

POLICE DEPARTMENT  
511 S. State St., Syracuse, New York

100469

APPEARANCE TICKET 14-272277

C.P.L. 150.10

D.R. #

|                      |       |            |
|----------------------|-------|------------|
| LAST NAME            | FIRST | MIDDLE     |
| TO: Murtari          | John  |            |
| STREET ADDRESS       |       |            |
| 34 Franklin St.      |       |            |
| CITY OR TOWN         | STATE | ZIP        |
| Lyons                | NY    | 14489      |
| IDENTIFICATION SHOWN |       | D.O.B.     |
| NY ID                |       | [REDACTED] |

**PRE-ARRAIGNMENT BAIL**

PRE-ARRAIGNMENT BAIL IS FIXED IN THE FOLLOWING AMOUNT \_\_\_\_\_ RECEIPT WHEREOF IS HEREBY ACKNOWLEDGED AND THE PERSON ARRESTED HEREIN IS RELEASED FROM CUSTODY TO APPEAR AS HEREIN DIRECTED.

**NOTICE:** IF PROVISION FOR BAIL IS HONORED, OFFICIAL ACCEPTING BAIL MUST FILL OUT COMPLETE TICKET ONLY AFTER RECEIVING BAIL.

AUTHORIZED OFFICER \_\_\_\_\_  
 DEPT. & RANK \_\_\_\_\_  
 Upon Your Failure to Appear as Herein Directed, the Bail Posted Will be Forfeited.

**NOTICE:** UPON YOUR FAILURE TO APPEAR AS ABOVE DIRECTED. A CRIMINAL SUMMONS OR A WARRANT FOR YOUR ARREST MAY BE ISSUED.  
Form D240 (10/72)

YOU ARE HEREBY NOTIFIED TO APPEAR PERSONALLY IN THE  
 CITY COURT - CRIMINAL DIVISION  
 505 S. STATE ST., SYRACUSE, NEW YORK  
 ON Thurs. June 5<sup>th</sup>, 2014, AT 9:30 A.M.  
 TO ANSWER A CHARGE OF  
 Trespass AN OFFENSE, COMMITTED AT  
 100 S. Clinton St. IN THE CITY OF SYRACUSE, N.Y.  
 ON THE 9<sup>th</sup> DAY OF May, 2014 AT 4:15 PM  
 IN VIOLATION OF SECTION 140.05 SUB. DIV. - OF  
 THE GENERAL ORDINANCES OF THE CITY OF SYRACUSE/  
 Penal LAWS OF THE STATE OF NEW YORK. PERSONALLY  
 ISSUED AND SERVED THIS 9<sup>th</sup> DAY OF May, 2014.  
 PO [Signature] 369  
 OFFICER SIGNATURE Ser. No.

DEPENDANT COPY

# Criminal Court of the City of Syracuse

State of New York )  
County of Onondaga )

People of the State of New York  
vs.

John Murtari

Defendant

10/02/1956

DOB

I PO A. Pritchett #369, the complainant herein, residing at 511 S. State St.  
accuse John Murtari, the DEFENDANT in this action, and charge that on or about the  
9th day of May 2014 at 100 S. Clinton St. in the  
CITY OF SYRACUSE, COUNTY OF ONONDAGA, STATE OF NEW YORK, at about 4:15 in the afternoon,  
said DEFENDANT did commit the violation, of Trespass  
contrary to the provisions of Section 140.05 of the Penal Law  
of the State of New York by knowingly

Law Section:  
140.05 - A person is guilty of trespass when he knowingly enters or remains unlawfully in or upon premises

To wit:

On the above date, time and location the defendant did commit the violation of Trespass. The defendant did knowingly and unlawfully remain on the property of the Federal Building. The defendant was at that location protesting when he was advised by security that a permit was needed to protest on the grounds of the Federal Building. The defendant did not have said permit and was asked to leave the grounds numerous times, refusing each time. The actions of the defendant do constitute the violation of Trespass.

Trespass is a violation.

That the source of deponent's information and the grounds of his belief as to all matters herein stated upon information and belief are based upon and derived from annexed affidavit of Wade Irwin sworn to on the 9th day of May 2014 and police investigation.

WHEREFORE I REQUEST THAT CRIMINAL PROCESS BE ISSUED TO COMPEL THE DEFENDANT TO ANSWER THE AFORESAID ACCUSATION.

