



SARASOTA

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Sentencing riles dead boy's kin

PLEAS: Less prison time for 2 teenagers than victim's parents had hoped to see

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SARASOTA — Roland Kennedy stared at the two teenagers who killed his son, pounded a podium and called them "cowardly."

The teenagers, sitting handcuffed at a table, about to be sentenced to seven and 10 years in state prison, hung their heads and said nothing.

Kennedy and his wife, Laura, were angered by a plea bargain

that allowed the teenagers, Simon Mihailovic and Michael Mendola, to avoid the possibility of life sentences for fatally injuring their son, Greg Kennedy, 18, in a brawl last July.

"I don't think you're getting what you deserve," Roland Kennedy told them.

Mihailovic and Mendola, both 18 and charged with second-degree murder, pleaded no contest to manslaughter in a deal negotiated with prosecutors.

In the case, detectives and attorneys interviewed more than 40 people, many of them teenagers. Prosecutors say one reason they approved the plea deal was that

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some of the teenagers had been drinking on the night of Kennedy's death and told inconsistent stories about what happened.

Kennedy's parents protested the plea agreement, which was approved by a judge after a short hearing. "The only thing that would be just is that they never see the light of day again," said Laura Kennedy, Greg's mother.

The resolution of the case brings some clarity about what happened on Lalani Boulevard last July 28, when a group of friends, including Kennedy, gathered at a home to celebrate a friend's birthday.

The group went bowling, then went to the home of Max and Bev Herrera, whose son was celebrating his 17th birthday.

Bev Herrera bought them beer, and the teenagers listened to rap music and played beer pong, a game that encourages quick and excessive consumption of alcohol.

At some point that night, Mihailovic and three friends showed up at the house. One member of that group was drunk and called someone a derogatory name. Max Herrera threw Mihailovic's group out — but they vowed to return.

The teenagers met with other friends at a gas station and a McDonald's, returning to the Lalani Boulevard home in three sport utility vehicles.

Quickly, about 20 teenagers were fighting in the yard and in the street. Kennedy, who had passed out on a couch, got up and ran outside.

As Kennedy squared off with another teenager, Mendola blindsided him with a punch to the head, according to police reports and witness testimony.

Kennedy started to get up and Mihailovic kicked him in the head.

Early law enforcement accounts suggested that both Mihailovic and Mendola continued

to beat Kennedy after he was unconscious, but prosecutors and defense lawyers agreed on Wednesday that each threw only a single blow.

"Since the beginning this was portrayed as a beating, a pummeling," said Derek Byrd, who represented Mendola. "That's just not true. It was one punch, one kick."

But those strikes ruptured an artery in the back of Kennedy's head. His cranial cavity filled with blood, he slipped into a coma and was taken off life support within a few days.

Mendola and Mihailovic were soon arrested, and lawmen later charged the Herreras with child neglect, serving alcohol to minors and having an open house party.

The child neglect charges were eventually dropped and Bev Herrera was placed on probation for the other counts. The charges against Max Herrera, arrested on an unrelated DUI warrant from New Mexico, is pending.

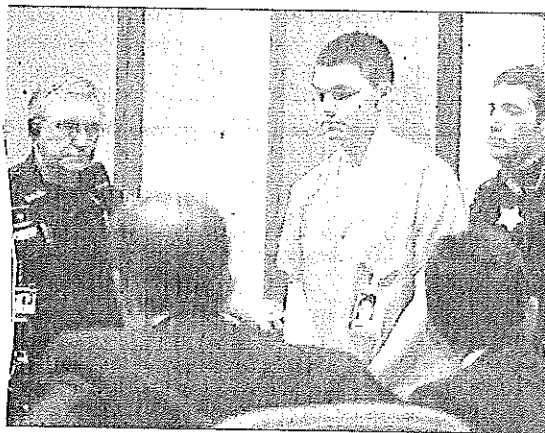
Roland Kennedy says he and his wife — who are also suing the Herreras — will push state legislators to enact stiffer penalties for adults who give alcohol to teenagers and allow their homes to be used for parties.

"We need to hold people accountable for these parties," he said. "We're going to pursue that in Greg's memory."

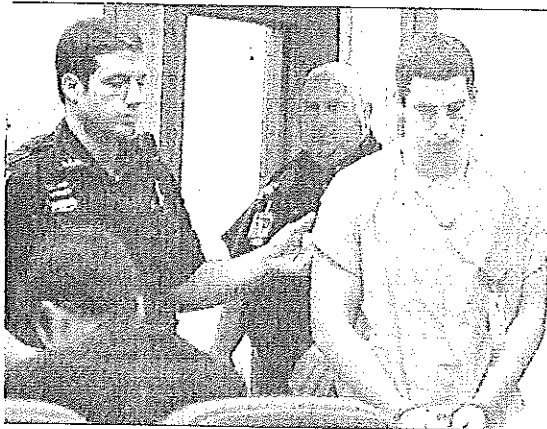
Family members of Mendola and Mihailovic huddled in the back of a courtroom, some of them crying when the sentences were announced. The family members would not comment.

But Mihailovic's attorney, Brett McIntosh, says the teenager has matured behind bars and gained perspective on how that night changed so many lives.

"He'll be 28 years old when he gets out," McIntosh said. "To an 18-year-old kid, that seems like forever. But he'll have an opportunity to turn around his life once he leaves prison."



Michael Mendola, 18, pleaded guilty Wednesday after lawyers negotiated with prosecutors to have a murder charge reduced.



Simon Mihailovic, 18, also pleaded guilty in the slaying of high school student Greg Kennedy during a brawl last July.

STAFF PHOTOS / THOMAS BENDER