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**D.A. BROWN: FOREST HILLS TEENAGER PLEADS GUILTY TO MANSLAUGHTER IN
2004 CHRISTMAS EVE DEATH OF YOUNG MAN AND INJURY TO TWO OTHERS
OUTSIDE QUEENS MOVIE THEATER**

Faces Up to 12 Years in Prison

Queens District Attorney Richard A. Brown today announced that a now 18-year-old Forest Hills youth pleaded guilty as his trial was to commence today in the gang assault of three 20-year-old men - killing one and wounding the others - - during a 2004 Christmas Eve incident involving two groups of youths outside of the Midway Theater in Forest Hills, Queens.

District Attorney Brown said, "The defendant has plead guilty to the vicious beating and stabbing death of a young man and the wounding of two others outside of a Forest Hills movie theater on Christmas Eve in 2004. The defendant and his cohorts decided to use their fists and a weapon instead of words to settle a dispute. I hope that the victims' families can find some degree of comfort in today's disposition, sparing them having to undergo another trial and with the knowledge that the defendant will be sent to prison as punishment for his actions."

District Attorney Brown identified the defendant as Daniel Cho, 18, of 72-34 Austin Street in Forest Hills, Queens. He plead guilty earlier today - before his trial was about to commence - in front of Queens Supreme Court Justice Gregory L. Lasak to two counts of first-degree gang assault, second-degree manslaughter and second-degree gang assault. Justice Lasak ordered the defendant, who has been out on \$100,000 bail, to surrender on April 18, 2007 and indicated that he would sentence the defendant to anywhere between seven to twelve years in prison at his sentencing on May 1, 2007.

The District Attorney said that three additional defendants have been charged in the incident and identified them as Pierre Arias, 17, of 64-33 99th Street in Rego Park, Queens and brothers Peter Gerardi, 22, and Herman Gerardi, 19, both of 20 Whitson Street in Forest Hills. Defendant Arias was convicted on September 12, 2006 by a Queens jury of second-degree murder and second-degree attempted murder before Queens Supreme Court Justice Randall T. Eng, who sentenced the defendant, a juvenile offender, to 15 years to life in prison on October 4, 2006. Defendant Herman Gerardi previously pleaded guilty to second-degree attempted gang assault in front of Acting Queens Supreme Court Justice Dorothy Chin Brandt and is awaiting sentencing tomorrow, March 28, 2007. Defendant Peter Gerardi is presently awaiting trial.

District Attorney Brown said that, in pleading guilty, defendant Cho, then 16-years-old, admitted that just after midnight on December 24, 2004 outside the Midway Theater, located at 108-22 Queens Boulevard in Forest Hills, he along with the three other defendants attacked Davey Adames, Yajdiel Collado and Francis Lopez, all 20 at the time, and caused the death of Davey Adames and serious physical injury to Yajdiel Collado and physical injury to Francis Lopez. Arias, repeatedly stabbed Mr. Adames in the abdomen, back, arm and face, and stabbed Mr. Collado in the arm and back. The knife defendant Arias used in stabbing the men belonged to defendant Cho.

Assistant District Attorney Peter V. Lomp, of the District Attorney's Homicide Trials Bureau, prosecuted the case under the supervision of Assistant District Attorneys Brad A. Leventhal, Bureau Chief, and Jack Warsawsky, 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.

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