

OFFICE OF THE DISTRICT ATTORNEY

KEVIN R. STEELE

DISTRICT ATTORNEY

EDWARD F. McCANN, JR.

FIRST ASSISTANT DISTRICT ATTORNEY

COUNTY OF MONTGOMERY

COURTHOUSE

P.O. BOX 311

NORRISTOWN, PENNSYLVANIA

19404-0311

MARK A. BERNSTIEL

CHIEF COUNTY DETECTIVE

ADRIENNE D. JAPPE

CHIEF OF STAFF

DISTRICT ATTORNEY'S OFFICE

DISTRICT ATTORNEY'S FAX

COUNTY DETECTIVE BUREAU

(610) 278-3090

(610) 278-3095

(610) 278-3368

July 9, 2026

State Representative Donna Scheuren
159A East Wing
P.O. Box 202147
Harrisburg, PA 17120-2147

Dear Representative Scheuren:

I am writing today as your District Attorney to urge you and your fellow State Representatives to support legislation that addresses *Commonwealth v. Lee* and Second-Degree Murder in Pennsylvania. I am sending you more information regarding the Second-Degree Murder cases that occurred in Montgomery County so you have a clearer picture of the victims, their families and the community members who have been impacted by these killings.

These families were told that a life sentence means no eligibility for parole in Pennsylvania, and they would never have to worry that the killer who destroyed their family would again be roaming the streets of Montgomery County. Now, we are tasked with reopening those cases and reopening those wounds for these families years later.

For our part, we are committed to continuing to seek justice for these victims and their families, and we implore you to help us in that effort by acting quickly to ensure there is some measure of clarity in the law that we can provide to these families.

Although there are many more cases throughout Montgomery County the following Second-Degree Murder case is from your district:

Commonwealth v. John Fink, Jr., CP-46-CR-1461-1989: The defendant along with his co-defendant kidnapped Danene Moore Marshall from Philadelphia and drove her to a park in Marlborough, where the co-defendant physically assaulted her over a drug debt she owed. When Danene tried to escape, this defendant shot her in the back, causing her to fall the ground, where she ultimately died. The co-defendant then wrapped her in a blanket, while this defendant dumped gasoline on Danene, and the co-defendant lit her on fire.

Here are several other Montgomery County cases that will be affected by the Pennsylvania Supreme Court's Ruling in *Lee*:



Victim: Dr. Michael Groll

Commonwealth vs. Christopher Briggman, CP-46-CR-10805-1986: The defendant and his co-defendant broke into Dr. Michael Groll's home just after midnight on New Year's Eve 1986. Michael, a national leader in reproductive endocrinology, was asleep with his wife in their room, and their three young children were asleep down the hall. Both defendants were armed and demanded money and jewelry. When Michael insisted they leave his home, the co-defendant shot Michael in the chest. Both men rifled through drawers and took jewelry from Michael's wife before fleeing the home. The defendant was sentenced to life without parole, and his co-defendant was convicted of First-Degree Murder.

Commonwealth v. Anthony Page, CP-46-CR-21037-1986: The defendant and co-defendant went to Ernest Clements' apartment for a sexual encounter. During the sexual activity, the defendant stabbed Ernest in the torso with a large pair of scissors. Before fleeing the residence in Ernest's vehicle, the defendant and co-defendant also stole Ernest's briefcase and sunglasses.

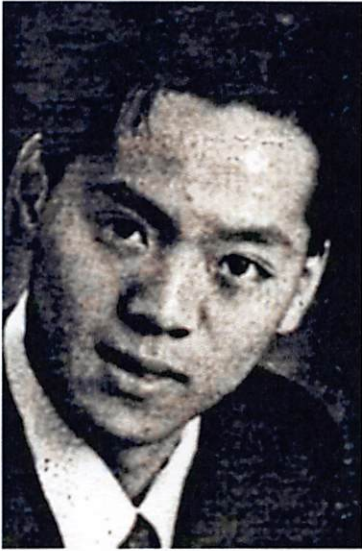
Commonwealth v. Andrew Mills, CP-46-CR-5077-1989: The defendant stole a rifle from his uncle's home and planned to rob a taxi-cab driver. The defendant hailed a taxi-cab being driven by Earle Leech. During the robbery, the defendant fired the rifle at Earle, shooting him in the head and killing him.

