



718.286.6000  
WWW.QUEENSDA.ORG

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



MELINDA KATZ  
DISTRICT ATTORNEY

**FOR IMMEDIATE RELEASE**  
TUESDAY, OCTOBER 13, 2020

**CONTACT:** PRESS OFFICE (718) 286-6315  
[QDACommunications@queensda.org](mailto:QDACommunications@queensda.org)

**DA KATZ: QUEENS RESIDENT PLEADS GUILTY TO ATTEMPTED ASSAULT  
FOR SLASHING MAN IN FACE IN WHITE CASTLE RESTAURANT IN 2017**

*Defendant Faces 7 ½ Years in Prison at Sentencing*

Queens District Attorney Melinda Katz today announced that Billy Lavayen, 34, a reputed founding member of ABK (Always Banging Kings) street gang, has pleaded guilty to attempted assault in the brutal slashing of a man in an Elmhurst fast food restaurant in February 2017. The victim was attacked by a group of men and women who punched and kicked the victim after he was cut. This defendant is the last of six individuals to be prosecuted for this unprovoked attack.

District Attorney Katz said, “This was a vicious gang attack on a man who was simply in the wrong place at the wrong time. I hope that today’s plea by the last of the defendants brings justice and a sense of closure to the victim, who thankfully survived.”

Lavayen, of Corona Avenue in Corona, was on the run for nearly two years before being apprehended in November 2019. The case, however, was presented to a grand jury in his absence and he was indicted in 2017. Today, the defendant pleaded guilty to attempted assault in the first degree before Queens Supreme Court Justice Steven Paynter, who set sentencing for November 5, 2020. The defendant faces 7 ½ years in prison, to be followed by 5 years’ post release supervision.

According to the charges, Lavayen and five others encountered a 34-year-old man in a White Castle restaurant around 4 a.m. on February 19, 2017. A female member of the group began to argue with the victim, then another woman pushed him. All six in the group then began to yell at the victim and Lavayen was handed a blade, which he used slashed the victim from his eyebrow down to his lip.

The DA said when the victim fell to the floor – his hands clutching his bleeding face – the group of attackers began to punch and kick him again. One man in the group removed his belt and began beating the victim with it. Another threw a chair at him.

The brutalized Astoria man was taken to a nearby hospital where it took 30 stitches to close the gash. The knife attack left the victim with permanent facial nerve damage.

Lavayen’s co-defendants in this case included his cousin Jose Lavayen, 31, who was sentenced to 8 years in prison after a jury found him guilty of gang assault in the first degree in 2018. The others who took part in the attack have been variously sentenced to a conditional discharge up to five years in prison.

The investigation was conducted by Detective Steven Abrahamsen and Detective Michael Grimm of the New York City Police Department's 108th Precinct Detective Squad, under the supervision of Lieutenant Brian Hillmann now of the 114<sup>th</sup> Precinct.

Assistant District Attorney Barry Frankenstein, a Section Chief in the District Attorney's Violent Criminal Enterprises Bureau, prosecuted the case under the supervision of Assistant District Attorneys Jonathan R. Sennett, Michelle Goldstein, Senior Bureau Chief, and under the overall supervision of Gerard Brave, Executive Assistant District Attorney in charge of Investigations.

#

**Note to Editors: Archived press releases are available at [www.queensda.org](http://www.queensda.org).**

