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**DRIVER PLEADS GUILTY TO MANSLAUGHTER FOR
COLLISION THAT KILLED 23-YEAR-OLD MOTORIST ON NORTHERN BOULEVARD**

*Defendant, an Off-Duty FDNY Firefighter, Sped Through Intersection Against Red Light,
T-Boned Victim's Vehicle While Going 83 mph in 25 mph Zone*

Queens District Attorney Melinda Katz announced that former FDNY firefighter Michael Pena pleaded guilty to manslaughter and vehicular manslaughter for driving while intoxicated and slamming his Mercedes-Benz into another motorist at the intersection of 107th Street and Northern Boulevard in East Elmhurst on February 26, 2025.

The victim, 23-year-old Justin Diaz, was driving northbound on 107th Street and had the right of way as he entered the intersection. He was rushed to the hospital and pronounced dead shortly after the collision.

DA Katz said: "The defendant's choices that morning irrevocably changed the lives of every family member, friend, neighbor and co-worker who loved Justin Diaz. Justice demands that Michael Pena be held accountable for his actions, and through this plea, my office has ensured that Justin Diaz's death did not go unpunished."

Pena, 29, of Oakland Gardens, pleaded guilty today to manslaughter in the second degree and vehicular manslaughter in the second degree.

Supreme Court Justice Michael Hartofilis remanded Pena and ordered him to return to court July 16 when he faces four to 12 years in prison on the manslaughter charge and 2 1/3 to seven years on the vehicular manslaughter charge, to run concurrently.

DA Katz said, according to the charges and the indictment, on February 26, 2025, at approximately 4:15 a.m., Pena was operating a silver Mercedes S63 Coupe eastbound on Northern Boulevard. The defendant proceeded to drive through a steady red light at the intersection of 107th Street while going 83 mph in a 25-mph zone and slammed into the driver's side of a purple BMW operated by Diaz.

The victim, who was on his way to work at LaGuardia Airport, was driving through the intersection on 107th Street with the green light in his favor. Following the crash, Diaz was taken to a local hospital with severe trauma and was pronounced dead as the result of his injuries.

Pena stayed at the scene where a police officer observed a strong odor of alcohol on his breath, watery eyes, slurred speech and he was unsteady on his feet. A court ordered blood test indicated that Pena had a blood alcohol content of .17 at the time of the collision, which is above the legal threshold of .08 percent. He also had cocaine and marijuana in his system.

Assistant District Attorney Vivian Gonzalez of the District Attorney's Homicide Bureau is prosecuting the case with the assistance of Assistant District Attorney Abigail Neuviller of Felony Trial Bureau IV under the supervision of Assistant District Attorneys Jonathan Selkove, Unit Chief of the District Attorney's Vehicular Homicide Unit and Deputy Bureau Chief of the Homicide Bureau, and John Kosinski, Homicide Bureau Chief, and under the overall supervision of Executive Assistant District Attorney for Major Crimes Shawn Clark.

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