Commonwealth v. Andrew Olock, CP-46-CR-10805-1993: The defendant and his co-defendant robbed 20-year-old Robert Naylor of a quarter pound of marijuana and \$300 cash. They agreed they would have to kill Robert so he

Commonwealth v. Andrew Olock, CP-46-CR-10805-1993: The defendant and his co-defendant robbed 20-year-old Robert Naylor of a quarter pound of marijuana and \$300 cash. They agreed they would have to kill Robert so he would not tell on them. They beat Robert with a car jack and a metal spike and strangled him before discarding his body into a nearby pond. A witness heard defendants saying how proud they were to kill someone with their bare hands, and it gave them such a feeling of power.

Commonwealth v. Charles Ricketts, CP-46-CR-25181-1993: The defendant and his co-defendant robbed 20-year-old Robert Naylor of a quarter pound of marijuana and \$300 cash. They agreed they would have to kill Robert so he would not tell on them. They beat Robert with a car jack and a metal spike and strangled him before discarding his body into a nearby pond. A witness heard defendants saying how proud they were to kill someone with their bare hands, and it gave them such a feeling of power.

Commonwealth v. Michael Wheeler, CP-46-CR-3770-1994: The defendant and a co-defendant broke into 73-year-old Richard Kerr's home and stole his wallet, cash, and vehicle. When Richard confronted the defendant during the home invasion burglary, there was a struggle, and the defendant ultimately struck Richard in the head with a baseball bat multiple times, killing him. After jury selection was completed, the defendant pled guilty to Second-Degree Murder and was sentenced to life imprisonment in order to remove the death penalty and First-Degree Murder charges from consideration.

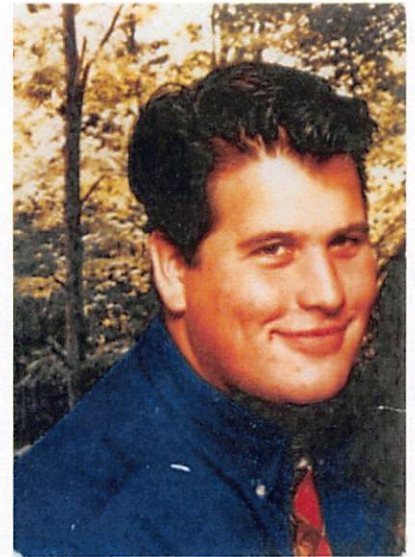


Victim: Mooney Ka Lam

Commonwealth v. Christopher Gerlach, CP-46-CR-14910-1995: This defendant and his 2 co-defendants plotted to rob 18-year-old Mooney Ka Lam at gunpoint. This defendant helped get Mooney into the trunk of Mooney's vehicle and drove him back to another co-defendant's garage. His co-defendant shot Mooney in the head and they helped dispose of Mooney's body in the Green Lane Reservoir.

Commonwealth v. Matthew Nichols, CP-46-CR-24910-1995: This defendant and his 2 co-defendants plotted to rob 18-year-old Mooney Ka Lam at gunpoint. This defendant held Mooney at gunpoint, forcing Mooney into the trunk of his own vehicle, which a co-defendant drove back to another co-defendant's garage. The co-defendant shot Mooney in the head and they disposed of his body in the Green Lane Reservoir.

Commonwealth v. Johnnie Blalock, CP-46-CR-4218-1996: The defendant worked at Houlihan's Restaurant in Abington. He planned a robbery of the restaurant with two co-defendants, who brought a sawed-off shotgun and a revolver to carry out the heist. The two co-defendants let themselves into the restaurant with a key provided to them by the defendant. During the robbery of the restaurant, in the men's bathroom, one of the co-defendants shot the manager, John Thurberg, in the back of the head, killing him.



