

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: ALLEGHENY



POLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA
VS.

MDJ: PITTSBURGH MUNICIPAL COURT
Magisterial District Number: 05-0-03
Address: 660 FIRST AVENUE
PITTSBURGH, PA 15219

DEFENDANT:
BRIAN

(NAME and ADDRESS):
RICCHIUTO

First Name Middle Name Last Name Gen.
920 CEDAR AVENUE. APT 2 PITTSBURGH, PA 15212

Phone: 412.350.6715

NCIC Extradition Code/Type

Distance: _____

DEFENDANT IDENTIFICATION INFORMATION:

Docket Number 5122-13	Date Filed 10/11/18	OTN/LiveScan Number G 821980-5	Complaint/Incident Number 18-03595	Request Lab Services? <input type="checkbox"/> Yes
GENDER MALE	POB	Add'l DOB	Co-Defendant(s) <input type="checkbox"/>	
RACE WHITE	First Name	Middle Name	Last Name	Gen.
ETHNICITY	AKA			
HAIR COLOR BLK (BLACK)	EYE COLOR HAZ (HAZEL)			WEIGHT (lbs.) 290
DNA	DNA Location			FL HEIGHT in. 6 03
FBI Number	MNI Number			
Defendant Fingerprinted				
Fingerprint Classification				

DEFENDANT VEHICLE INFORMATION

Plate #	State	Hazmat	Registration Sticker (MMYY)	Comm'l Veh. Ind.	School Veh.	Oth. NCIC Veh. Code	Reg. Same as Def.
VIN	Year	Make	Model	Style	Color	<input type="checkbox"/>	

Office of the attorney for the Commonwealth Approved Disapproved because: _____

(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. See Pa.R.Crim.P. 507).

name of the attorney for the Commonwealth) (Signature of the attorney for the Commonwealth) (Date)

I, RICHARD HAMILTON 7048
(Name of the Affiant) (PSP/MPOETC -Assigned Affiant ID Number & Badge #)

of UNIVERSITY OF PITTSBURGH PA0021N00
(Identify Department or Agency Represented and Political Subdivision) (Police Agency ORI Number)

do hereby state: (check appropriate box)

1. X I accuse the above named defendant who lives at the address set forth above
I accuse the defendant whose name is unknown to me but who is described as _____

I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have, therefore, designated as John Doe or Jane Doe

with violating the penal laws of the Commonwealth of Pennsylvania at 301 PITTSBURGH CITY
(Subdivision Code) (Place/Political Subdivision)

In Allegheny County 02 on or about 10/11/2018 0:20
(County Code)

Summons



POLICE CRIMINAL COMPLAINT

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Defendant Name	First: BRIAN	Middle:	Last: RICCHIUTO

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically. (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. In addition, social security numbers and financial information (e.g. PINS) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§213.1 – 213.7.)

Inchoate Offense	<input type="checkbox"/> Attempt	<input type="checkbox"/> Solicitation	<input type="checkbox"/> Conspiracy
[REDACTED]			
Section	PA Statute (Title)	Counts	Grade
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
		<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
Statute Description/Acts of the accused associated with this Offense:			
[REDACTED]			

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903
Lead?	Offense#	Section	Subsection
	2	2709	A1
			of the
			18
			2
			S
PennDOT Data (if applicable)		Accident Number	
		<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
Statute Description/Acts of the accused associated with this Offense:			
18 2709A1 HARASSMENT S 2 COUNTS			
The actor, with the intent to harass, annoy or alarm another, namely, Stanley Umeweni, struck, shoved, kicked or otherwise subjected the other person to physical contact, or attempted or threatened to do the same, or followed the other person in or about a public place or places, or engaged in a course of conduct or repeatedly committed acts which served no legitimate purpose in violation of 18 Pa. C.S. §2709(a)(1), (2) or (3).			
The actor, with the intent to harass, annoy or alarm another, namely, Aaron Hill, struck, shoved, kicked or otherwise subjected the other person to physical contact, or attempted or threatened to do the same, or followed the other person in or about a public place or places, or engaged in a course of conduct or repeatedly committed acts which served no legitimate purpose in violation of 18 Pa. C.S. §2709(a)(1), (2) or (3).			



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Inchoate Offense	<input type="checkbox"/> Attempt	<input type="checkbox"/> Conspiracy				
[REDACTED]						
Leads	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
		<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			
Statute(s) associated with this Offense:						
[REDACTED]						



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2. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
3. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 P.A.C.S. §4904) relating to unsworn falsification to authorities.
4. This complaint is comprised of the preceding page(s) numbered _____ through _____
5. I certify that this filing complies with the provisions of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania that require filing confidential information and documents differently than non-confidential information and documents.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited.
(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

 _____ (Date) Ricchiuto 951
(Signature of Affiant)

AND NOW, on this date 10/24/2018 I certify that the complaint has been properly completed and verified.
 An affidavit of probable cause must be completed before a warrant can be issued.

