

Crash Suspect Had Feb. Charge; Police Faulted After Earlier Drunken Driving Case Dropped

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Body

The man accused of killing a Marine in a **drunken driving** accident on Thanksgiving was **charged** with **drunken driving earlier** this year, but the **case** was **dropped** because Howard County **police** did not collect enough evidence, prosecutors said yesterday.

Prosecutors also said a **police** blunder allowed the man, Eduardo Raul Morales-Soriano, 25, of Laurel, to keep his driver's license **after** the **Feb. 5** incident, although it should have been suspended immediately **after** he refused to take a breath test.

Police have opened an internal investigation to review the performance of the officers involved and determine whether they could have built a stronger **case**, said **police** spokeswoman Sherry Llewellyn. She declined to comment further.

Federal authorities determined yesterday that Morales-Soriano was an illegal immigrant from Mexico and filed papers to begin deportation proceedings, said James Dinkins, acting special agent in **charge** of U.S. Immigration and Customs Enforcement's Baltimore office.

Morales-Soriano was **charged** last week in the deaths of Marine Cpl. Brian Mathews, a 21-year-old Columbia native who spent eight months in Iraq, and Mathews's date, Jennifer Bower, 24, of Montgomery Village. **Police** said Morales-Soriano's blood alcohol level was four times the legal limit when he slammed into the back of the car carrying the couple.

Morales-Soriano's **February charge** was first reported yesterday in the Baltimore Sun.

Authorities have alleged that Morales-Soriano was intoxicated the night of **Feb. 5**. **Police** smelled alcohol on his breath and saw three beer cans in his vehicle, said Howard County State's Attorney Timothy J. McCrone. He said Morales-Soriano lost his balance as officers asked him to begin a field sobriety test.

But for undetermined reasons, the officers stopped him from completing the test, McCrone said. "I don't know what was on the mind of the officers at the time," he said. "It certainly helps prove the **case** if you have field sobriety exercises."

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Morales-Soriano then refused to take a breath test, which should have led to the suspension of his license for 120 days. But the **police** accidentally gave Morales-Soriano all the copies of the form that was supposed to have been sent to the Maryland Motor Vehicle Administration to begin the suspension, McCrone said.

"The information was never transmitted to the MVA," said Buel Young, an agency spokesman. "We have no idea of knowing he is even stopped unless the **police** tell us."

Morales-Soriano, a landscaper, moved to Maryland about a year ago from North Carolina, according to court and state records. A woman who answered the phone at his home yesterday said the family would not comment.

Although **police charged** him in **February** with four counts related to **drunken driving**, the **case** was **dropped** in April **after** prosecutors determined that they could not obtain a conviction. There were no witnesses who saw him **driving drunk**, no field sobriety test and no form showing that he had refused a breath test, McCrone said.

"We need evidence to prove our **cases**," he said. "We didn't have it."

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