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KEW GARDENS MAN SENTENCED TO PRISON FOR POSSESSING ARSENAL OF WEAPONS, INCLUDING ASSAULT WEAPONS, AND BULLETPROOF VESTS INSIDE APARTMENT

*26 Firearms, 13,000 Rounds of Ammunition and 152 Large Capacity Feeding Devices Seized
During May 2023 Search*

Queens District Attorney Melinda Katz announced that Charles Foehner was sentenced to four years in prison after pleading guilty in November to criminal possession of a weapon stemming from charges in which the defendant was in possession of unlicensed and unregistered firearms, including four assault weapons, inside his Kew Gardens apartment. The defendant was accosted on 82nd Avenue, near Queens Boulevard, in the early morning hours of May 31, 2023. Foehner shot and killed 32-year-old Cody Gonzalez during the incident. After the shooting, a cache of illegal weapons, thousands of rounds of ammunition, hundreds of large capacity feeding devices and bulletproof vests were found during a court-authorized search of the residence.

At District Attorney Katz' discretion, the defendant was not charged for his role in the shooting.

District Attorney Katz said: "While investigating a May 2023 shooting incident, we found Charles Foehner in possession of 26 unlicensed and unregistered weapons, 13,000 rounds of ammunition and 152 large capacity feeding devices, 10 of which were loaded, inside the defendant's home. Four of the firearms were determined to be assault weapons and nearly all the illegal firearms were fully operational. This stockpile was not a collection of your grandfather's harmless, inoperable, antique weapons. This was an arsenal of lethal firearms and assault weapons possessed in full violation of New York State law."

A court-authorized search warrant of the defendant's residence on May 31, 2023, resulted in the recovery of:

- Two .38-caliber Smith and Wesson pistols
- Four .357-caliber Smith and Wesson revolvers
- Three 7.62 mm x 39 Norinco rifles
- Two 12-gauge Mossberg shotguns
- One .38-caliber Cobra revolver
- One .32-caliber Harrington and Richardson revolver
- One .32-caliber Beretta pistol
- One .22-caliber Browning pistol
- One .25-caliber Precision Small Parts pistol
- One 9 mm Glock pistol
- One .45-caliber Glock pistol
- One .380 Auto Caliber Norinco pistol

- One .45-caliber Colt pistol
- One .22-caliber Ruger rifle
- One 30 Carbine Caliber Winchester rifle
- One 30-06 Ruger rifle
- One 5.56 x 45 mm caliber semi-automatic Norinco assault rifle
- One .357-caliber Magnum Colt
- 13,074 rounds of ammunition
- 152 large capacity feeding devices, 10 of which were loaded
- Two bulletproof vests
- One inoperable pistol

Foehner, 67, of 82nd Road in Kew Gardens, pleaded guilty on November 20 to criminal possession of a weapon in the second degree. Queens Supreme Court Justice Toni Cimino sentenced Foehner today to four years in prison, to be followed by five years of post-release supervision.

DA Katz said that, according to the charges and investigation, the defendant was involved in a fatal shooting that took place at approximately 2 a.m. on May 31, 2023, on 82nd Avenue, near Queens Boulevard, in Kew Gardens. No criminal charges were filed in relation to the shooting.

The defendant was arrested on charges of criminal possession of a weapon on June 1, 2023, at the 102nd Precinct.

Assistant District Attorney Samuel Pellegrino, of the District Attorney's Career Criminals and Major Crimes Bureau, prosecuted the case under the supervision of Assistant District Attorneys Michael Whitney, Bureau Chief, Roni C. Piplani and Timothy Regan, Deputy Chiefs, and under the overall supervision of Executive Assistant District Attorney for Major Crimes Shawn Clark.

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