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**D.A. BROWN: FOREST HILLS TEENAGER SENTENCED TO 12 YEARS IN PRISON
FOR 2004 CHRISTMAS EVE GANG ASSAULT OUTSIDE QUEENS MOVIE THEATER**

Three Victims Stabbed, One Fatally

Queens District Attorney Richard A. Brown today announced that a now 18-year-old Forest Hills teenager has been sentenced to 12 years in state prison for his participation in the 2004 gang assault of three 20-year-olds outside the Midway Theater in Forest Hills, in which all of the victims were stabbed, one fatally.

District Attorney Brown said, "The defendant and his cohorts chose to use their fists and a weapon instead of words to settle a dispute. Their actions resulted in the death of one young man and the serious injury to others. I hope that the victims' families can find some degree of comfort in being spared the ordeal of undergoing another trial and in knowing that this defendant will spend a considerable amount of times in prison as punishment for his actions."

District Attorney Brown identified the defendant as Daniel Cho, 18, of 72-34 Austin Street in Forest Hills, Queens. The defendant pleaded guilty on March 27, 2007 – just before the start of his trial – to two counts of first-degree gang assault, second-degree manslaughter and second-degree gang assault before Queens Supreme Court Justice Gregory L. Lasak, who imposed yesterday's determinate sentence of 12 years in prison.

The District Attorney identified Cho's three co-defendants as Pierre Arias, 17, of 64-33 99th Street in Rego Park, and brothers Peter Gerardi, 22, and Herman Gerardi, 19, both of 20 Whitson Street in Forest Hills. Arias, who was convicted at trial in September 2006 of second-degree murder and second-degree attempted murder, was sentenced as a juvenile offender to 15 years to life in prison. Herman Gerardi, who pleaded guilty to second-degree attempted gang assault, is scheduled to be sentenced on May 9, 2007. Peter Gerardi pleaded guilty yesterday to second-degree gang assault before Queens Supreme Court Justice Randall T. Eng, who indicated that he would sentence the defendant to a term between four to five years in prison at sentencing on May 24, 2007.

District Attorney Brown said that, at the time of his plea, Cho acknowledged that he participated in the attack on Davey Adames, Yajdiel Collado and Francis Lopez outside the Midway Theater, located at 108-22 Queens Boulevard in Forest Hills, just after midnight on December 24, 2004. During the assault, in which Mr. Lopez was slashed in the forehead, the defendant Arias repeatedly stabbed Mr. Adames in the abdomen, back, arm and face, and stabbed Mr. Collado in the arm and back. The knife used in stabbing the three men belonged to Cho.

Assistant District Attorney Peter V. Lomp, of the District Attorney's Homicide Trials Bureau, prosecuted the case under the supervision of Assistant District Attorneys Brad A. Leventhal, Bureau Chief, and Jack Warsawsky, 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.

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Note to Editors: Press release e-version posted at www.queensda.org.