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LEWISTON-AUBURN MAINE CRIME NEWS

Jury acquits Gage Dalphonse of murder in fatal shooting at

Jean Fournier, 41, of Turner was shot twice in the back July 27, 2019, in the pa

Community: **Auburn**

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Sun Journal

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AUGUSTA — It took a jury just over three hours to acquit a 23-year-old Auburn man of murder in the 2019 sh

Eight women and four men also found Gage Dalphonse of Crest Avenue in Auburn not guilty of manslaughter

Jean Fournier, 41, of Turner was **shot twice in the back July 27, 2019, in the Walmart parking lot** on Mount A

Dalphonse claimed he acted in self-defense after Fournier walked over to his parked car to demand he apologiz mouth.

Prosecutors said Dalphonse took aim at Fournier's back as he ran from Dalphonse's car and was shot as he pass

Assistant Attorney General Lisa Bogue said one of the two shots instantly paralyzed Fournier where he fell, we aim at the fleeing man before firing his handgun.

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In his closing argument Wednesday, defense attorney James Howaniec said Maine State Police had concluded t make it stick.

Before the jury left the courtroom and after the forewoman read the verdict, a woman sitting with the victim's

After the jury left the courtroom, Dalphonse was released from custody and joined his family and friends in th

"Obviously we're pleased with the verdict," Howaniec said. "I'm sympathetic with the emotions of the Fournie believed from the beginning that Gage was acting in self-defense. We feel that the evidence was consistent wit

He said the jury appeared to agree.

"It was an incredibly unfortunate and tragic sequence of events that evolved basically over one minute in the W Fournier to the tragic events that occurred over in the next lane," he said.

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The incident was sad for all involved he said, noting Dalphonse spent more than two years in the Androscoggin

"We're obviously disappointed," Bogue said of the acquittal. "We all worked hard. We put on the best case that

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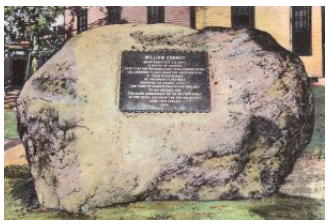
Witnesses testified that Dalphonse was driving into the lot with his best friend to drop him off at his car that he

They passed a woman Dalphonse had worked with at a local nursing home.

The two had argued at work and hadn't spoken in months.

She saw Dalphonse in the lot and called him a "little bitch;" he retorted: "shut your f— — — whore mouth."

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Dalphonse continued through the parking lot and parked after encountering Fournier, the woman's boyfriend

Fournier came up to the driver's side window and demanded Dalphonse apologize to his girlfriend.

Dalphonse said he would apologize to Fournier, but not his girlfriend.

Fournier, who was nearly three times Dalphonse's weight of 105 pounds, hit Dalphonse in the mouth, breaking

His friend, Defghan Zitsch, who was seated in the Volkswagen Golf beside Dalphonse, testified that Fournier l

Zitch testified he thought Fournier intended to pull Dalphonse from the car and beat him.

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He said the blow to Dalphonse had dazed him.

His defense team tried to show that the shooting happened instantly while Fournier was at Dalphonse's door.

They pointed to one of the shell casings that landed in the car as well as the trajectory of one of the bullets that f

Prosecutors sought to prove Dalphonse had taken the time to aim and shoot after Fournier had spotted Dalpho the car.

Bogue said Dalphonse had a loaded Glock 9mm handgun in a holster at the front of his pants having returned f

Attorneys for Dalphonse had filed a motion to **move the case out of Androscoggin County due to media cove** administrative reasons.

The trial lasted a week.

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