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Student acquitted of carjacking

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A 20-year college student from Irvington was acquitted yesterday of carjacking and robbery charges in a case his attorney said was based on mistaken identity.

A jury deliberated only 20 minutes before finding Gerald Deus, a student at Essex County College, not guilty of the charges which stemmed from an incident on Sept. 2, 1995, in Irvington.

On that date, Margaret Lee, 41, of Irvington was assaulted and a gold chain was ripped from her neck as she was entering her car in a parking lot on Orange Avenue. The assailant drove away in the vehicle. Five days later, Lee, a student at Bloomfield College, was in the school cafeteria when she saw Deus, who at the time also attended Bloomfield College. Lee testified she walked up to Deus, asked to see his teeth and when the defendant smiled, she ran over to a security guard, claiming Deus was the man who had robbed and assaulted her.

Vincent J. Sanzone Jr., the Edison attorney representing Deus, said Lee based her identification on the fact that his client had gaps in his teeth. But Lee had never put that fact in the information she gave Irvington police at the time of the incident.

Lee also told police that the man who assaulted her was clean-shaven. But Sanzone noted that when Deus was arrested five days later, he had a full mustache and goatee.

At the scene she told police the man who had carjacked her was a stranger but only later claimed she was assaulted by a man she knew from college, Sanzone said. During the trial, held before Superior Court Judge Kenneth S. Levy in Newark, Deus' sister and father testified he was with them at the time of the incident and Deus' pastor testified as a character witness.