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## PRESS RELEASE

For immediate release on January 2, 2019

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### **DA McMahon: Guilty Plea to Manslaughter for Staten Island Man Who Sold Heroin/Fentanyl That Caused Death of Another**

*\*\*Defendant Stephen Cummings enters guilty plea to Manslaughter and Criminal Sale of a Controlled Substance for selling heroin/fentanyl that caused the death of a customer; Guilty plea marks first “death by dealer” conviction by a local prosecutor in New York City\*\**

Staten Island, N.Y. – Richmond County District Attorney Michael E. McMahon today announced that STEPHEN CUMMINGS pleaded guilty to Manslaughter in the Second Degree and Criminal Sale of a Controlled Substance in the Third Degree for selling heroin mixed with fentanyl that caused the death of a customer. This guilty plea marks the first “death by dealer” conviction brought by a local prosecutor in New York City.

CUMMINGS, 33, entered his guilty plea today in state Supreme Court, St. George, before Justice Mario F. Mattei. The defendant will be sentenced on February 8, 2019 to five years in prison and two years’ post-release supervision on the Criminal Sale of a Controlled Substance in the Third Degree conviction and two to six years in prison on the Manslaughter in the Second Degree conviction.

“This conviction sets an historic precedent for local prosecutors and sends a clear message to drug dealers throughout Staten Island that we will not tolerate them killing our loved ones with the poison they peddle in our communities,” said **District Attorney Michael E. McMahon**. “When my office and the NYPD started the Overdose Response Initiative three years ago, one of our primary goals investigating all overdoses was to hold drug dealers more accountable for the deaths their products cause. With this Manslaughter conviction, we have accomplished exactly that. We will continue to fight this battle against drug dealers and will not rest until we have eliminated this scourge from our Island.

**McMahon continued**, “This defendant sold heroin mixed with fentanyl to a customer knowing the strength and potency of the drugs could be fatal. Dealers must learn that when they sell these toxic drugs, they are playing with fire and that my office and the NYPD will use every tool at our disposal to hold them accountable and ensure justice is served.”

Defendant CUMMINGS was originally indicted in June 2017 on numerous charges as part of a larger

takedown of fifteen individuals who operated a heroin, fentanyl, suboxone (buprenorphine), and cocaine distribution network on the North Shore of Staten Island.

The 11-month joint investigation, dubbed Operation “Final Kut,” began in July 2016 and utilized a variety of investigative techniques, wiretaps, and search warrants to uncover a network of alleged gang members and other individuals who were involved in a violent narcotics distribution operation in and around Port Richmond, New Brighton, and West Brighton. During the course of the investigation, police recovered two firearms, as well as quantities of heroin, fentanyl, suboxone, and cocaine.

Through an Overdose Response Initiative investigation, detectives were able to link CUMMINGS to the fatal overdose of Richard Zeifert, 52, who was found dead in a Staten Island apartment on December 23, 2016. The Medical Examiner determined the victim died of a fentanyl overdose. CUMMINGS had sold Zeifert a bag containing a mixture of heroin, cocaine, and fentanyl, causing his death.

**McMahon concluded,** “I would like to give a special thanks to our partners in law enforcement, particularly the members of the NYPD’s Staten Island Gang Squad, Narcotics Borough Staten Island, and the Patrol Borough Staten Island FIO, who all worked diligently on this investigation, and also commend my team, ADA Michele Molfetta, Chief of the Narcotics-Investigations Bureau, ADA Antonia Assenso, and ADA Gregg Brown, as well as ADA Thomas Ridges, Special Counsel to the District Attorney, for their tireless efforts on this case.”

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