

Man gets 44 years in shooting

Had entered Alford pleas in March to second-degree murder, drug and firearm charges

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A Lynchburg man was sentenced Wednesday to more than 44 years in prison in connection with the murder of his roommate and other charges.

Garry Antoine Smith Jr., 26, received

a 30-year sentence for second-degree murder in the November 2014 fatal shooting of 34-year-old Carrington Rondell Banks.

Lynchburg Circuit Court Judge F. Patrick Yeatts sentenced Smith to another five years on a Schedule I/II drug possession charge plus five years on a pair of firearms charges.

In March, Smith entered Alford pleas — maintaining his innocence but admitting prosecutors had enough evidence to convict him — to second-degree murder and the drug and firearm charges. He had faced a first-degree murder charge, which prosecutors reduced in exchange for his pleas.

Yeatts also ordered Smith to serve four

years and nine months of a suspended prison sentence from previous drug and firearms offenses consecutively with his new sentence, bringing the total active sentence to 44 years and nine months.

Another five years of that



Smith

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suspended sentence will be served concurrently, Chief Deputy Commonwealth's Attorney Chuck Felmlee said after the hearing.

Smith shot Banks point-blank in the chest on Nov. 22, 2014, during an argument at Banks' home in the 1800 block of Georgia Avenue, Felmlee said during Wednesday's hearing.

Smith, whose father is a cousin of Banks' father, was living with Banks after being released from jail the previous December, Felmlee said.

"[Banks] was looking out for this particular defendant," he said.

Smith was in the living room with Banks' son when Banks heard a verbal disturbance between the two, he said. When Banks entered the living room to investigate, Banks and Smith got into an argument and Smith shot Banks in the chest,

Felmlee said during the hearing.

Smith did not attempt to aid Banks, Felmlee said, adding he instead left the home and soon was apprehended.

Banks was pronounced dead at the scene, police have said. A .40-caliber bullet went through his right lung and part of his liver, Felmlee has said.

About 10 of Banks' friends and family members were in the courtroom, including his father, Carrington Banks, and mother, Dorothy Banks. Both testified at the hearing.

"I understand death ... but just being taken away, it was terrifying," Dorothy Banks said as she talked about her son's love for his children and his plans to purchase a home across the street from her and her husband.

"It's been horrible in the family," Carrington Banks said. "Why do you have to take somebody's life?"

"No words can describe the disgust that we all have for this defendant,"

Felmlee said during the hearing. "I think we all know what a jury's recommendation would have been. Lock him up and throw away the key."

Smith's attorney, Gary Straw, mentioned the lack of violent offenses in his client's past, other than a misdemeanor assault conviction. He said Smith grew up without a father, as his own was in prison for years of his childhood.

"This is a senseless, unexplainable act of violence," Yeatts said before handing down his sentence. "Your record really speaks volumes; it tells the court all it needs to know."

Banks apologized for his actions.

"I loved him," he said. "I wish there was something I could do."

Smith has been incarcerated in the Lynchburg Adult Detention Center since the day of the incident, according to online jail records. He will receive credit for time served.