

**COUNTY OF SUFFOLK
DISTRICT ATTORNEY'S OFFICE**



**THOMAS J. SPOTA
DISTRICT ATTORNEY**

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Sentencing for fatal Miller Place hit and run

Suffolk County Judge Martin Efman today sentenced a Lake Grove woman to one and one half to four and one half years in prison for fatally striking a bicyclist on Route 25A in Miller Place in May of 2010.

The district attorney's office recommended the maximum prison term of up to 15 years for Nicole Shellard who was driving while high on prescription drugs when she hit Kathryn Underdown from behind on the shoulder of the road near Hunter Avenue. Underdown, 45, died at the scene.

The defendant fled the scene but crashed her 2004 Hyundai Santa Fe into a car about a tenth of a mile away. She was arrested at the scene of the second collision.

According to toxicology reports, Shellard, 33, of 162 Symphony Drive, had high levels of Alprazolam (Xanax), Clonazepam (Klonopin), Meprobamate (a tranquilizer), and Carisoprodol (Soma).

District Attorney Thomas Spota said the DA's office recommended the lengthier prison sentence "based on the facts that there is convincing evidence the defendant had been doctor shopping for prescription meds and consumed the powerful drugs before getting behind the wheel".

Police recovered 441 pills from the defendant's car.

"At a time when driving while impaired by prescription drugs has reached epidemic proportions, it's time for the courts to consider the most punitive penalties possible as a deterrent," DA Spota said. "As the victim's family said today to the court, this defendant's sentence is woefully inadequate and an injustice to the community."

Shellard pleaded guilty to second-degree manslaughter, second-degree vehicular manslaughter, leaving the scene of an accident without reporting and other charges.

In return for her plea, Judge Efman promised the sentence of one and one half to four and one half years. According to published reports, the judge said he was impressed that Shellard completed an inpatient rehabilitation program.

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Defendants are innocent until proven guilty in a court of law.