Victim: John Thurberg

Commonwealth v. Stephon Wilson, CP-46-CR-2060-

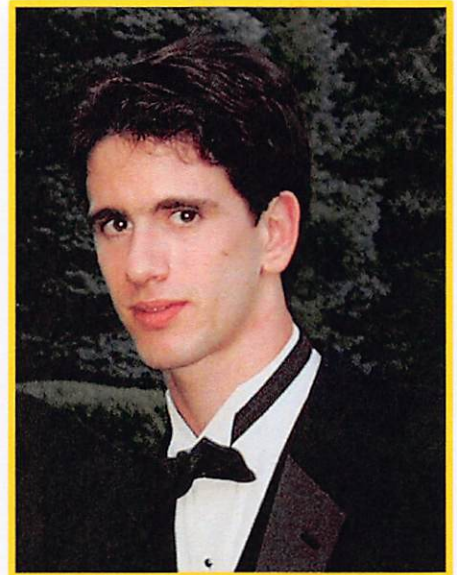


Victim: Moses Gay

1997: The defendant and his co-defendant brother shot Andre Kent in the neck with a shotgun while Andre was seated in the defendant's truck. This occurred after a struggle in Andre's home, in which Andre lost a button, multiple lamps were knocked over, and Andre's blood was everywhere. The shotgun belonged to the defendant, but blood spatter evidence indicated his co-defendant brother likely was the actual shooter.

Commonwealth v. Roy Andrews, CP-46-CR-3558-2003: The defendant robbed his taxicab driver, 53-year-old Moses Gay, after obtaining a ride in Moses' cab from 69th Street Station to Norristown. The defendant shot Moses in the chest one time and fled the scene. At the time he murdered Moses, the defendant was awaiting sentencing on two separate armed robberies.

Commonwealth v. Kevin Bradshaw, CP-46-CR-3269-2004: The defendant and co-defendant set up a purchase of marijuana from 21-year-old Michael Buschiazzo. Instead of paying for the marijuana, they planned to rob Michael of the marijuana. The defendant and his co-defendant pointed guns at Michael when he showed up to meet with them, and as Michael backed away, he was shot twice, killing him, as the defendant and co-defendant fled with the marijuana.



Victim: Michael Buschiazzo



Victim: Michael McCray

Commonwealth v. Jamar Robinson, CP-46-CR-3162-2005: The defendant and two co-defendants, all wearing masks, went to Michael McCray's apartment to rob him. During the robbery, Defendant and another co-defendant shot Michael in the head and back, killing him.

Commonwealth v. Janeske Vargas, CP-46-CR-1075-2006: The defendant and the victim, 40-year-old Connie Bostic, were best friends. The two got into a disagreement at Connie's house,

and the defendant hit Connie over the head with a bottle, knocking her onto the bed unconscious. The defendant then dumped alcohol on Connie and set her on fire, adding a trail of nail polish remover as she left the room, which caused the rest of the house to become engulfed in flames. Connie's severely burned body was recovered from the back bedroom of the house.



Victim: Connie Bostic

Commonwealth v. Nyako Phippen, CP-46-CR-3182-2007: The defendant concocted a plan to rob Sharron Grinnich. He and five other co-defendants went to Sharron's home, and had two female co-defendants knock on the door and ask for someone as a ruse. Then, when Kelly Carter-Hernandez came out to speak with them, two male co-defendants forced Kelly back into the home at gunpoint and demanded money. When she did not have any money, one of the co-defendants forced her upstairs and shot and killed Kelly at close range, while both of her minor children were downstairs on the first floor of the home being held at gunpoint by another co-defendant.



Victim: Kelly Carter-Hernandez

Commonwealth v. Melvin Richardson, CP-46-CR-3183-2007: The defendant was part of a plan to rob Sharron Grinnich. He and five other co-defendants went to Sharron's home, and had two female co-defendants knock on the door and ask for someone as a ruse. Then when Kelly Carter-Hernandez came out to speak with them, two male co-defendants forced Kelly back into the home at gunpoint and demanded money. The defendant was armed with a long pump-action firearm while waiting in the vehicle to rob Sharron. However, when Kelly did not have any money inside the home, one of the co-defendants forced her upstairs and shot and killed her at close range, while both of her minor children were downstairs on the first floor of the home being held at gunpoint by another co-defendant.

Commonwealth v. Stanley Howard, CP-46-CR-2058-2009: The defendant and his co-defendant went to a Chinese restaurant and followed two men out of the restaurant. Armed with guns, the defendant demanded money from one of the victims, while his co-defendant demanded money from the other victim, Jamal Terry. The defendant pistol whipped his victim in the head, causing significant bleeding and injuries. His co-defendant shot and killed Jamal Terry after stealing money from him, despite both victims pleading with the defendants to simply take their money because they had kids and did not want to die. Both defendants obtained teardrop tattoos on their faces in the days following the murder of Jamal, indicating their pride in taking another person's life.

