



For Immediate Release

Media Release No. 257

**Friday, December 16, 2022
1:40 p.m., CDT**

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Two Justifiable Death Rulings

The Birmingham Police Department reports detectives have received two rulings in connection to the double homicide investigation of Tobias Mckinstry and Timmeric Bryant. The incident occurred on Thursday, December 8, 2022, while in the 8300 Block of 1st Avenue North.

The preliminary investigation revealed that Mr. Tobias McKinstry was involved in an argument with a third person surrounding his car being stolen earlier and being observed at the location.

Evidence gathered during the investigation revealed Tobias McKinstry entered the gas station brandishing a shotgun. The gas station had patrons inside. One of the patrons pulled out a firearm and fired shots in McKinstry's direction striking him along with Timmeric Bryant who was at the gas station accompanying the third party involved in the original argument.

The patron who fired the shots turned himself in to police custody the day of the incident.

NOTE: it is not believed that Mr. Bryant had any involvement in the stolen vehicle argument.

Tobias McKinstry was pronounced deceased on the scene. Timmeric Bryant was pronounced deceased at UAB Hospital.

Investigators presented the information gathered to the Jefferson County District Attorney's office for review. Following the assessment, the Jefferson County District

Attorney's Office ruled the actions justifiable. **This investigation is reclassified as 2 Justified Deaths Investigation.**

The Birmingham Police Department has **126** murders thus far in 2022 with **10** justifiable death investigations. The Birmingham Police Department adheres to FBI Uniform Crime Reporting guidelines set for all law enforcement agencies across the United States.

FBI Uniform Crime Reporting guidelines do not require law enforcement agencies to include justifiable death investigations into the total homicide investigations counts.

The information is based on a preliminary and ongoing investigation, which continues to evolve as investigators interview witnesses, review physical and electronic records, and analyze forensic evidence. The Department's understanding of the facts and circumstances may change as additional evidence is collected and analyzed

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Double Homicide Investigation (Media Release 253)

The Birmingham Police Department is conducting a double homicide investigation. The incident occurred on Thursday, December 8, 2022.

The victims will be identified upon notification to the next of kin.

At approximately 8:30 pm a shot spotter notification alerted shots had been fired in the 8300 block of 1st Avenue North. Community members also called 9-1-1 to advise someone had been shot at the location.

Upon arrival East Precinct officers observed two adult males suffering from gunshot wounds.

Birmingham Fire and Rescue arrived at the scene and pronounced one of the victims deceased. The second victim was transported to UAB Hospital with life-threatening injuries where he later succumbed to his injuries.

We have a person of interest detained; however, we believe there is at least another suspect.

If there is anyone who has information pertaining to the case, please contact the B.P.D. Homicide Unit @ 205-254-1764 or Crime Stoppers @ 205-254-7777.

Anonymous tips can also be submitted to Crime Stoppers through the Birmingham Police Department's Mobile App on Android or IOS devices. Updates will be provided as information comes available.

These are Birmingham's 127th and 128th murder investigations of 2022 with 8 justifiable death investigations. The Birmingham Police Department adheres to

FBI Uniform Crime Reporting guidelines set for all law enforcement agencies across the United States. FBI Uniform Crime Reporting guidelines do not require law enforcement agencies to include justifiable death investigations in the total homicide investigations counts.

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