

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

ELLIOT MORALES,

Defendant.

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuses the defendant of the crime of **MURDER IN THE SECOND DEGREE AS A HATE CRIME**, in violation of Penal Law §125.25(1) and Penal Law §485.05(a), committed as follows:

The defendant in the County of New York, during the period from on or about May 17, 2013 to on or about May 18, 2013, with intent to cause the death of another person, caused the death of another person and the defendant intentionally selected the person against whom the offense was committed and intended to be committed in whole and in substantial part because of a belief and perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability and sexual orientation of the person regardless of whether the belief and perception was correct.

SECOND COUNT:

AND THE GRAND JURY AFORESAID, by this indictment, further accuses the defendant of the crime of **CRIMINAL POSSESSION OF A WEAPON IN THE SECOND DEGREE**, in violation of Penal Law §265.03(1)(b), an armed felony, committed as follows:

The defendant in the County of New York, on or about May 17, 2013, possessed a loaded firearm, to wit, a revolver, with intent to use the same unlawfully against another person.

THIRD COUNT:

AND THE GRAND JURY AFORESAID, by this indictment, further accuses the defendant of the crime of **CRIMINAL POSSESSION OF A WEAPON IN THE SECOND DEGREE**, in violation of Penal Law §265.03(1)(b), an armed felony, committed as follows:

The defendant in the County of New York, during the period from on or about May 17, 2013 to on or about May 18, 2013, possessed a loaded firearm, to wit, a revolver, with intent to use the same unlawfully against another person.

FOURTH COUNT:

AND THE GRAND JURY AFORESAID, by this indictment, further accuses the defendant of the crime of **CRIMINAL POSSESSION OF A WEAPON IN THE SECOND DEGREE**, in violation of Penal Law §265.03(1)(b), an armed felony, committed as follows:

The defendant in the County of New York, on or about May 18, 2013, possessed a loaded firearm, to wit, a revolver, with intent to use the same unlawfully against another person.

FIFTH COUNT:

AND THE GRAND JURY AFORESAID, by this indictment, further accuses the defendant of the crime of **CRIMINAL POSSESSION OF A WEAPON IN THE SECOND DEGREE**, in violation of Penal Law §265.03(3), an armed felony, committed as follows:

The defendant in the County of New York, during the period from on or about May 17, 2013 to on or about May 18, 2013, possessed a loaded firearm, to wit, a revolver, said possession not being in defendant's home or place of business.

SIXTH COUNT:

AND THE GRAND JURY AFORESAID, by this indictment, further accuses the defendant of the crime of **CRIMINAL POSSESSION OF A WEAPON IN THE THIRD DEGREE**, in violation of Penal Law §265.02(1), committed as follows:

The defendant in the County of New York, during the period from on or about May 17, 2013 to on or about May 18, 2013, possessed a firearm, to wit, a revolver.

SEVENTH COUNT:

AND THE GRAND JURY AFORESAID, by this indictment, further accuses the defendant of the crime of **MENACING A POLICE OFFICER OR PEACE OFFICER**, in violation of Penal Law §120.18, an armed felony, committed as follows:

The defendant in the County of New York, on or about May 18, 2013, intentionally placed and attempted to place a police officer in reasonable fear of physical injury, serious physical injury and death by displaying a deadly weapon, to wit, a loaded revolver, and such officer was in the course of performing his official duties and the defendant knew and reasonably should have known that such victim was police officer.

EIGHTH COUNT:

AND THE GRAND JURY AFORESAID, by this indictment, further accuses the defendant of the crime of **MENACING IN THE SECOND DEGREE**, in violation of Penal Law §120.14(1), committed as follows:

The defendant in the County of New York, on or about May 17, 2013, intentionally placed and attempted to place a person in reasonable fear of physical injury, serious physical injury and death by displaying a deadly weapon, to wit, a loaded revolver.

CYRUS R. VANCE, JR.
District Attorney

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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SPECIAL INFORMATION
(CPL §200.60(2) relating to
Ind. No. _____
filed herewith.)

I, Cyrus R. Vance, Jr., District Attorney for the County of New York, by this information, accuse the defendant of the crime of **CRIMINAL POSSESSION OF A WEAPON IN THE THIRD DEGREE**, in violation of Penal Law §265.02(1) in that:

The defendant on or about February 9, 1999, in the Supreme Court of the State of New York, was duly convicted of the crime of **ROBBERY IN THE FIRST DEGREE**, in violation of Penal Law §160.15(3).

Dated: New York, New York
May 24, 2013

CYRUS R. VANCE, JR.
District Attorney

Filed:

WAIVED

2013NY039192

No.

THE PEOPLE OF THE STATE OF NEW YORK

-against-

ELLIOT MORALES,

Defendant.

INDICTMENT

MURDER IN THE SECOND DEGREE AS A HATE CRIME, P.L. §125.25(1) and P.L. §485.05(a)
 CRIMINAL POSSESSION OF A WEAPON IN THE SECOND DEGREE, P.L. §265.03(1)(b), an armed felony, 3 Cts
 CRIMINAL POSSESSION OF A WEAPON IN THE SECOND DEGREE, P.L. §265.03(3), an armed felony
 CRIMINAL POSSESSION OF A WEAPON IN THE THIRD DEGREE, P.L. §265.02(1)
 MENACING A POLICE OFFICER OR PEACE OFFICER, P.L. §120.18, an armed felony
 MENACING IN THE SECOND DEGREE, P.L. §120.14(1)

CYRUS R. VANCE, JR., District Attorney

A True Bill

Joan Illuzzi-Orbon
 Trial Bureau 80

Foreman

ADJOURNED TO PART 82 ON 6/18/2013