

Man cleared in death of victim run over by car

By Mike McIntyre

A Thompson man has been cleared of any criminal wrongdoing for driving over a man and killing him following a confrontation in a shopping mall parking lot.

Owen William Best, 30, was accused of manslaughter, dangerous driving causing death and criminal negligence causing death but got a free pass from a jury at the end of his trial last week.

Carlos Alberto Duarte, 33, died of massive head injuries following the August 2004 incident.

Best and Duarte had a long, troubling history with each other, court was told.

Defence lawyer Jason Miller said his client was constantly being harassed by Duarte and had obtained a peace bond ordering the man to stay away.

Duarte was in violation of the court order and trying to assault him when Best sped away from the scene, striking him as he fled.

"He was trying to drive around him

but obviously missed and drove over his head," Miller said yesterday.

Best immediately drove the nearby RCMP station and confessed.

The Crown attempted to prove Best didn't make an effort to avoid a collision that he knew was likely going to cause death or serious injury to Duarte. They also argued his driving was reckless.

Jurors clearly disagreed in reaching the unanimous verdict of not guilty.

Best was the second Manitoban to be cleared of a homicide last week.

Roberto Nieto, 29, was found not guilty of second-degree murder for strangling a man and setting his body on fire in an attempt to hide evidence.

Nieto admitted he killed the victim, Jankow Milas, but claims he was provoked and acting in self-defence.

Nieto armed himself with a steel bar and pretended he was a police officer to trick his way into Milas' home, triggering a violent fight that ended in death.