Commonwealth v. Joseph Page, CP-46-CR-1914-2009: Defendant Page and Defendant Latham, along with another co-defendant, attacked Robert Chae in his garage as he was preparing to go to work early in the morning on January



Victim: Robert Chae

9, 2009. Defendant Latham tied up Robert with duct tape and Defendant Page brutally beat him to death in his garage. The defendants then directed Robert's wife to her master bedroom where they demanded she give them all the money in the house. After she did, they tied her up along with her two children and left them in the basement.

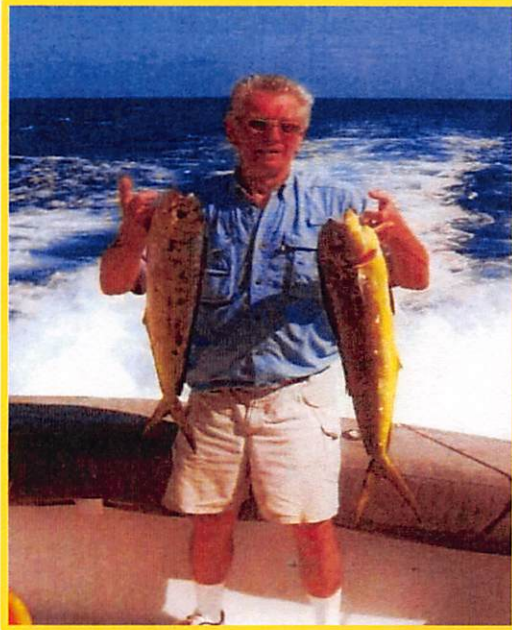
Commonwealth v. Amatadi Latham, CP-46-CR-1918-2009: Defendant Page and Defendant Latham, along with another co-defendant, attacked Robert Chae in his garage as he was preparing to go to work early in the morning on January 9, 2009. Defendant

Latham tied up Robert with duct tape and Defendant Page brutally beat him to death in his garage. The defendants then directed Robert's wife to her master bedroom where they demanded she give them all the money in the house. After she did, they tied her up along with her two children and left them in the basement.

Commonwealth v. Leveel Butler-Hayes, CP-46-CR-2398-2010: The defendant and co-defendant pointed guns at 48-year-old Stanford Jackson while he was on the front porch of his mother's home in Norristown and demanded money. Stanford gave the men \$100 in cash and told them to leave. When he called for his mother to call the police, the defendant shot him in the chest and fled the area with his co-defendant.



Victim: Stanford Jackson

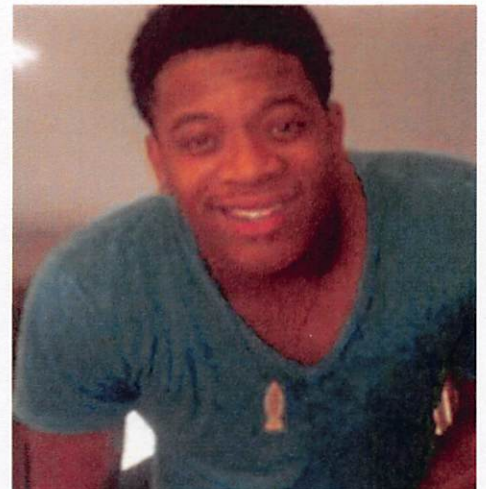


Victim: Richard Porter

Commonwealth v. James Nicolai, CP-46-CR-2482-2010: The defendant broke into and burglarized Richard Porter's Upper Merion home. When 68-year-old Richard confronted the defendant, the defendant repeatedly stabbed the Richard all over his body, including slitting his throat. Detectives found bloodstain evidence indicative of a severe and prolonged struggle. The defendant then proceeded to steal Richard's jewelry, cash, and vehicle, which he used to flee the scene. The defendant left Richard in a pool of his own blood to die, alone.

co-defendants to 19-year-old Kareem Borowy's home to conduct an armed robbery of Kareem. The co-defendants held Kareem at gunpoint, taped him up, and demanded money. They then rummaged through his home and stole jewelry, drugs, and other items. After stealing multiple valuables from Kareem's home, they insisted Kareem take them to his stash house. This defendant drove the 3 co-defendants and Kareem around trying to find the stash house. Kareem eventually broke free of being tied up, escaped from the car, and ran down the street, at which point one of the co-defendants hopped out of the car and shot Kareem, killing him.

