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*****MEDIA ALERT*****

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DEFENDANT SENTENCED TO 51 YEARS FOR MURDER AFTER COURT VACATES HIS GUILTY VERDICT, BUT IS OVERTURNED

Evansville, IN – Prosecutor Diana Moers announces that on May 11, 2023 Defendant Elijah Parchman was finally sentenced after a years-long legal battle for a murder and attempted murder he committed in 2019.

The State originally obtained a jury verdict of guilty in 2020 which was then overturned by the Vanderburgh County Circuit Court. The State appealed. The Court of Appeals disagreed with the trial court’s decision and sent the case back to Vanderburgh County in December of 2022 for sentencing.

Defendant found guilty of murder and attempted murder, court grants motion for new trial

The Defendant was found guilty by a jury of his peers after trial in November of 2020, but the verdict was overturned as described by the Indiana Court of Appeals below:

“Following the jury’s verdict, but before the sentencing hearing, the trial court conducted its own research and discovered that Minor had a 2008 juvenile delinquency adjudication . . . [T]he trial court appointed Parchman a new attorney to investigate the possibility of filing a motion to correct error based on [the failure to disclose the juvenile delinquency adjudication, and ultimately] issued a written order granting Parchman a new trial.”

Indiana Court of Appeals sends the case back to Vanderburgh County

But the Indiana Court of Appeals disagreed with the trial court’s ruling and found that the trial court abused its discretion in granting the Defendant’s motion to correct error and request for a new trial. The Indiana Court of Appeals agreed with the State that

the oversight of not providing the juvenile history of the victim-witness was not best practice but was also not material and did not prejudice the Defendant:

“Here. . . in light of all the evidence presented at trial, Minor’s more than ten-year-old juvenile delinquency adjudication is negligible, at best. Specifically, our review of the evidence reveals that Minor’s testimony was cumulative of Detective Luecke’s testimony that Parchman was standing over one-hundred feet away from the victims when he began shooting at them. Minor’s testimony was also cumulative of Dr. Kiefer’s testimony that Bobby had been shot on his back side and hospital records that revealed Minor had also been shot on his back side.”

State v. Parchman, 200 N.E.3d 499, 505 (Ind. Ct. App. 2022).

The Court took into account several victim impact statements from both the Defendant’s family and friends as well as the family and friends of the victims- including the mother of the deceased victim and injured victim, who were brothers who lived in Illinois. The State argued for the felony firearm enhancement since a gun was used in the murder and the State argued that the sentences on the murder and attempted murder should run concurrent due to the life-long impact on the living victim and the family.

Murder carries a possible sentence of 45-65 years with an advisory sentence of 55 years; Attempted murder carries a possible sentence of 20-40 years with an advisory sentence of 30 years. A felony firearm enhancement carries a minimum sentence of 5 years and max of 20 years.

The Honorable Judge David Kiely sentenced the Defendant to a total of 51 years, running the two counts concurrently with 46 years for Count 1, murder, 20 years for Count 2, attempted murder, and an additional 5 years since a firearm was used. The Defendant will serve the sentence at the Indiana Department of Correction.

Prosecutor Moers stated, “The Defendant’s actions have taken a life and altered permanently the life of the other victim who was shot in the back and also lost his brother on that day; their mother now grieves for her sons and I commend her brave testimony in Court today at sentencing. The Defendant clearly has not only negatively impacted the lives of the victims’ family, but also his own family and himself.”

Prosecutor Moers thanked her deputies John Bober and Josh Hutcheson for their dauntless efforts and Evansville Police Department Detectives Phil Leucke, and Jackie Lowe for their hard work and dedication to this case. Moers also sends condolences to the victims’ family and friends and thanks victim advocate Robyn Mastison for her efforts in guiding the family through the litigation process.

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