

COUNTY OF SUFFOLK  
DISTRICT ATTORNEY'S OFFICE



THOMAS J. SPOTA  
DISTRICT ATTORNEY

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## **Trial starts Tuesday for DWI driver facing vehicular assault charges**

Opening arguments in the DWI-Vehicular Assault trial of a Lindenhurst computer technician are scheduled for tomorrow, Tuesday, May 19, in criminal court in Riverside, Suffolk County District Attorney Thomas Spota said.

When Thomas Clarry, 47, attempted to make a left turn from Montauk Highway onto South Broadway in Lindenhurst on May 28, 2012, he collided with a 2003 Infiniti traveling eastbound. The driver of the Infiniti, Dina Gaballa, suffered serious injuries and four passengers; her 9-year-old nephew, her 68-year old father, her 4-year-old daughter and her 2-year-old son received treatment for non-life threatening injuries at Good Samaritan Hospital Medical Center in West Islip.

District Attorney Spota said Clarry is charged in the indictment with six counts of vehicular assault in the first degree, aggravated driving while intoxicated, driving while intoxicated and failure to yield the right-of-way.

“The defendant told police at the scene he had one beer prior to the crash but an analysis of his blood established Clarry’s blood-alcohol level at .25%, more than three times the legal threshold,” DA Spota said.

Acting State Supreme Court Justice Mark Cohen (fourth floor of the courthouse) will preside at the trial which is expected to start at approximately 11:00 am.

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A criminal charge is an accusation. A defendant is presumed innocent until and unless proven guilty in a court of law.