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### NEW YORK

# THUG'S COP-OUT: Brooklyn diner gunman tries pinning the blame on victim's girlfriend

Tyrone Gainer, whose being held without bail after he was arraigned on murder charges in the death of Jason Lewis, claims he's just 'a bystander.'

Comments (52)

BY ROCCO PARASCANDOLA AND OREN YANIV / NEW YORK DAILY NEWS

MONDAY, JANUARY 7, 2013, 9:49 PM

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## EDITORS' PICKS

A key part of the NYPD's controversial "stop and frisk" tactic has been ruled unconstitutional. Manhattan Federal Court Judge Shira Scheindlin ordered police to refrain from making trespass stops outside private



DANNY IUDICI

**Tyrone Gainer, the man charged in the murder of Jason Lewis in a Brooklyn diner, is led to criminal court for arraignment.**

The lawyer for the gunman busted in a murder in a Brooklyn diner tried Monday to pin the blame on the victim's cop girlfriend.

Tyrone Gainer, 27, was ordered held without bail Monday after he was arraigned on murder charges in the death of [Jason Lewis](#), 34, in the Country House Diner in Clinton Hill Sunday morning.

Sources said that before the shooting, Gainer was harassing off-duty cop Shana McLean, who was dating Lewis but used to date Gainer's friend.

Lewis intervened, sources said.

McLean, who had stepped outside, came back into the diner to see Lewis shot. She and Lewis then left the diner, and he collapsed in her arms in the street.

In court, Gainer's lawyer, Mahmoud Rabah, called his client "a bystander" and suggested investigators focus on McLean.

"That person may have had a gun . . . that could well have been the weapon that was discharged," Rabah said.

But sources said McLean's gun was not used to kill Lewis. She has been placed on modified duty but sources called it a standard move under the circumstances.

The murder weapon, sources said, was a .22-caliber handgun that they believe belonged to Gainer. His girlfriend — a 911 operator — was seen tossing it under a car before it was retrieved by police.

The girlfriend, Aishah Chance, 28, was suspended, sources said.

Lewis lived in Bedford-Stuyvesant, had three kids — Javante, 15, Chastity, 12, and Jabari, 6 — and owned a fleet of dollar vans.

**NYPD's controversial 'Stop and Frisk' policy**



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An MTA security guard died of an apparent heart attack on his lonely post in Brooklyn Tuesday morning and wasn't discovered for



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**THUG'S COP-OUT: Brooklyn diner gunman tries pinning the blame on victim's**

The lawyer for the gunman busted in a murder in a



Sure, we all take awkward photos from time to time,

He and McLean were living together.

His family said he had a kidney transplant six years ago and was charitable with friends and relatives.

"He would have big block parties here and everybody would eat for free," said sister Jeanette Lewis, 58. "I hope they put [Gainer] away for a long time for taking away my brother."

rparascandola@nydailynews.com

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Sexiest? More like schlubbiest woman alive. Sweatpants-loving Mila Kunis is a guy's girl - and



### Cops: These guys killed boy for coat

Police have released surveillance video showing the four suspects wanted for gunning down a Manhattan teen for his coat



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The Los Angeles teen who claims the son of Hollywood legend Dennis Hopper raped her in 2011



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These stars certainly made a splash on the beach this year -- just not for any of the right reasons. Check out



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"Harry Potter" actress Emma Watson has grown



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An Ohio couple who raised one of the high school



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CARL\_SWITZER 9 hours ago

+3

He's innocent because the NYPD always frames black men. Right?

Reply

[1 reply](#)

**POETIC JUSTICE** 8 hours ago

0

carl\_switzer why don't you go post on some white crime for a change?

Four women found shot to death inside Tulsa apartment — toddler found unharmed amid carnage  
Police in Oklahoma have no suspects or motive for the crime at this time. The 4-year-old has been taken into protective custody.

Read more: <http://www.nydailynews.com/news/national/women-found-shot-death-tulsa-olka-article-1.1235485#ixzz2HPtcODYi>

Reply

**CIPHER** 10 hours ago

+2

He's definitely innocent because his name is Tyrone... keep it real bro

Reply

[1 reply](#)

**POETIC JUSTICE** 8 hours ago

0

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**NEW YORKVIDEO**

WOGBX 11 hours ago

+2

LMAO... how did we go from the death of this man to payroll, to Obama, to political parties.

Reply [1 reply](#)

LAUGHINGATFOOLS 11 hours ago

+2

LOL because we have imbeciles like NYCLPOSTER who hides in is "Office" by payroll and trolls his misguided beliefs to anyone who caares to listen due to him being a social inept he cannot bare to say these things he feels to anyone in person!!!

Reply

QUIT\_UR WHININ 12 hours ago

+5

What a shame everyone has bought into it, Democrat this Republican that your not Americans anymore you're political party people. The political machine has accomplished exactly what it set out to do, keeping everyone off balance bickering in a hostile manner against each other. It is the HAVES and HAVE NOTS incase you haven't noticed, Obama isn't really doing anything for you both Him and Bush gave OUR money to bailout the 'to big to fail' institutions but when it really comes to you or I they give us lip service, the warm and cozy arm around the shoulder then run off for a vacation break. They want to control us regulate us (oh we're going to look out for you and only sell you a 16oz soda, nothing larger, and make sure you have to ask for salt at a restaurant etc.), how do some politicians get into office with not a whole lot of money and become filthy rich (Harry Reid), Hmmn! Most of those that are elected to serve us are, a very very large percentage are well Self Serving Manipulators, you bought into their bulls\*t and fight amongst yourselves but they have you don't. Maybe we should ship their jobs overseas the pols need to be regulated by us but they are empowered to self regulation. I'm done keep fighting amongst yourselves they are laughing all the way to the bank.