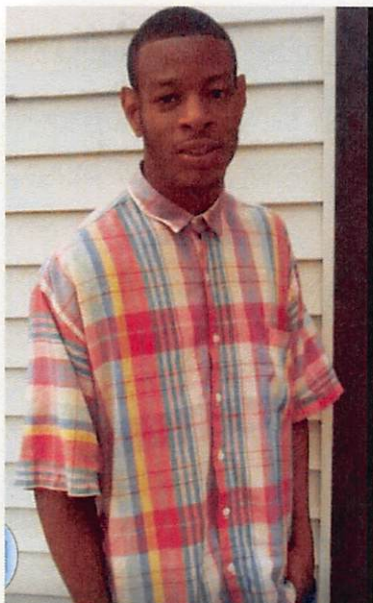
Commonwealth v. Charles Freeman, CP-46-CR-4824-2013: Armed with a firearm, the defendant drove three



Victim: Kareem Borowy

Commonwealth v. Omar Miller, CP-46-CR-4797-2013: Armed with a firearm, the defendant was driven to 19-year-old Kareem Borowy's home to conduct an armed robbery of Kareem with multiple other co-defendants. One of the co-defendants held Kareem at gunpoint, while this defendant taped him up. They demanded money of Kareem, and they then rummaged through his home and stole jewelry, drugs, and other items. After stealing multiple valuables from Kareem's home, they insisted Kareem take them to his stash house. This defendant rode with his 3 co-defendants and Kareem trying to find the stash house. Kareem eventually broke free of being tied up, escaped from the car,

and ran down the street, at which point one of the co-defendants hopped out of the car and shot Kareem, killing him.



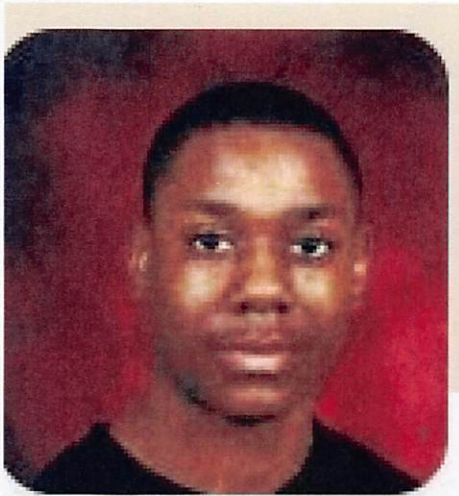
Victim: George Hashimbey

Commonwealth v. Daquan Hamilton, CP-46-CR-1391-2014: The defendant and his co-defendant forced their way into 22-year-old George Hashimbey and 23-year-old Steven Burns apartment demanding items at gunpoint. When Steven tried to grab the defendant's gun, both the defendant and his co-defendant fired shots at Steven and George. Steven suffered multiple gunshot wounds but survived, and George was shot in the chest and died from his injuries.

Commonwealth v. Naadir Abdul-Ali, CP-46-CR-8102-2015: Kevin Brown's daughter was in a physically and sexually abusive relationship with the defendant. The defendant threatened Kevin's daughter, indicating that if she told anyone about his prior sexual assault of her, he would come and shoot her and her family. Kevin's daughter broke off the relationship and went home to live with her parents. The defendant was begging Kevin's daughter to take him back, and she refused. The defendant then acquired a firearm, gathered three accomplices for extra muscle, traveled to Kevin's home, and broke in with his co-defendants. Kevin was in his bedroom with his wife, when he confronted the intruders at the door of his bedroom, where a violent struggle ensued. Kevin managed to get the bedroom door closed. As Kevin tried to hold the door closed, he yelled to his wife to escape out the second-floor window. The defendant began smashing the door to pieces, and then the defendant fired five shots through the door. One of the shots struck the 53-year-old in the neck, killing him as he was trying to protect his family.



