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**DEFENDANT SERVING TIME ON ATTEMPTED MURDER CONVICTION INDICTED
ON MURDER CHARGES AFTER VICTIM PASSES AWAY**

Defendant Sentenced in 2022 to 18 Years in Prison For Shooting A Former SUNY Buffalo Football Player At Point Blank Range; The Victim, Malachi Capers, Passed Away In January As A Direct Consequence Of The July 2020 Gunshot Wound

Queens District Attorney Melinda Katz announced that Jeffrey Thurston has been indicted by a grand jury on murder in the second degree for shooting former college athlete Malachi Capers after the victim accidentally bumped into him inside a deli in Laurelton in July 2020.

In June 2022, Thurston was sentenced to 18 years in prison on an attempted murder conviction for the incident. In January 2024, Capers died as a result of medical complications from the 2020 gunshot wound to the abdomen, leading to the new indictment on a murder charge.

District Attorney Katz said: “A young college student who entered SUNY Buffalo on a football scholarship suffered through years of medical complications, eventually succumbing to his injuries, because of the defendant’s complete disregard for human life. An incidental shoulder bump should never have escalated to gun violence. My thoughts continue to be with the victim’s family as we renew our fight to obtain justice for Malachi and his loved ones.”

Thurston, 31, of 220th Street in Laurelton, Queens, was arraigned today before Queens Supreme Court Justice Ushir Pandit-Durant on an indictment charging him with murder in the second degree. If convicted, the defendant faces a maximum potential sentence of life in prison. Thurston was ordered to return to court on August 23.

According to the indictment and charges:

- On July 27, 2020, at approximately 4:40 p.m., Capers and the defendant bumped into each other inside of a deli located at 135-33 Springfield Boulevard.
- The defendant engaged Capers in a verbal dispute, punched Capers in the face and then ran out of the deli.
- Capers exited the deli behind the defendant and a physical struggle between the two men ensued outside of the deli.
- After the struggle, Thurston removed a firearm and shot Capers in the abdomen at point blank range.
- Capers was transported to a local hospital in critical condition.
- Thurston fled the scene but was apprehended two days later by the NYPD’s Regional Fugitive Task Force.
- On June 14, 2022, Thurston was [sentenced](#) to a determinate term of 18 years in prison, to be followed by five years’ post release supervision, after pleading guilty to the shooting as well as two unrelated incidents: a burglary in March 2020 and a shooting in July 2020.
- On January 20, 2024, Capers died as a result of the gunshot wound, following a years-long battle with complications, including multiple surgeries.

Senior Assistant District Attorney Gregory Lasak of the District Attorney's Homicide Bureau is prosecuting the case, with the assistance of Assistant District Attorney Veronika Podoprigora, under the supervision of Assistant District Attorneys John Kosinski, Bureau Chief, and Karen Ross, Deputy Bureau Chief, and under the overall supervision of Executive Assistant District Attorney for Major Crimes Shawn Clark.

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Criminal complaints and indictments are accusations. A defendant is presumed innocent until proven guilty.

Note to Editors: Archived press releases are available at www.queensda.org.

