

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



**THOMAS J. SPOTA
DISTRICT ATTORNEY**

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Murder charge upheld against driver high on PCP, Morphine, Oxycodone and Xanax

Acting State Supreme Court Justice Fernando Camacho has sustained the indictment of Thomas Herman, the 46 year old Patchogue man charged with second degree murder and 23 other counts for causing the crash that killed an 82 year old motorist, Suffolk District Attorney Thomas Spota said today.

On Sunday, January 13, Herman was driving his Chevrolet Trailblazer westbound on Montauk Highway in Sayville when he hit half a dozen cars, the final collision taking the life of Sam Longo of West Islip.

District Attorney Spota said Herman was fleeing the scene and was high on when he struck the victim's car head-on, "going 87 miles an hour while high on PCP, Morphine, Xanax and Oxycodone."

The victim's passenger, Ann Gilbert, 79, of Oakdale, suffered severe injuries including a broken leg and a fractured hip.

DA Spota said Justice Camacho found there was "sufficient legal evidence to establish the commission by Herman of each offense in the indictment".

The defendant, remanded to the county jail without bail, will return to court on August 30 for a court conference.

In addition to second degree murder by depraved indifference, Herman is charged with three counts of aggravated vehicular homicide, manslaughter in the second degree, three counts of aggravated vehicular assault, assault in the second degree, reckless endangerment in the first degree, one count of operating a motor vehicle while under the combined influence of alcohol or drugs, and any drug, two counts of driving while under the influence of drugs, criminal possession of a controlled substance in the seventh degree, five counts of leaving the scene of an accident, reckless driving, speeding, failing to stay in a designated lane, and two counts of felony possession of a weapon (for a stun gun and a blackjack found in the defendant's vehicle).



SCDA COMMUNICATIONS

(631) 853-4118

Robert.Clifford@suffolkcountyny.gov

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