Victim: Kevin Brown

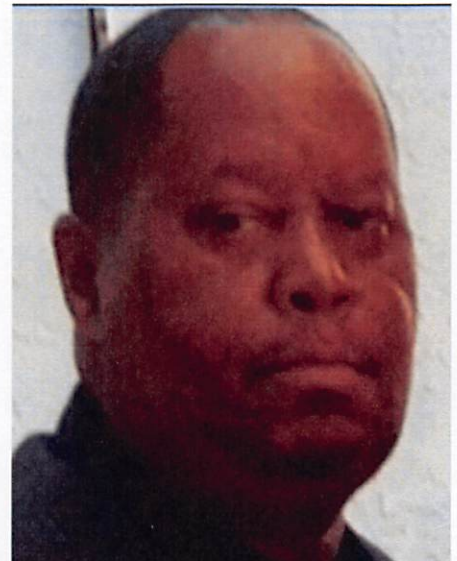


Victim: D'Ravious Dawkins

Commonwealth v. Omar Massenburg, CP-46-CR-3449-2016: The defendant and his co-defendant attempted to rob 17-year-old D'Ravious Dawkins at gunpoint on the streets of Norristown while D'Ravious was walking home from his girlfriend's house. D'Ravious, a promising high school student who was listening to headphones at the time, was likely confused about the situation and attempted to wrestle the defendants. An eyewitness to the crime testified D'Ravious' last words were, "Why are you doing this to me?" before he was shot and left to die while the defendants fled.

Commonwealth v. Justin Mitchell, CP-46-CR-4744-2019: The defendant and two co-defendants broke into the home of 21-year-old David Pass, robbed him at gunpoint, shot him in the leg and buttocks, and shot, stabbed, and killed David's father, 66-year-old Ralph Williams. At the time of the home-invasion murder, the defendant was on state parole for a Third-Degree Murder conviction, for which he had received a sentence of 19-45 years.

Commonwealth v. Henry Diaz-Ayala, CP-46-CR-1882-2019: The defendant and two co-defendants broke into the home of 21-year-old David Pass, robbed him at gunpoint, shot him in the leg and buttocks, and shot, stabbed, and killed David's father, 66-year-old Ralph Williams. At the time of the home-invasion murder, the defendant was on state parole for a Third-Degree Murder conviction, for which he had received a sentence of 8-20 years.



Victim: Ralph Williams



Victim: Robert Stiles

Commonwealth v. Samir Bentley, CP-46-CR-2293-2022: The defendant and multiple co-defendants robbed 27-year-old Robert Stiles in an alleyway in Pottstown. During the robbery, the defendant is handed a gun by a co-defendant and fired 3 shots at Robert, killing him right there on the sidewalk.

Commonwealth v. Erick Galo-Ponce, CP-46-CR-1473-2023: The defendant and his co-defendant entered into a conspiracy to rob Nilson Cardona of his vehicle in an effort to escape the Norristown

winter as they were homeless. During the conspiracy, the co-defendant's role was to lure Nilson under the Stony Creek Bridge, where the defendant was lying in wait, armed with a metal pipe. In the darkness, and when he was not expecting it, the defendant struck Nilson multiple times in the head, fracturing his skull and ultimately killing Nilson. The defendant discarded the pipe in Stony Creek, and the defendant and his co-defendant took Nilson's car and fled to Texas.



