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Release # 135-2007
www.queensda.org

FOR IMMEDIATE RELEASE
TUESDAY, JULY 3, 2007

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**D.A. BROWN: QUEENS MAN ARRAIGNED IN ATTACK AND ROBBERY
OF FAMILY AT FLUSHING CEMETERY**

Queens District Attorney Richard A. Brown today announced that a 36-year-old Jackson Heights resident has been charged with the grave site assault and robbery of a family at the Mt. Hebron Cemetery in Flushing over this past weekend.

District Attorney Brown said, "A Sunday afternoon visit to the cemetery to pay their respects to a departed loved one turned into a traumatizing ordeal for a Long Island family and an out-of-town relative when they allegedly fell prey to the shovel-wielding defendant. Such conduct cannot be tolerated. This case will be prosecuted vigorously and swiftly to ensure that justice is served."

District Attorney Brown identified the defendant as José Santana, 36, of 86-06 35th Avenue in Jackson Heights. The defendant was arraigned last night before Queens Criminal Court Judge Ira Margulis on charges of first-degree robbery, second-degree assault, endangering the welfare of a child, fourth-degree criminal possession of a weapon, third-degree criminal trespass, petit larceny and resisting arrest. The defendant, who was ordered held on \$100,000 bail, to undergo a competency exam and to return to court on July 16, 2007, faces up to 25 years in prison if convicted.

The District Attorney said that, according to the charges, Santana approached a 38-year-old Stony Brook, Long Island, man on the afternoon of Sunday, July 1, 2007, as he was visiting the grave site of a relative at Mt. Hebron Cemetery with other family members – including his wife, their three-year-old son and 64-year-old mother-in-law who was visiting from Delray Beach, Florida – and began hitting the man about the head and torso with a shovel, causing him to suffer contusions to the head, a bruised shoulder and a sprained finger. Santana then allegedly reached into the man's car and removed \$50 in cash from his mother-in-law's purse before fleeing into Flushing Meadow Park. Although he was apprehended a short while later, Santana allegedly resisted being handcuffed by flailing his arms and attempting to punch the arresting officers.

District Attorney Brown said that the defendant was arrested by officers from the New York City Police Department's 107th Precinct and the Department's Emergency Service and Aviation Units.

The case is being prosecuted by the District Attorney's Career Criminal Major Crimes Bureau under the supervision of Assistant District Attorney James W. Evangelou, Bureau Chief, and Robert J. Hanophy, Deputy Chief, and the overall supervision of Senior Executive Assistant District Attorney for Trials James C. Quinn and Deputy Executive Assistant District Attorneys for Trials John H. Larsen and Robert J. Masters.

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

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Note to Editors: E-version of this press release posted at www.queensda.org.