

Court plays tape of Marine's killing

Stabbing after anti-gay slur

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By [Meredith Somers](#) - The Washington Times

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The last hour of Philip Bushong's life is captured in black and white images by a store's surveillance camera, from his warm embrace of friends to falling face-first to the pavement with a hole in his heart.

Bushong died last month after he was stabbed with a knife that Assistant U.S. Attorney Michael Liebman said was wielded by Michael Poth.

Mr. Poth's attorney insists the unintended death was the result of self-defense.

On Wednesday, the images leading up to - and after - Bushong's stabbing were played in D.C. Superior Court, while family members of the 23-year-old watched in silence. The images were enough to convince Judge Ronna Beck to keep Mr. Poth, 20, behind bars until his next hearing in July.

Even if Bushong made the first physical contact with Mr. Poth, "that certainly wouldn't justify stabbing somebody. The provocative behavior was initiated by Mr. Poth," Judge Beck said.

Mr. Liebman called the stabbing a hate crime because Mr. Poth used a homosexual slur in front of Bushong and his openly gay friend. The two were seen on video in a friendly embrace. Bushong is heterosexual.

Mr. Poth, a Marine living at the Marine Barracks Washington on Capitol Hill, was arrested in the early morning hours of April 21 for fatally stabbing Bushong, a fellow Marine from Camp Lejeune, N.C. He is charged with second-degree murder while armed.

The stabbing occurred along what many Capitol Hill residents know as "Barracks Row," located in the 700 block of 8th Street.

Multiple cameras from various businesses and the barracks recorded roughly a 35-minute time frame that included the words and actions of the two men leading up to the stabbing.

D.C. Police Detective Dwayne Partman said a witness heard Mr. Poth shout that he was "going to stab somebody and cut their lungs out," after he walked by a group of people outside restaurant Molly Malone's, including Bushong and the gay man.

Over the next 30 minutes, Mr. Poth made a slow, circuitous route around the block, Detective Partman said. He was stopped by two Marines on post at the barracks because they saw him "acting erratically; waving a knife and walking on 8th Street."

Mr. Poth's attorney, David Benowitz, pointed out that the blade was the equivalent of a pocketknife.

Mr. Poth once again passed Bushong and his gay friend. Detective Partman said two derogatory words were uttered by Mr. Poth and Bushong in a verbal exchange. Bushong called Mr. Poth "boots," an insult in Marine slang, and Mr. Poth used a homosexual slur.

As Mr. Poth continued on his way, he was followed by Bushong and his friend. It is not known whether

Bushong put his hand on Mr. Poth's shoulder or pushed him down.

In court documents, Mr. Poth explained his actions to police as self-defense, saying Bushong punched him in the face and head.

"There were two of them," he stated to police. "I was defending myself."

According to police reports, Mr. Poth stabbed Bushong once in the chest. A later autopsy report would show the blade pierced his heart.

After he was stabbed, Bushong lifts his shirt to examine his injury before toppling face first into the ground and out of sight of the camera.

Mr. Poth fled the scene but was caught by several Marines, who found a bloody knife in his pants pocket.

Mr. Liebman told the court that Mr. Poth was issued "less than honorable" discharge papers early Wednesday, which stemmed from previous behavior within the Marines. This included underage drinking, synthetic drug use, and behaving inappropriately during an investigation of the latter offense. Mr. Liebman said Mr. Poth had to be handcuffed at the time because he was so out of control, and he shouted expletives at fellow Marines.

Source: <http://www.washingtontimes.com/news/2012/may/16/court-plays-tape-of-marines-killing/?page=all>
