



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

RICHARD A. BROWN
DISTRICT ATTORNEY

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CONTACT: PRESS OFFICE
(718) 286-6315

SECOND TEENAGER CHARGED IN FATAL SHOOTING OF 13-YEAR-OLD BOY

*Boy Hit By Stray Bullet During Alleged Altercation Between Rival Gangs;
Defendants Face 25 Years to Life in Prison*

Queens District Attorney Richard A. Brown announced today that an 18-year-old Saint Albans resident who is alleged to be a member of the Crips street gang has been charged in last week's shooting death of 13-year-old Kevin Miller and the wounding of another young man, both of whom were innocent victims struck by stray bullets during an alleged altercation between rival street gangs.

District Attorney Brown said, "This case is another example of the mindless gun-related violence and street gang mentality that turns our streets into battlefields and too often takes innocent lives and recklessly endangers public safety. The result of such gunplay is that a 13-year-old boy, who was taken far before his time, is being buried today and his family must struggle with his loss, and a second innocent teenager is recovering from a gunshot wound to his leg."

The District Attorney identified the defendant as Gregory Calas, 18, of 145-19 228th Street in Saint Albans, Queens. Calas, who is presently awaiting arraignment in Queens Criminal Court in Kew Gardens, is charged with second-degree murder, second-degree assault, second-degree criminal possession of a weapon and tampering with physical evidence. If convicted, he faces up to 25 years to life in prison.

District Attorney Brown said that Nnonso Ekwegbalu, 16, of 141-25 183rd Street in Springfield Gardens, Queens, was arraigned on similar charges on Monday, October 5, 2009. He was ordered held without bail and is scheduled to return to court on October 19, 2009.

District Attorney Brown said that, according to the charges, Calas, acting in concert with Ekwegbalu, who was also armed and firing a gun, discharged his .380 semi-automatic revolver on October 2, 2009, at approximately 3:15 p.m., in front of 208-15 Linden Boulevard in Queens, in the direction of three persons known to the Queens District Attorney's office with whom he had just had a physical altercation, and who were fleeing, unarmed. One of the defendants' bullets allegedly struck 13-year-old Kevin Miller, an innocent bystander, in the head, killing him. It is alleged that during this same encounter, a second victim, known to the Queens District Attorney's office, sustained a gunshot wound to his left leg, which required him to be treated at a local Queens hospital.

It is further alleged that both Calas and Ekwegbalu were members of the Crips, a violent street gang, and were involved in an altercation with a rival street gang known as the Bloods. Neither Miller nor the second shooting victim is alleged to have been a member of a gang or involved in the altercation.

District Attorney Brown said that both defendants were arrested by police officers assigned to the New York City Police Department's 105th Precinct detective squad.

The case is being prosecuted by Assistant District Attorney Naomi K. Schneidmill, of the District Attorney's Homicide Investigations Bureau, 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 a criminal complaint is merely an accusation and that a defendant is presumed innocent until proven guilty.

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