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## Judge tosses homicide indictment

By **LINDA STEIN**  
STAFF WRITER

A Superior Court judge dismissed a homicide indictment against a Trenton woman who had been charged in the 2007 death of her live-in boyfriend.

Ivelia Turell, 29, was charged with murder and weapons offenses in the fatal shooting of Michael Whitaker on April 30, 2007. Whitaker was shot in the chest inside a house he shared with Turell on the 200 block of Ferry Street in South Trenton about 10:40 p.m., police said.

Turell suffered a gunshot wound to her left shoulder during the dispute.

At an earlier bail hearing, her defense lawyer Timothy R. Smith said she was a victim of domestic violence and should not have been charged.

Superior Court Judge Thomas Kelly dismissed the indictment after Walker filed a motion claiming a grand jury that had returned the indictment should have been offered the chance to indict Turell on lesser charges of aggravated manslaughter and manslaughter, said Casey DeBlasio, a spokeswoman for the prosecutor.

Walker could not be reached for comment yesterday.

Meanwhile, Assistant Prosecutor Skylar Weissman plans to present the case to another grand jury next month, DeBlasio said. Turell, who is the mother of two young children, is free on bail.

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