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Men admit they beat a Newburyport man who has since died

By Karen Kapsourakis
Correspondent

Salem, Mass. — Two men admitted beating a man and his dog as they robbed cash and other items from the man's Newburyport home three years ago.

Edgar A. Smith, 37, of Hampton, N.H., and David Miranda, 24, of Woburn changed their pleas of not guilty to guilty yesterday in Salem Superior Court. They admitted guilt to charges of armed robbery and assault and battery with a dangerous weapon in connection with the beating of Richard Erosa, 32, and his dog named Onyx in 2002.

Smith will spend seven to nine years in state prison before being placed on probation for two years. Judge Regina L. Quinlan did the sentencing in accordance with an agreement reached by Assistant District Attorney Murat Erkan and defense lawyer Neil Colicchio.

Miranda's sentencing is postponed until Jan. 4, at the request of his attorney Raymond Harrington, so his client can get his personal affairs in order.

Erkan gave this description of the robbery:

Prior to the incident, Erosa, 32, was dating a Hampton, N.H., woman who frequently asked him for money. As Erosa became more reluctant to give her money, she became hostile, Erkan said. Eventually they broke off the relationship.

The woman then recruited Gerald Jewell, 24, of Hampton, N.H., along with Smith and Miranda and drew up a plan to rob Erosa.

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On the night of Oct. 30, 2002, the woman drove the three men to Erosa's home at 1 Lime St. in Newburyport. Miranda was armed with a heavy metal object concealed inside a sock. The three men knocked on the door and said they had hit Erosa's car and wanted to talk to him.

As Erosa opened the door to his home, the three men forced their way inside. Miranda struck and beat Erosa over the head with the metal object, fracturing his skull while tearing part of his scalp off, Erkan said.

Erosa's dog, a Rottweiler, was also struck in the head by Miranda while the men looted the home, stealing cash and a check. The intruders fled, leaving Erosa and his dog laying on the floor and bleeding. The men drove to a motel in New Hampshire and split up what they had taken.

Erosa was taken to Anna Jaques Hospital in Newburyport and then moved by helicopter to Brigham and Women's Hospital in Boston.

After police interviewed the woman, all three men were arrested. No charges have been brought against her, Erkan said.

Erosa died of a drug overdose on Sept. 6, 2004, and his dog died three weeks before him, investigators said. Erkan explained the prosecution was unable to establish a connection between Erosa's death and the beating. After the attack, Erosa's behavior changed, according to relatives. He became withdrawn, seldom left his home and developed a drug problem, Erkan said.

However Harrington, the defense lawyer for Miranda, disputed that.

"He was a drug addict before. He was on OxyContin," Harrington said.

Erkan said Miranda showed deep feelings of remorse and acknowledgment of his crime when arrested. He gave police a full confession, admitting he struck the blows to Erosa and the dog. Miranda also admitted guilt to a charge of cruelty to an animal. The prosecution agreed to drop a home invasion charge against the men as part of the plea bargain. Erkan also dropped a charge against Smith of cruelty to animals.

The case against Jewell is scheduled for trial Jan. 4.

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