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**D.A. BROWN: QUEENS MAN CHARGED WITH MURDER AND ATTEMPTED MURDER
IN SHOOTING OUTSIDE NOTORIOUS WOODSIDE NIGHTCLUB**

Club Cited as Public Nuisance and Shut Down and Padlocked After Shooting

Queens District Attorney Richard A. Brown announced today that a 24-year-old Queens man has been charged with murder and attempted murder in the shooting of two men, one of who was killed and the other critically wounded, outside the Club Phenomenon in Woodside three months ago. Club Phenomenon was closed on December 14, 2006, pursuant to the City's nuisance abatement law.

District Attorney Brown said, "The defendant is accused of shooting two unarmed men as they sat in a parked car preparing to go home after a night out. The crime is one more shocking example of mindless gun violence that takes innocent lives and recklessly endangers public safety. I hope that the victims' families find some closure in knowing that the person believed responsible for shooting their loved ones is now being held accountable for his actions."

The District Attorney identified the defendant as Victor Gavalo, 24, of 1816 Stephens Street in Ridgewood, Queens. The defendant, who has no known employment, has been charged with second-degree murder, second-degree attempted murder, first-degree assault, and second- and third-degree criminal possession of a weapon. If convicted, the defendant faces up to 50 years to life in prison.

District Attorney Brown said that, according to the charges, at approximately 4:00 a.m. on Sunday, October 1, 2006, the defendant fired numerous shots into a vehicle parked outside of 62-43 30th Avenue in Woodside, striking the front seat passenger – Ernesto Salgado, 22, of Sunnyside, – at least once in the chest, killing him, and critically wounding the driver – an unidentified 24-year-old Woodhaven man – before fleeing in a minivan. The incident occurred after the victims had left the Fantasia nightclub – located in the same building as Club Phenomenon – at 62-05 30th Avenue.

The District Attorney said that Club Phenomenon had been the scene of a series of shootings over the past three years. The shuttering of the club in December 2006 climaxed a five-month investigation by his office and the NYPD's Queens Vice Enforcement Unit during which undercover police officers, posing as club patrons, were sold drugs and offered sex in exchange for cash. Club Fantasia, which is located in the same building, was also ordered closed. Such commercial locations must have two means of exit. Since Club Phenomenon was the second means of egress for Club Fantasia, both clubs had to be closed.

The District Attorney added, "Far from being the 'gentlemen's club' it presumes to be, the club has long been a hotbed for drugs, prostitution and gunplay and the subject of numerous complaints – both to my office and the NYPD – from area residents and local officials, such as City Councilman Eric Gioia. We are committed to working with the community and its leaders in eliminating crime and business practices that promote criminal activity and drive out legitimate businesses. Businesses that allow prostitution or other illegal activity to occur on their premises are at risk of being shut down."

District Attorney Brown said that Gavalo was apprehended yesterday by NYPD Detective Michael Gaine of the 114th Precinct and is being held pending arraignment later today in Queens Criminal Court in Kew Gardens.

Assistant District Attorney Emily S. McEnery of the District Attorney's Homicide Investigations Bureau is prosecuting the case under the supervision of Assistant District Attorneys Peter T. Reese, Bureau Chief, 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 criminal charges are merely an accusation and that a defendant is presumed innocent until proven guilty.

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Note to Editors: E-version of this press release posted at www.queensda.org