

Ex. 89

dp
This indictment fully supercedes Indictment No. 1647/91 which was filed with the Grand Jury on February 22, 1991 against the above defendant.

Filed:

PART 30 NOV 1 1991

Waived

91N013081

No.
11987-91

THE PEOPLE OF THE STATE OF NEW YORK

-against-

DOMINIC FRANZA,

Defendant.

INDICTMENT

AN ATTEMPT TO COMMIT THE CRIME OF MURDER IN THE SECOND DEGREE, P.L. §§110/125.25(1), three cts
ASSAULT IN THE FIRST DEGREE, P.L. §120.10(1), AN ARMED FELONY, two cts
CRIMINAL POSSESSION OF A DANGEROUS WEAPON IN THE FIRST DEGREE,
CRIMINAL POSSESSION OF A WEAPON IN THE THIRD DEGREE, P.L. §265.02(4)

ROBERT M. MORGENTHAU
District Attorney

ADA John Brancato
Trial Bureau 30
sf

A True Bill

Foreman

Steve Price

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
THE PEOPLE OF THE STATE OF NEW YORK :
-against- :
DOMINIC FRANZA, :
Defendant. :
-----X

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuse the defendant of the crime of **AN ATTEMPT TO COMMIT THE CRIME OF MURDER IN THE SECOND DEGREE**, in violation of Penal Law §110/125.25(1), committed as follows:

The defendant, in the County of New York, on or about July 17, 1990, with intent to cause the death of Josephine Mendez, attempted to cause the death of Josephine Mendez, by shooting her.

SECOND COUNT:

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the defendant of the crime of **AN ATTEMPT TO COMMIT THE CRIME OF MURDER IN THE SECOND DEGREE**, in violation of Penal Law §110/125.25(1), committed as follows:

The defendant, in the County of New York, on or about July 17, 1990, with intent to cause the death of Myra Franza, attempted to cause the death of Myra Franza by shooting her.

DATE
I hereby certify that the foregoing
paper is a true copy of the original
thereof, filed in my office.

JUN 04 2010



County Clerk and Clerk of the
Supreme Court New York County
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THIRD COUNT:

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the defendant of the crime of **ASSAULT IN THE FIRST DEGREE**, in violation of Penal Law §120.10(1), an armed felony, committed as follows:

The defendant, in the County of New York, on or about July 17, 1990, with intent to cause serious physical injury to Josephine Mendez, caused such injury to Josephine Mendez, by means of a deadly weapon.

FOURTH COUNT:

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the defendant of the crime of **ASSAULT IN THE FIRST DEGREE**, in violation of Penal Law §120.10(1), an armed felony, committed as follows:

The defendant, in the County of New York, on or about July 17, 1990, with intent to cause serious physical injury to Myra Franza, caused such injury to Myra Franza, by means of a deadly weapon.

DATE
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thereof, filed in my office.

JUN 04 2010



County Clerk and Clerk of the
Supreme Court New York County
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FIFTH COUNT:

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the defendant of the crime of **AN ATTEMPT TO COMMIT THE CRIME OF MURDER IN THE SECOND DEGREE**, in violation of Penal Law §110/125.25(1), committed as follows:

The defendant, in the County of New York and elsewhere, on or about February 4, 1991, with intent to cause the death of another, attempted to cause the death of another.

SIXTH COUNT:

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the defendant of the crime of **CRIMINAL POSSESSION OF A DANGEROUS WEAPON IN THE FIRST DEGREE**, in violation of Penal Law §265.04, committed as follows:

The defendant, in the County of New York, on or about February 4, 1991, possessed an explosive substance with intent to use same unlawfully against the person and property of another.

SEVENTH COUNT:

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the defendant of the crime of **CRIMINAL POSSESSION OF A WEAPON IN THE THIRD DEGREE**, in violation of Penal Law §265.02(2), committed as follows:

The defendant, in the County of New York, on or about February 4, 1991, possessed an explosive.

I hereby certify that the foregoing paper is a true copy of the original thereof, filed in my office.

Thomas J. Peltus

County Clerk and Clerk of the
Supreme Court New York County
OFFICIAL USE

JUN 04 2010

ROBERT M. MORGENTHAU
District Attorney

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No. 11987-91

I HEREBY certify that the foregoing paper is a true copy of the original thereof, filed in my office.

Thomas F. Palmer

County Clerk and Clerk of the Supreme Court New York County OFFICIAL USE

JUN 04 2010

THE PEOPLE OF THE STATE OF NEW YORK

-against-

DOMINIC FRANZA,

Defendant.

INDICTMENT

AN ATTEMPT TO COMMIT THE CRIME OF MURDER IN THE SECOND DEGREE, P.L. §§110/125.25(1), three cts ASSAULT IN THE FIRST DEGREE, P.L. §120.10(1), AN ARMED FELONY, two cts CRIMINAL POSSESSION OF A DANGEROUS WEAPON IN THE FIRST DEGREE, CRIMINAL POSSESSION OF A WEAPON IN THE THIRD DEGREE, P.L. §265.02(4)

ROBERT M. MORGENTHAU
District Attorney

ADA John Brancato
Trial Bureau 30
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A True Bill

Foreman

