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PRESS RELEASE

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DA McMahon: Staten Island Man Sentenced To Prison for Selling Heroin/Fentanyl That Caused Death of Another

Defendant Stephen Cummings is sentenced to two to six years in prison on the Manslaughter in the Second Degree conviction and five years in prison and two years' post-release supervision on the Criminal Sale of a Controlled Substance in the Third Degree conviction

Staten Island, N.Y. – Richmond County District Attorney Michael E. McMahon today announced that STEPHEN CUMMINGS has been sentenced to prison after previously pleading 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 conviction marks the first “death by dealer” conviction brought by a local prosecutor in New York City.

CUMMINGS, 33, was sentenced today in state Supreme Court, St. George, by Justice Mario F. Mattei 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. The sentences will run concurrent.

“This defendant showed a complete disregard for human life by knowingly selling heroin and fentanyl for profit, even after his drugs caused the overdose death of a customer,” 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. 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, as well as ADA Thomas Ridges, Special Counsel to the District Attorney, for their tireless efforts on this case.”

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