

T5C

I N D I C T M E N T

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

THE PEOPLE OF THE STATE OF NEW YORK

INDICTMENT NO.
GRAND JURY NO. 01597-2023
GREEN ZONE

AGAINST
B. ELIJAH LUCAINÉ-VFO
DEFENDANT
CR-009451-23KN

COUNTS

MANSLAUGHTER IN THE SECOND DEGREE
CRIMINALLY NEGLIGENT HOMICIDE
ASSAULT IN THE SECOND DEGREE
RECKLESS ENDANGERMENT IN THE SECOND DEGREE
RECKLESS DRIVING
EXCESSIVE SPEED
FAILURE TO COMPLY WITH A TRAFFIC CONTROL SIGN

A TRUE BILL

ERIC GONZALEZ
DISTRICT ATTORNEY

FOREPERSON

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- RECKLESS ENDANGERMENT IN THE SECOND DEGREE
- RECKLESS DRIVING
- EXCESSIVE SPEED
- FAILURE TO COMPLY WITH A TRAFFIC CONTROL SIGN

A TRUE BILL

FOREPERSON

Eric Gonzalez
DISTRICT ATTORNEY

FIRST COUNT

THE GRAND JURY OF THE COUNTY OF KINGS BY THIS INDICTMENT, ACCUSES THE DEFENDANT, ELIJAH LUCAINE, OF THE CRIME OF MANSLAUGHTER IN THE SECOND DEGREE [PL 125.15(1)] COMMITTED AS FOLLOWS:

THE DEFENDANT, ELIJAH LUCAINE, ON OR ABOUT MARCH 13, 2023, IN THE COUNTY OF KINGS, RECKLESSLY CAUSED THE DEATH OF ANOTHER PERSON, NAMELY: DAVID ELLIS.

SECOND COUNT

THE GRAND JURY OF THE COUNTY OF KINGS BY THIS INDICTMENT, ACCUSES THE DEFENDANT, ELIJAH LUCAINE, OF THE CRIME OF CRIMINALLY NEGLIGENT HOMICIDE [PL 125.10] COMMITTED AS FOLLOWS:

THE DEFENDANT, ELIJAH LUCAINE, ON OR ABOUT MARCH 13, 2023, IN THE COUNTY OF KINGS, WITH CRIMINAL NEGLIGENCE, CAUSED THE DEATH OF ANOTHER PERSON, NAMELY: DAVID ELLIS.

THIRD COUNT

THE GRAND JURY OF THE COUNTY OF KINGS BY THIS INDICTMENT, ACCUSES THE DEFENDANT, ELIJAH LUCAINE, OF THE CRIME OF ASSAULT IN THE SECOND DEGREE [PL 120.05(4)] COMMITTED AS FOLLOWS:

THE DEFENDANT, ELIJAH LUCAINE, ON OR ABOUT MARCH 13, 2023, IN THE COUNTY OF KINGS, RECKLESSLY CAUSED SERIOUS PHYSICAL INJURY TO ANOTHER PERSON, NAMELY: DAVID ELLIS, BY MEANS OF A DEADLY WEAPON OR A DANGEROUS INSTRUMENT, NAMELY: A VEHICLE.

FOURTH COUNT

THE GRAND JURY OF THE COUNTY OF KINGS BY THIS INDICTMENT, ACCUSES THE DEFENDANT, ELIJAH LUCAINE, OF THE CRIME OF RECKLESS ENDANGERMENT IN THE SECOND DEGREE [PL 120.20] COMMITTED AS FOLLOWS:

THE DEFENDANT, ELIJAH LUCAINE, ON OR ABOUT MARCH 13, 2023, IN THE COUNTY OF KINGS, RECKLESSLY ENGAGED IN CONDUCT WHICH CREATED A SUBSTANTIAL RISK OF SERIOUS PHYSICAL INJURY TO ANOTHER PERSON.

FIFTH COUNT

THE GRAND JURY OF THE COUNTY OF KINGS BY THIS INDICTMENT, ACCUSES THE DEFENDANT, ELIJAH LUCAINE, OF THE CRIME OF RECKLESS DRIVING [VTL 1212] COMMITTED AS FOLLOWS:

THE DEFENDANT, ELIJAH LUCAINE, ON OR ABOUT MARCH 13, 2023, IN THE COUNTY OF KINGS, DID DRIVE OR USE A MOTOR VEHICLE IN A MANNER WHICH DID UNREASONABLY INTERFERE WITH THE FREE AND PROPER USE OF A PUBLIC HIGHWAY OR DID UNREASONABLY ENDANGER USERS OF THE PUBLIC HIGHWAY.

SIXTH COUNT

THE GRAND JURY OF THE COUNTY OF KINGS BY THIS INDICTMENT, ACCUSES THE DEFENDANT, ELIJAH LUCAINE, OF THE CRIME OF EXCESSIVE SPEED [VTL 1180(A)] COMMITTED AS FOLLOWS:

THE DEFENDANT, ELIJAH LUCAINE, ON OR ABOUT MARCH 13, 2023, IN THE COUNTY OF KINGS, DID DRIVE A MOTORE VEHICLE AT A SPEED GREATER THAN WAS REASONABLE AND PRUDENT UNDER THE CONDITIONS AND HAVING REGARD TO THE ACTUAL AND POTENTIAL HAZARDS THEN EXISTING.

SEVENTH COUNT

THE GRAND JURY OF THE COUNTY OF KINGS BY THIS INDICTMENT, ACCUSES THE DEFENDANT, ELIJAH LUCAINE, OF THE CRIME OF FAILURE TO COMPLY WITH A TRAFFIC CONTROL SIGN [VTL 1110] COMMITTED AS FOLLOWS:

THE DEFENDANT, ELIJAH LUCAINE, ON OR ABOUT MARCH 13, 2023, IN THE COUNTY OF KINGS, OPERATED A MOTOR VEHICLE AND FAILED TO OBEY THE INSTRUCTIONS OF AN OFFICIAL TRAFFIC CONTROL DEVICE APPLICABLE TO THE OPERATION OF SUCH MOTOR VEHICLE, WITHOUT BEING DIRECT TO DO SO BY A TRAFFIC OR POLICE OFFICER.

ERIC GONZALEZ
DISTRICT ATTORNEY

A handwritten signature in black ink that reads "Eric Gonzales". The signature is written in a cursive style and is positioned above a small, dark ink smudge or mark.