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DEFENDANT SENTENCED FOR FATAL SHOOTING OF GROCERY EMPLOYEE

Queens District Attorney Melinda Katz announced that Dewayne Henry was sentenced today to 25 years to life in prison for fatally shooting a 65-year-old grocery clerk during a botched robbery in Jamaica in 2011. The defendant has been incarcerated on unrelated charges for much of the time since the murder.

District Attorney Katz said: "Today's sentencing provides long overdue closure for the family of Jorge Marte. I trust they took comfort in describing to the defendant the anguish and pain he violently forced upon them. I hope they find solace in knowing that the man who killed their loved one is going to prison for a very long time."

Henry, 45, of Long Street in Jamaica, was convicted in February of murder in the second degree, attempted robbery in the first degree and criminal possession of a weapon in the second degree. Queens Criminal Court Judge Michael Aloise today sentenced Henry to 25 years to life in prison to be followed by 5 years post release supervision.

According to the charges, on July 8, 2011, at approximately 10:00 p.m., Henry, wearing a white cloth mask, entered the Melani Grocery on Guy Brewer Boulevard near 112th Street. Working behind the counter was Jorge Marte, 65. A friend of Marte's was also in the store. Henry approached the counter carrying a semi-automatic pistol. He took a brown pillowcase from his pocket, tossed it on the counter and demanded that Marte put cash from the register in it.

Henry then approached Marte's friend and forced him to the front of the store. Marte picked up a kitchen knife and ran to the door of the store. Henry followed Marte and shot him once in the chest. He fled down 112th Road towards Dillon Street.

A passerby, who arrived at the store after Henry fled, called 911. Police responded. Marte was taken by ambulance to Jamaica Hospital where he was pronounced dead.

A search for evidence at the Melani Grocery turned up a spent 9mm cartridge casing. Additionally, security camera video footage captured Henry approaching and later fleeing the location on foot. The footage also showed a Mitsubishi Eclipse making multiple passes near the store in the minutes leading up to the crime.

Henry was arrested weeks later in connection with another grocery store robbery, for which he was convicted and sentenced to prison. It was subsequently determined that the firearm used in the second robbery was the same one used in the attempted robbery and slaying at the Melani Grocery. Additionally, a Mitsubishi Eclipse was spotted near the scene of the second robbery and found to belong to Henry. A mixture of DNA found on the pillowcase left at the Melani Grocery also implicated Henry.

Although convicted and sentenced to 18 years for the second robbery in June 2012, Henry was released in May 2017 due to potential juror misconduct. The second robbery case was later dismissed when the civilian witnesses to the crime moved out of the country. After being re-arrested on a weapons charge in 2018, Henry was charged while in custody with the murder of Marte.

Assistant District Attorney Timothy Regan, Deputy Bureau Chief of the District Attorney's Felony Trials Bureau IV is prosecuting the case, with the assistance of Assistant District Attorney Brendan Quinones, under the supervision of Assistant District Attorneys Karen Rankin, Bureau Chief, and under the overall supervision of Executive Assistant District Attorney for Supreme Court Trials Pishoy Yacoub.

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