NOTE: False statements made herein are punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law of the State of New York

AFFIRMED UNDER PENALTY OF PERJURY this

9th day of May 2014

PO [Signature] 369

COMPLAINANT

STATEMENT

STATE OF NEW YORK  
COUNTY OF ONONDAGA  
CITY OF SYRACUSE

TIME STARTED

1704

DR #

14-272277

I, Wade J. Irwin

, being duly sworn, state I am [redacted] years of age [redacted]

and my address is [redacted]. My occupation is [redacted]

my work address [redacted] and I have completed [redacted] years of

school. I can be reached at the following phone numbers, [redacted] home and [redacted] work.

I am giving this statement to P.O. A. Patchett on 5/9/14 at 5:05pm at 100 S. Clinton St. Everything in this statement is true.

Today around 1:00pm a protester, John Mustari DOB 10/2/56, arrived at the federal building holding a sign in front of the front entryway to the building. Mustari was advised that he needed a permit to protest on the premises and was told that he could remain on the premises if he obeyed the rules which were clearly outlined on the permit which was given to Mustari. Mustari then began to write with chalk on the sidewalk in front of the entry. Mustari was asked to leave the property but he refused multiple times. Mustari was told that police would be called and he would be arrested if he did not leave but again he refused. As an agent of FPS, who provides security for the grounds, I do desire prosecution.

~~WJI~~

TIME ENDED

1716

I have read this statement ( had this statement read to me ) which consists of 1 page (s) and the facts contained therein are true and correct to the best of my knowledge.

NOTE: FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW OF THE STATE OF NEW YORK.

Affirmed under the penalty of perjury, this 9<sup>th</sup> day of May, 2014

signature

witness

#369

PRE-TRIAL NOTICES  
ONONDAGA COUNTY DISTRICT ATTORNEY'S OFFICE

People vs. John Murtari  
Indictment # \_\_\_\_\_ Index # 1  
Police Agency SPD DR. # 14-272277  
Court / Judge city/KR  
Promis # \_\_\_\_\_  
Attorney For Defendant \_\_\_\_\_  
Office Address and P.O. Box \_\_\_\_\_

**NOTICE OF INTENT TO USE IDENTIFICATION EVIDENCE**  
(Criminal Procedure Law §710.30)

This is to advise you that the People intend to offer identification testimony into the evidence upon the trial of the criminal charges now pending against the above named defendant. Specifically, the evidence will consist of testimony regarding an observation of the defendant either at the time or place of the commission of the offense or upon some other occasion relevant to the case, to be given by a witness who has previously identified him. If you wish to challenge this evidence, you are advised that such motion must be made with reasonable diligence prior to trial. Such evidence consists of a:

LINE-UP       SHOW-UP       PHOTOGRAPHIC ARRAY       OTHER

conducted on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_  
\_\_\_\_\_ (location).

Such identification were made by \_\_\_\_\_  
\_\_\_\_\_ (specify person[s]).

If you fail to make such motion challenging the identification with reasonable diligence after receipt of this written notice, you shall be deemed to have waived any pre-trial hearing to determine the admissibility of it.

**NOTICE OF INTENT TO USE ADMISSION OR CONFESSION**  
(Criminal Procedure Law §710.30)

This is to advise you that the People intend to offer statements of the defendant into evidence upon the trial of the criminal charges now pending. Specifically, the evidence will be that said defendant gave an  oral,  written, or  both statement, the substance of which is:

Peacefully protesting for family rights. I had interact  
w/ Fed building security. I refused to leave

on the 9<sup>th</sup> day of May, 2014, at City of Seg.  
\_\_\_\_\_ (location).

If you wish to challenge the voluntariness of the statement, you are advised that such motion must be made with reasonable diligence prior to trial. If you fail to make such motion challenging the voluntariness of the statement with reasonable diligence after receipt of this written notice, you shall be deemed to have waived any pre-trial hearing to determine the admissibility of it based on the ground that it was involuntarily obtained.

**NOTICE OF INTENT TO USE PSYCHIATRIC EVIDENCE**  
(Criminal Procedure Law §250.10)

You may seek to offer evidence of mental disease or defect in connection with the affirmative defense of lack of criminal responsibility by reason of mental disease or defect as defined in Penal Law §40.15; in connection with the affirmation defense of extreme disturbance as defined in Penal Law §125.25 (1)(a); and Penal Law §125.27 (2)(a); or in connection with any other defense.

However, such psychiatric evidence will not be admissible upon trial of these charges unless you serve upon me, the District Attorney of the County of Onondaga, and file with the Court, a written notice of your intention to rely thereon. This notice must be served and filed within thirty (30) days from the date that you entered a plea of not guilty.

Date: 05/05/14