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SOUTH OZONE PARK MAN INDICTED FOR MURDER IN SHOOTING DEATH OF 24-YEAR-OLD AT BIRTHDAY PARTY IN 2022

Defendant Faces in Excess of 25 Years to Life in Prison

Queens District Attorney Melinda Katz announced that Curtis Benjamin was indicted by a grand jury and arraigned today on murder, attempted murder and weapon charges in the shooting death of 24-year-old Justin Baerga who was at a party in Richmond Hill while celebrating his birthday in July 2022. Three other partygoers were wounded in the shooting.

District Attorney Katz said: "A night of celebration turned into one of violence when a young man lost his life in a cold-blooded shooting that also wounded three others. We will not let senseless gun violence shake our resolve to get illegal firearms and those who use them off our streets."

Benjamin, 27, of 113th Street in South Ozone Park, was arraigned on a 14-count indictment charging him with murder in the second degree, three counts of attempted murder in the second degree, three counts of attempted assault in the first degree, assault in the second degree, two counts of reckless endangerment in the first degree and four counts of criminal possession of a weapon in the second degree. Supreme Court Justice Kenneth Holder remanded Benjamin and ordered him to return to court on September 19.

If convicted, the defendant faces in excess of 25 years to life in prison.

According to the charges:

- On July 2, 2022, at approximately 9:39 p.m., Benjamin arrived in a black SUV near D-Touch Collision, an auto repair shop at 129-09 89th Avenue in Richmond Hill where Justin Baerga, who had turned 24 days earlier, was celebrating his birthday.
- Benjamin got out of the passenger seat of the SUV, walked down the street to the auto repair shop and under a metal gate which was half open at the entrance to the shop. He pulled out a gun and fired approximately 12 shots into the garage.
- Baerga was hit in the head and legs and was taken to Jamaica Hospital where he died.
- Three other people were hit by bullets and survived.

Assistant District Attorney Ryan Nicolosi of the District Attorney's Homicide Bureau is prosecuting the case with the assistance of Assistant District Attorney Antonio Vittiglio and under the supervision of Assistant District Attorneys John Kosinski, Bureau Chief, and Karen Ross, Deputy Bureau Chief, and under the overall supervision of Executive Assistant District Attorney for Major Crimes Shawn Clark.

Criminal complaints and indictments are accusations. A defendant is presumed innocent until proven guilty.

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