



718.286.6000
WWW.QUEENSDA.ORG

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



MELINDA KATZ
DISTRICT ATTORNEY

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CONTACT: PRESS OFFICE (718) 286-6315
QDACommunications@queensda.org

MAN INDICTED FOR FATALLY STABBING BROTHER

Faces Up to 25 Years-to-Life in Prison

Queens District Attorney Melinda Katz announced that Henry Gutierrez was indicted by a Queens grand jury and arraigned on murder and other charges for the fatal stabbing in July of his 25-year-old brother during an argument in the multi-unit Jamaica residence where the two men lived on separate floors.

District Attorney Katz said: "This is a horrific family tragedy. One brother is dead, another faces life in prison and everyone else is left to grieve and mourn and deal for the rest of their lives with the emotional trauma. In the fallen brother's memory, we will seek justice."

Gutierrez, 32, of Jamaica Avenue in Jamaica, Queens, was arraigned yesterday on a three-count indictment charging him with murder in the second degree, criminal possession of a weapon in the fourth degree and menacing in the second degree before Queens Supreme Court Justice Michael Aloise. Justice Aloise set the defendant's next court date for January 24. If convicted, Gutierrez faces up to 25 years-to-life in prison.

According to the charges, on July 12, at approximately 6:20 p.m., the defendant was in the second-floor apartment of his 25-year-old brother Oscar Gutierrez. The men argued and the defendant allegedly stabbed his brother multiple times in the neck, torso and arm. Family members in the home called the police, but the defendant fled the scene before police responded. A knife was recovered at the scene and identified as the weapon used.

The victim was transported to a local hospital where he died from his injuries.

The investigation was conducted by Detective Michael Gaine of the Queens Homicide Squad and Detective James Petruzzi of the 103rd Precinct Detective Squad of the New York City Police Department.

Assistant District Attorneys Timothy Shortt and Nicholas Castellano of the District Attorney's Homicide Bureau is prosecuting the case under the supervision of Assistant District Attorneys Peter J. McCormack III and John Kosinski, Senior Deputy Bureau Chiefs, and Karen Ross, Deputy Bureau Chief, and under the overall supervision of Executive Assistant District Attorney for Major Crimes Daniel A. Saunders.

Criminal complaints and indictments are accusations. A defendant is presumed innocent until proven guilty.

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