Reply [2 replies](#)

LAUGHINGATFOOLS 11 hours ago

+2

Thank you for pointing that out

Reply

Marilyn Monroe in New York: Subway ex...



## DAILY NEWSPIX MANHATTAN

### MANHATTAN



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**JEKO1958** 11 hours ago

+2

Thank you...I've been saying the same thing for 25 years! When a government gets to powerful to be overthrown, it becomes corrupt!

Reply

---

**DENISE** 13 hours ago

+4

This idiot's life is over because he foolishly fought someone else's battle instead of minding his own business. Now an innocent man is dead, the shooter gets to spend time in a nice little box, his stupid girlfriend is done as an operator cause she obstructed justice by hiding the gun and the poor female officer will be traumatized. How can she be out on the streets carrying a weapon after this? She will probably need counseling. The irony of it all, not only were the women both working for nypd but the ex boyfriend is free as a bird while his "boy" destroyed all these lives for what? Bravado? Senseless and just mind boggling. The shooter looked real short in comparison to the new boyfriend so I guess his gun made him feel like he measured up to him....jackassz! Don't bend over for the soap moron!

Reply

---

**GID** 13 hours ago

0

n loving it.. just keep it up, kill yourselves.....

Reply

[2 replies](#)

---

**FREE2BEEME** 13 hours ago

+7

Do you love the fact that Adam Lanza, killed innocent babies, then cowardly took his own life? I am sure you do sicko, why don't Gid and Stoojer go play in traffic on the FDR. People like you that make the world the way it is.

Reply

[1 reply](#)

---

**MARCDONATO** 10 hours ago

+1

In a way, I do like the fact that he killed himself, saving the cost of his incarceration and care. On the other hand, I would also like to have seen police bullets tear into his throat so he could have suffered agonizing pain before he expired.

---

**NYCLPOSTER** 14 hours ago

+2

Yeah, now sit in a jail cell for the next 40 years you dope.....typical obama voter.....

[7 replies](#)

---

**WORLDGONEMAD** 13 hours ago

+2

Really what does this have to do with President Obama

[3 replies](#)

---

**KZS** 13 hours ago

+6

...absolutely nothing.

nyclposter is still in denial that the majority of Americans KNOW that President Obama was the BEST choice to represent the people of the United States and proved it with their vote. Nothing against the Republicans but they just don't have the best interests of the USA at heart and it showed.

I think he/she sheds tears every single day. What a drama queen...

---

**FREE2BEEME** 12 hours ago

+3

Of course the President has nothing to do with it, but the fact that so many are upset that he is in office for the next 4 years, really seems to heat some collars. That's so funny, because there is NOTHING they can do about it, just like it was nothing we could do about cokehead Bush for 8 years.

---

**NYCLPOSTER** 12 hours ago

+2

My office is located a few doors down from the payroll office, you should have seen the faces of all the confused obama voters when they realized their paychecks were about 100 dollars less. OR did you dopes really think Obama was just going to tax the evil 1%??? Poor clueless liberal dopes.....and just wait till all the little taxes kick in and then obamacare.....this is going to be fun!!!

---

**BWHEEP** 12 hours ago

0

they all were probably obama voters

[Reply](#)

---

**POETIC JUSTICE** 8 hours ago

0

After reading your insipid comments the DN should require us all a license to post on here.

[Reply](#)

[1 reply](#)

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**WHIPPERSNAPPER** 7 hours ago

+2

After reading your racially divisive posts, you will surely be one of the first ones that will have to sign up for a new account. How ironic, you never seem to really have anything to offer in your comments, just a foul mouthed negative poster.

---

**TIO TONY** 14 hours ago

+1

This guy's girlfriend, that gals ex, bunches of kids running around with funny names and we wonder why. I love the statement "He threw a block party and everybody ate for free!" What ,do they normally charge for food at parties?

And we wonder why.....

[2 replies](#)

---

**KZS** 13 hours ago

+2

...hope they had rellenos de papa, alcapurrias, tostones and bacalaitos there. Yum...

---

**GARDNER DORANTE** 11 hours ago

0

g

---

**HARDWIRED7** 14 hours ago

+4

Same story, different day: a low-IQ knuckle-dragger with zero impulse control blasts away the moment some adrenaline hits his system.

[4 replies](#)

---

**SWITCHBOSS** 14 hours ago

0

And let me remind you that this creep and many like him were not so long ago students in public schools. I'll bet that they didn't do well on their SAT's. That gets the Tea Pots ticked off at teachers because they can't "fix" this kid and those teachers get retirement and medical benefits too. Here is a good idea, let 'slay off more teachers and social workers.

Reply

[1 reply](#)

---

@ 13 hours ago

+4

SAT's ??? .... this **LOSER** dropped out , like 60% of the inner-city trash that welfare checks , food stamps , section 8 housing produces

---

**FREE2BEEME** 11 hours ago

+3

Yeah that sick creep Adam Lanza's knuckles was sure dragging, with his lack of impulse control, adrenaline, and some terrific target practice at the gun range training from his dear ole mom he took the lives of beautiful babies, and innocent educators, sounds to me that HardWired your brain is dragging.

Reply

---

**FREE2BEEME** 11 hours ago

0

Hardwired7 - I didn't know Tyrone Gainer was your father, you know it's not nice to talk about your parent in this way.

Reply

---

**SHO-NUFF** 14 hours ago

+6

Poor guy got killed over BS.

Reply

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