



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: / /	OTN/LiveScan Number	Complaint/Incident Number SCD 08-199
Defendant Name:	First: DERRICK	Middle: MICHAEL	Last: DONCHAK

AFFIDAVIT of PROBABLE CAUSE

On 07/12/2008 Derrick DONCHAK, Age 18, and Brandon PIEKARSKY, Age 16 and another 17 year old Juvenile were together at 807 Coal Street, Shenandoah, the residence of Derrick DONCHAK. At some point in the late afternoon, DONCHAK drove to Frackville, picked up a 22 year old man and drove to a location in Shenandoah to purchase beer and malt liquor. DONCHAK then transported the alcohol back to his residence and from there it was moved to a wooded area adjacent to Washington Street in Shenandoah, known as the "creek". At approximately 7:00 PM, Derrick DONCHAK, Brandon PIEKARSKY, and three other 17 year old male juveniles walked to this location. They stayed at this location until approximately 9:00 PM and were joined at some point by Colin WALSH, Age 17. As darkness approached the youths left this area and a short time later, met again at the Polish American Block Party. While at the block party, PIEKARSKY got involved in a verbal argument and all the youths left there at approximately 11:00 PM.

At approximately 11:15-11:30 PM, Luis Eduardo RAMIREZ, Age 25, and a 15 year old female were traveling in a vehicle driven by Arielle GARCIA and her husband Victor GARCIA CRUZ in the Borough of Shenandoah. RAMIREZ and the 15 year old female, at their request, were dropped off at the Vine Street Park in Shenandoah located at the intersection of Vine and Lloyd Streets. The juvenile female walked west on Lloyd Street to her residence, spoke with her mother for a few minutes, then began walking back to Vine Street. Concurrently, the same group of six male youths left that Polish American Block Party, were walking west on Lloyd Street towards the Vine Street Park. They were walking on the right side of Lloyd Street while the female juvenile was walking on the left side and parallel with them. The six individuals were one adult, Derrick M. DONCHAK, Age-18, and five juveniles - Brandon Joseph PIEKARSKY, Age-16, - Colin J. WALSH, Age-17, and three other 17 year old male juveniles. As the juvenile female reached the Vine Street intersection, RAMIREZ walked from the Vine Street Park to meet her. The six youths also arrived at the intersection at the same time. The group of youths then began making comments towards RAMIREZ and the female juvenile like, "isn't it a little late for you guys to be out", "you should get out of this neighborhood", "get your Mexican boyfriend out of here".

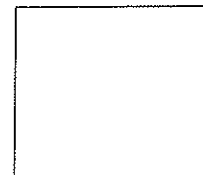
I, ANTHONY C. CARROLL, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

(Signature of Affiant)

Sworn to me and subscribed before me this _____ day of _____,

_____, Date _____, Magisterial District Judge

My commission expires first Monday of January,





**POLICE CRIMINAL COMPLAINT
AFFIDAVIT CONTINUATION PAGE**

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AFFIDAVIT of PROBABLE CAUSE CONTINUATION

RAMIREZ and the female juvenile started walking east on Lloyd Street and away from the youths. RAMIREZ called someone on his cell phone and then one of the youths called RAMIREZ a "spic". RAMERIZ responded back to them "what is your problem".

Then Brandon PIEKARSKY, Colin WALSH and the 17 year old Juvenile run toward RAMIREZ and fighting breaks out. Derrick DONCHAK also runs towards the fight area and engages RAMIREZ. RAMIREZ then falls to the street and they punch and kick him repeatedly. At some point RAMIREZ was able to get back on his feet as the fighting moved down (west) on Lloyd Street. Then, Arielle GARCIA and her husband Victor GARCIA CRUZ drove back to the area and run to help RAMIREZ. RAMIREZ had called them on his cell phone, stating someone was trying to beat him up. Other ethnic slurs were shouted during this incident.

Victor GARCIA CRUZ then tries to break up the fighting, but someone punches him from behind. Then, Colin WALSH strikes RAMIREZ in the face with a closed fist. The force of impact causes RAMIREZ to fall backwards and his head strikes the macadem roadway. As RAMIREZ lay unconscious, Brandon PIEKARSKY kicks RAMIREZ in the left side of his head. RAMIREZ continues to lay unconscious on the roadway as the youths fled the scene.

Shenandoah ambulance arrives on scene and provides immediate aid to RAMIREZ. RAMIREZ is then transported to Saint Catherine's Medical Center where he is immediately life flighted to Geisinger Medical Center. At Geisinger Medical Center, RAMIREZ undergoes surgery for his head injuries. His condition subsequently worsens and RAMIREZ dies from his injuries at 0638 hours Monday, July 14th.

Doctor Barbara BOLLINGER, forensic pathologist at Lehigh Valley Medical Center performs an autopsy on Luis Eduardo RAMIREZ on Tuesday 07/15/2008. The cause of death is a result of blunt force trauma to the head resulting in two fractures to his skull. The manner of death is ruled homicide.

On Sunday, July 13th, 2008 all the youths involved in this incident meet for the purpose of planning how they could limit or conceal their involvement in the death of Luis Eduardo RAMIREZ.

(Signature of Affiant)