lived in the same Redfern building where she was shot.

Last month, Tullie Hyman was convicted of second-degree murder and weapons charges after prosecutors told a jury he drove to the housing project and tried to kill Whitmore. A second man, Osimba Ramsatt, was acquitted.

"It was a just plea," Assistant District Attorney Robert Schwerdt said. "He [Whitmore] wasn't firing toward the building [where Medina was], he was firing away from the building."

Three guns used in the shootout were found in Whitmore's car, but defense attorney James Kousouros said ballistics evidence showed that those weapons were not used by his client.

Whitmore, who admitted to possessing a .380-caliber handgun found outside his apartment window, would have told a jury that he fired in self-defense, Kousouros said.

"But in putting forth the self-defense claim, Johnathon would have convicted himself of possession of a weapon," he said. "Johnathon did well" in taking the plea, he said.

Whitmore is scheduled to be sentenced April 18. Hyman, who faces a possible 25 years to life in prison, is slated to be sentenced next week. The case against a fourth defendant, Derrick Harris, is pending.

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