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(Reuters) - Actor Jussie Smollett was charged on Wednesday with lying to police when he claimed he was attacked and beaten on the streets of Chicago by two masked men shouting racist and homophobic slurs, police said on Wednesday as they sought his arrest.

Smollett charged with faking racist attack

"Like any other citizen, Mr. Smollett enjoys the presumption of innocence, particularly when there has been an investigation like this one where information, both true and false, has been repeatedly leaked. Given these circumstances, we intend to conduct a thorough investigation and to mount an aggressive defense," Smollett's attorneys, Todd Pugh and Victor Henderson, said in a written statement.

Twentieth Century Fox Television, which produces "Empire," declined comment when told earlier on Wednesday that Smollett had been formally named a suspect in the case.

Earlier in the day, the studio said: "Jussie Smollett continues to be a consummate professional on set and as we have previously stated, he is not being written out of the show."

Last week, Chicago police questioned two Nigerian brothers recognized from surveillance footage near the scene of the supposed attack, but released them two days later, without charge, in light of what investigators said was new evidence. Chicago police say the charge of filing a false police report carries a maximum sentence of up to three years in prison.

Reporting by Gina Cheralus and Daniel Trotta in New York and Dan Whitcomb in Los

Angeles; Writing by Dan Whitcomb; Editing by Bill Tarrant, Richard Chang and Peter Cooney

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