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**CRIMINAL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK**

THE PEOPLE OF THE STATE OF NEW YORK

-against-

1. Nathaniel Marston (M 32)

FELONY
ADA Nash



810104

Defendant

Police Officer Sean Turner, shield 25290 of the 018 Precinct-Midtown North Precinct, states as follows:

On October 20, 2007, at about 04:30 hours at 646 10th Avenue in the County and State of New York, the Defendant committed the offenses of:

- | | |
|----------------|--|
| 1. PL120.05(3) | Assault in the Second Degree
(1 count) |
| 2. PL120.05(2) | Assault in the Second Degree
(3 counts) |
| 3. PL120.14(1) | Menacing in the Second Degree
(3 counts) |
| 4. PL120.20 | Reckless Endangerment in the Second Degree
(3 counts) |
| 5. PL205.30 | Resisting Arrest
(1 count) |

the defendant, with intent to prevent a peace officer or police officer from performing a lawful duty, caused physical injury to such officer; the defendant, with intent to cause physical injury to another person, caused such injury to another person by means of a ___; the defendant intentionally placed and attempted to place another person in reasonable fear of physical injury, serious physical injury and death by displaying a deadly weapon, dangerous instrument and what appeared to be a pistol, revolver, rifle, shotgun, machine gun and other firearm; the defendant recklessly engaged in conduct which created a substantial risk of serious physical injury to another person; and the defendant intentionally attempted to prevent a police officer and peace

officer from effecting an authorized arrest of himself and another person.

The offenses were committed under the following circumstances:

Deponent states that he is informed by an individual known to the District Attorney's Office that (i) the defendant came at informant while swinging a crate and struck informant in the hand with said crate; thereby causing informant to sustain physical injury and substantial pain.

Deponent further states that he is informed by a second individual known to the District Attorney Office that defendant came at informant with said crate and hit informant in the back and in the back of informant's neck with crate; thereby causing informant bruising, swelling and substantial pain to informant's back and neck.

Deponent further states that he is informed by a third individual known to the District Attorney's Office that the defendant came at informant while swinging said crate, and informant fell backwards; and that the defendant's conduct caused informant to slip and required hospital treatment for bruising, swelling and a broken leg.

Deponent further states that when he was placing the defendant under arrest for the offense(s) described above defendant (i) flailed his arms, (ii) kicked informant, (iii) refused to be hand cuffed and that the defendant's conduct caused deponent to sustain physical injury which included hospital treatment for a laceration, bruising and swelling to deponent's right hand and bruising and swelling to deponent's left knee.

False statements made herein are punishable as a class A misdemeanor pursuant to section 210.45 of the penal law.

Deponent

Date and Time

