

Based on eyewitnesses who reported seeing him going to and from the scene of the shooting, the police arrested David Montgomery two years ago for the murder of Jeff Sheldon. He was captured less than an hour after the shooting occurred, about a mile from the scene of the murder. According to police, "He was seen walking over there by several witnesses and he was seen running away." Shortly after the arrest, the police also found a .32-caliber H&R MAG revolver in the woods near where the victim was shot. A ballistics expert later identified this gun as the murder weapon.

On Thursday, jurors found Montgomery guilty. "We believed the evidence was overwhelming," said juror Connie Gentz. Jury foreman Bruce Steen, a labor and employment lawyer, said the totality of the evidence, not one knockout punch, was convincing. "It really wasn't one piece that put it over for everybody," he said. "I think it was a combination of the ability to tie Mr. Montgomery to the scene and tie the gun to Mr. Montgomery and [murder victim Jeff] Shelton."

During the trial, prosecutors pointed out that, after he was arrested, police technicians found gunshot residue on Montgomery's hands. Also, DNA that is likely Montgomery's, as well as DNA from Jeff Sheldon, was found on the gun that killed Shelton. John Donahue, who performed the DNA tests for the Charlotte-Mecklenburg police crime lab, said that it was statistically improbable—a 1 in 2.6 million chance—that the DNA evidence discovered on the gun could have come from people other than Montgomery and Shelton.

The jury spent much of Wednesday's deliberations reviewing instructions and picking the foreman. Thursday morning, jurors sat down and reviewed the evidence piece by piece, going over their notes and answering each other's questions. Gentz said that the jury was confident in their assessment even though no eyewitness saw him pull the trigger. "We didn't go around (and vote) until the very end, and everyone was in agreement," she said.