

'Brawl' officers cleared

An NYPD officer and an ex-colleague were acquitted yesterday of assault charges stemming from a brawl outside a Yonkers bar that caused a man to lose the vision in an eye.

Officer Michael McGhee, former Officer Thomas Wimmer and a friend, Patrick Tully, were cleared in the Sept. 14, 2007, fight.

Prosecutors said the three attacked Peter Cummins after exchanging words with his girlfriend, causing him to lose vision in an eye that had already been weakened by a prior, unrelated injury.

But defense lawyers countered that Tully defended himself after Cummins attacked him, and that the two off-duty officers tried to break up the fight.

"It is a large weight lifted off of his shoulders," McGhee's lawyer, Howard Tanner, told The Journal News. "He was acting to defend someone who was being attacked. He shouldn't have been prosecuted."

McGhee has been on modified duty while Wimmer has quit the force.

Wimmer's lawyer, Richard Murray, told The Journal News, "New York City lost an outstanding police officer."

Ed Robinson with AP