Victim: Nilson Cardona

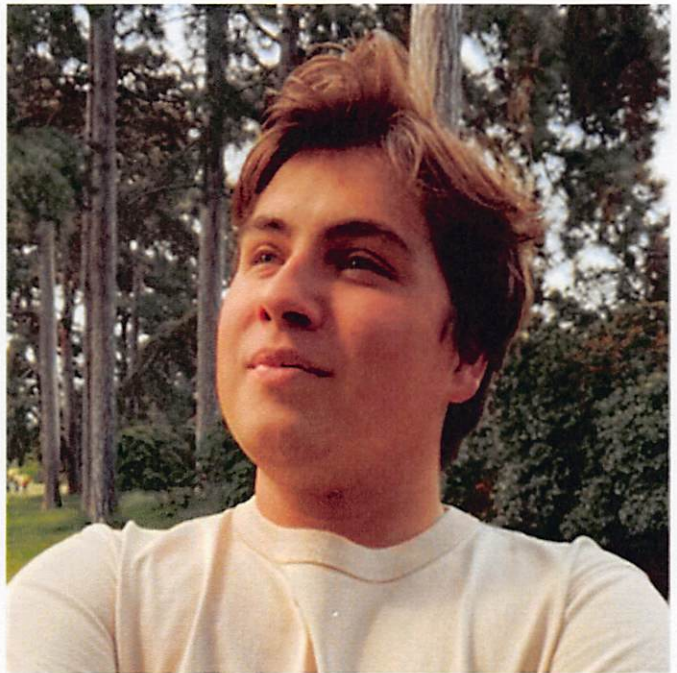


Victim: William Carter

Commonwealth v. Jerry Lamar Butler, CP-46-CR-1074-2024: Daquan Allen conspired with an ex-girlfriend to rob the victim, William Carter, of his recent gambling earnings. Daquan Allen recruited adult co-defendant Jerry Butler and two juvenile co-defendants to assist with the robbery. The ex-girlfriend provided William's location to Daquan Allen, who drove a stolen vehicle with his co-defendants to the victim's location. While Daquan Allen remained in the driver seat, the defendant and the two juvenile co-defendants exited the vehicle. Prior to exiting the car, it was confirmed that one of the juveniles was armed with a firearm equipped with a switch and an extended magazine. The defendant pushed the victim against the wall and took

his cell phone and money from his pockets. When William attempted to flee, one of the juvenile codefendants fired three shots striking William in the head, killing him. The defendant, Daquan Allen, and the juvenile shooter then fled to upstate New York.

Commonwealth v. Jeremy Fuentes, CP-46-CR-656-2025: The defendant worked for a company called Junkluggers, where he was responsible for providing junk removal estimates to individuals. Upon visiting an elderly couple's home for an estimate, he observed a large gun safe and numerous firearms. He contacted his co-defendant, who he worked with in the business of trafficking firearms illegally, to advise him of the firearms in the elderly couple's home. His co-defendant, along with another co-defendant, developed a plan to rob the elderly couple of their firearms, after breaking into the home with zip ties, masks, and firearms in preparation for stealing the firearms. Tragically, the co-defendants arrived at a similar but wrong address, and upon entering the home, found a 61-year-old woman, Bernadette Gaudio, in her bedroom, and her 25-year-old son, Andrew Gaudio. They shot and paralyzed Bernadette, and shot and killed Andrew as he was coming to his mother's aid, before fleeing the scene. Without this defendant setting up what was to be a home invasion burglary, the co-defendants would never have gone to the Gaudio home, shooting and paralyzing Bernadette and murdering her son Andrew as she lay nearby.



Victim: Andrew Gaudio

As you can see from the summaries, the defendants serving life sentences each played a critical role in the murders.

Prospectively, we would ask that the penalty for Second-Degree Murder include a mandatory minimum and a Life Without Parole (LWOP) maximum. It is vital that judges maintain the discretion to sentence the most violent offenders to life when the circumstances of the case call for it. Consistent with Third-Degree Murder provisions, we would ask for higher mandatory minimums for killing law enforcement, children, and murders that involve multiple deaths. Additionally, we would request explicit protection for plea

agreements to Second-Degree Murder; these pleas were negotiated for a number of reasons, including potentially removing the death penalty from consideration. All parties agreed to the resolution at the time, and the law should protect the sanctity of plea agreements.

Retroactively, the Pennsylvania District Attorney's Association is taking the position that *Lee* will apply and Defendants would be subject to release via parole board. We would ask that legislators pass advisory guidance to the parole board commensurate with our requests above for prospective penalties. We would also encourage you to consider extending the times for the parole board to act or reconsider, as they will be dealing with more than 1,100 defendants. Finally, and importantly, we ask that you reaffirm victims' rights to take part in the parole process. It is absolutely critical that their voices are heard in this process.

If I can provide any further assistance as you work through this critically important legislation, please do not hesitate to contact me. We are willing to work together through this process to ensure fairness to defendants, justice to victims, and public safety to our Montgomery County community.

Respectfully,

A handwritten signature in blue ink, appearing to read 'K. Steele', with a stylized flourish at the end.

Kevin R. Steele