



RICHARD A. BROWN
DISTRICT ATTORNEY

**DISTRICT ATTORNEY
QUEENS COUNTY
125-01 QUEENS BOULEVARD
KEW GARDENS, NEW YORK 11415-1568
718-286-6000**

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CONTACT: KEVIN RYAN
NICOLE NAVAS
MERIS CAMPBELL
(718) 286-6315

**D.A. BROWN: GRAND JURY INDICTS QUEENS MAN
IN DEADLY DRIVE-BY SHOOTING RAMPAGE ACROSS QUEENS**

Charged With Murder of One Man and Attempted Murder of 14 Others; Faces Life In Prison

Queens District Attorney Richard A. Brown announced today that an unemployed Woodhaven bricklayer driving a green Cadillac and armed with a 9-mm. pistol has been indicted on murder, attempted murder and other charges stemming from a violent drive-by shooting spree two months ago in which a Long Island father was fatally shot and five other individuals – including an off-duty police lieutenant – were wounded.

District Attorney Brown said, “The defendant is accused of carving a bloody swath across Queens County during a violent six-hour shooting rampage in which he drove around randomly firing at individuals standing on the sidewalk or traveling in vehicles. In the aftermath of the bloody attacks, five individuals were injured and a Massapequa Park man, who was returning home with his wife after dropping their daughter off at college, was murdered. The defendant’s alleged actions are another unfortunate example of the lethal consequences of senseless gun violence.”

The District Attorney said that a Queens grand jury has returned a 57-count indictment charging Matthew Colletta, 34, of 85-26 98th Street in Woodhaven, with two counts of Murder in Second Degree, fourteen counts of Attempted Murder in the Second Degree, two count of Assault in the First Degree, two counts of Assault in the Second Degree, thirteen counts of Attempted Assault in the First Degree, two counts of Criminal Possession of a Weapon in the Second Degree, four counts of Criminal Possession of a Weapon in the Fourth Degree, one count of Criminal Possession of a Controlled Substance in the Fifth Degree, three counts of Criminal Mischief in the Second Degree, three counts of Criminal Mischief in the Third Degree and three counts of Criminal Mischief in the Fourth Degree. He faces up to 25 years to life in prison if convicted.

The District Attorney said that the indictment charges that the defendant was driving a 1992 green four-door Cadillac SDS on the Cross Island Parkway near Bell Boulevard on the evening of August 25, 2006 when he intentionally and recklessly fired a silver 9-mm. Ruger semiautomatic pistol several times at a red Toyota minivan adjacent to his car. One of the shots allegedly hit Todd Upton, 51, who was riding in the front passenger seat of the minivan, in the neck. The victim’s wife, Mary Upton, 49, who was driving the minivan, and their daughter, Erin, 19, who was in the back seat, were uninjured. Mr. Upton was taken in critical condition to New York Hospital Medical Center of Queens, where he died hours later.

District Attorney Brown said that the indictment further charges that in the hours preceding and following the Upton shooting, the defendant attempted to kill twelve other individuals in nine separate incidents by firing shots at:

- Andrzej Leonik, 46, of 56th Drive in Maspeth, who was walking his dog at the intersection of 59th Place and 56th Drive in Maspeth, striking him in the right knee;
- A gray livery cab being driven by Sukdev Ghotra in the vicinity of 31-10 48th Avenue in Long Island City at approximately 8:10 p.m., shooting out the car windshield but narrowly missing the driver;
- Khemnarine Udai, 22 of Hempstead Long Island, and Vincent Singh, who were standing outside a Chinese restaurant, located at 114th Street and Liberty Avenue in Ozone Park, around 9:30 p.m., striking Mr. Udai in the left leg;

(more)

- Luis Villiava, 22, and his sister, Ana Villiava, 25, who were driving in the vicinity of Park Lane South and 101st Street in the Forest Park area of Queens at approximately 10:22 p.m. looking for a parking space. Although the shots hit the trunk of their yellow Mustang, the two individuals were unharmed;
- A red minivan on the Whitestone Expressway, in the vicinity of 20th Avenue, approximately a half hour after the previous incident. The shots shattered one of the minivan's windows and the flying glass wounded Ramsammy Veerapen, 23, of 106-22 153rd Street, in the right wrist and Adesh Polwah, 29, of 102-41 129th Street, in the left arm;
- A red minivan being driven by 27-year-old Ceraldo Samuels on the Whitestone Expressway near Third Avenue at approximately 11:13 p.m. The driver was uninjured but the car sustained two shots to the front passenger door;
- A 2006 black Audi being driven by 39-year-old Jeffrey Cuff, of Westport, Connecticut, southbound on the Van Wyck Expressway near the College Point exit, shattering the driver's side window but leaving the driver uninjured;
- A red Toyota RAV4 being driven by Deshan Chen in the vicinity of Booth Memorial Avenue and 136th Street in the Queensboro Hill area at approximately 11:24 a.m., shattering the car window but leaving the driver unscathed; and
- A red minivan being driven by off-duty NYPD Lieutenant Arnaldo Alvarado, who is assigned to the 76th Precinct in Brooklyn. The incident occurred at 1:30 a.m. at Woodhaven Boulevard and Metropolitan Avenue in Forest Hills. Lieutenant Alvarado was hurt by shards of flying glass.

The defendant was apprehended at approximately 1:45 a.m. near 105th Street and Park Lane South (near Forest Park) by Sergeant James Rummel and Police Officers Christopher Caesar and Jeffrey Peck of the New York Police Department's Auto Larceny Unit. Detective Dominick Sartori, of the 109th Precinct also assisted in the arrest.

In addition to the 9-mm. Ruger allegedly used by the defendant in the shootings, it is alleged that a .22 caliber revolver was recovered in the flap of the rear passenger seat of the defendant's Cadillac and two bags of cocaine were recovered from his pants pocket.

The defendant, who has been held without bail since his arrest on August 26, 2006, was arraigned on the indictment today before Queens Supreme Court Justice Robert J. Hanophy, who set a return date of December 18, 2006.

Assistant District Attorney Charissa Ilardi, of the District Attorney's Homicide Investigations Bureau is prosecuting the case under the supervision of Assistant District Attorneys Peter T. Reese, Bureau Chief, and Peter J. McCormack III, Deputy Bureau Chief, and the overall supervision of Executive Assistant District Attorney for Major Crimes Charles A. Testagrossa and Deputy Executive Assistant District Attorney for Major Crimes Daniel A. Saunders.

It should be noted that an indictment is merely an accusation and that a defendant is presumed innocent until proven guilty.

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Note to Editors: Press release e-version posted at www.queensda.org.