

Co-Defendant's Killing Leads Judge to Declare Mistrial in St. Thomas Kidnapping Case

The Superior Court declared a mistrial after co-defendant Desie Conrad Henry Jr. was shot and killed during the trial, a development the judge ruled made it impossible for the jury to fairly deliberate in the kidnapping case against Troy Harrigan.

Crime / **Published On March 06, 2026 12:59 PM /**

Staff Consortium **March 06, 2026**

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Mugshot of Troy A. Harrigan, the defendant in a St. Thomas kidnapping case that ended in a mistrial after the fatal shooting of co-defendant Desie Conrad Henry Jr. during the trial. By. THE VIRGIN ISLANDS POLICE DEPARTMENT.

The Superior Court of the Virgin Islands has declared a mistrial in the kidnapping case involving Troy A. Harrigan after the [fatal shooting of co-defendant Desie Conrad Henry Jr.](#) during the trial.

The ruling came after Harrigan's defense filed an emergency motion arguing that Henry's killing created circumstances that made it impossible for the empaneled jury to fairly deliberate.

In an order dated March 6, Superior Court Judge Denise M. Francois granted the motion, concluding that the extraordinary circumstances surrounding Henry's death left the court with no alternative but to end the trial and dismiss the jury.

Henry was shot and killed at approximately 8:43 a.m. on March 5, 2026, before the jury received its final instructions and began deliberations in the case.

The case had originally proceeded with two defendants — Harrigan and Henry — who were [jointly charged](#) in the matter and were both present during the jury selection process.

Harrigan's emergency motion argued that the killing of a co-defendant during trial created an "irreparable and constitutionally intolerable prejudice" that could not be corrected through jury instructions or other remedies.

Defense counsel asserted that the jurors had been selected to hear a case involving two defendants and that the sudden death of one of them during the trial fundamentally altered the circumstances under which the jury was expected to deliberate.

The motion further argued that the highly public nature of the killing, along with media coverage across the territory, created a substantial risk that jurors would become aware that Henry had been murdered.

According to the filing, such knowledge could lead jurors to draw improper conclusions, including speculation about the circumstances surrounding the killing or the seriousness of the allegations against the defendants.

The defense contended that no curative instruction from the court could eliminate the prejudice created by the killing of a co-defendant during an active trial.

Judge Francois agreed with the argument, finding that the situation met the legal standard of "manifest necessity" required for a mistrial.

In the order, the court stated that under the circumstances there was "no alternative but to declare a mistrial" and dismiss the jury that had been empaneled to hear the case.

The order formally grants Harrigan's emergency motion for mistrial and discharges the jury that had been selected to try the case.

Henry was killed the morning his attorney told The Consortium the jury had been expected to deliver a verdict. Police said the 32-year-old was shot in the Paul M. Pearson Gardens housing community in St. Thomas after the department's ShotSpotter system detected multiple rounds fired.

Henry had spent several years living on the mainland while the case made its way through the courts. According to his attorney, he had been working to rebuild his life during that time and had recently enrolled in a truck driving program in Charlotte, North Carolina.

Henry postponed the start of the program in order to return to the Virgin Islands and comply with court proceedings in the case, which began after his arrest in September 2020 and took more than

five years to reach trial.

His attorney said Henry had previously worked as an Amazon delivery driver during the Covid-19 pandemic and developed a strong interest in transportation, with plans to eventually start his own transportation company.

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