 (Magisterial District Court Number)

[Signature]
 (Issuing Authority)

SEAI



POLICE CRIMINAL COMPLAINT

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Defendant Name	First: BRIAN	Middle:	Last: RICCHIUTO

AFFIDAVIT of PROBABLE CAUSE

1. WHEN:

- a) Date when Affiant received information:
10/11/2018
- b) Date when the source of information (Police Officers, Informant, Victim, Co-Defendant, Defendant, etc.) received information:
10/11/2018

2. HOW:

- a) How Affiant knows this particular person committed crime: (personal observation, defendant's admissions, etc.):
Personal observation, victim's statements, surveillance footage, statement from co actor Anthony Ricchiuto
- b) How the source of information knows this particular person committed the crime:
Personal observation, victim's statement, surveillance footage statement from co actor Anthony Ricchiuto
- c) How both Affiant and/or source of information knows that a particular crime has been committed:
Personal observation, victim's statement, surveillance footage statement from co actor Anthony Ricchiuto

3. WHAT CRIMES:

[REDACTED]
 18 2709 A1 HARASSMENT
 18 2709 A1 HARASSMENT
 [REDACTED]

4. WHERE CRIME(S) COMMITTED:

3700 BLOCK FIFTH AVENUE

5. WHY AFFIANT BELIEVES THE SOURCE OF INFORMATION:

- X Source is presumed reliable, i.e. other Police Officer, Eyewitness, Victim of Crime, etc.
 Source has given information in the past which has led to arrest and/or conviction
 Defendant's reputation for criminal activity
 This source made declaration against his/her penal interest to the above offense
- X Affiant and/or other Police Officers corroborated details of the information



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Defendant Name	First: BRIAN	Middle:	Last: RICCHIUTO

On October 11, 2018 at approximately 0020 hours, University of Pittsburgh Police responded to Panther Central for two males that were assaulted on Fifth Avenue.

When Officers arrived on scene, they spoke with two males (Identified by PA OLN as Stanley Umeweni and OH OLN as Aaron Hill, both students) who stated that while they were walking west on Fifth Avenue crossing Atwood Street, a dark red SUV honked at them as they crossed Atwood Street. As they walked past, Umeweni gave the middle finger to the driver and the driver made a left onto Fifth Avenue, stopped in the middle of the intersection, and instructed the males to meet them at the next corner. The next corner was Meyran Avenue. Umeweni and Hill were walking back to their house on Ophelia Street so they were walking towards Meyran Avenue anyway. Two white males exited the vehicle and walked towards Hill and Umeweni. The driver lifted his shirt and displayed a firearm. Hill and Umeweni began walking backwards away from the males.

On October 19, 2018, I, Detective Hamilton along with Detective Matta re-interviewed both Stanley Umeweni and Arron Hill to obtain more information. Hill was interviewed first and gave the following the account. That he and Umeweni were walking west on Fifth Avenue in the Oakland area. They had just passed the intersection of Oakland Avenue and were approaching the intersection of Fifth Avenue and Atwood Street. As they approached the intersection, the walk light was flashing orange. A light blue vehicle is waiting for a green signal to make a left turn from Atwood Street on to Fifth Avenue. Both Hill and Umeweni waited for the light blue vehicle to clear the crosswalk and both proceeded across Atwood Street. As they reached the other side, a red vehicle (SUV) was approaching the intersection of Atwood Street and Fifth Avenue, and was aggressively blowing his car horn. Hill said that he gestured to the SUV by raising both arms in the air.

Hill then said that the red SUV made a left turn from Atwood Street onto Fifth and stopped in the travel lane next the bus lane. The driver of the red SUV said, "Do you all have problem mother fucker?" The driver of the red SUV then said, "Meet us at the next corner." Hill said that the red SUV then continued on Fifth Avenue, and made a left turn on to Meyran Avenue.

As they approached the intersection of Fifth Avenue and Meyran Avenue, the driver and passenger were approaching Hill and Umeweni. The driver, described as a white male, with dark hair, wearing a black tee shirt and tan shorts pulled up his tee shirt and placed his hand on a handgun that was inside his waistband. Hill said that he and Umeweni both place their hands in the air and started to retreat by walking backwards. The second male that was with the driver said, "We do not need a gun, we will kick their asses." As Hill and Umeweni retreated, the males were saying, "Let's go motherfuckers."

Hill pulled out his cell phone and call 911. While on the line with the operator Hill placed his phone on speaker so that the operator would hear the conversation between both parties. They followed Hill and Umeweni to the intersection of Atwood Street and Fifth Avenue. At this point, the larger male had grabbed Umeweni and struck him in the arm with a closed fist. After striking Umeweni both males ran back down Fifth Avenue in the direction were there car was parked.

Hill and Umeweni both continued to Panther Central and called both the City of Pittsburgh Police and the University of Pittsburgh Police.

On October 19, 2018, I, Detective Hamilton along with Detective Matta re-interviewed Stanley Umeweni. Umeweni gave the following account of what had occurred. He and Hill were walking on Fifth Avenue, heading west. As they, both approached the intersection of Fifth Avenue and Atwood Street, and were crossing, the light turn red for them. As they approached the other side, a red vehicle heading north on Atwood and was approaching the intersection and started to excessively honking his car horn. As the vehicle made a left turn on to Fifth Avenue from Atwood Street, Umeweni made eye contact with the driver, "yelling at the driver to FUCK OFF". The driver then stopped on Fifth Avenue, and replied to meet him at the next intersection.

When Umeweni and Hill approached the intersection of Fifth Avenue and Atwood Street. Umeweni said that the driver, a white



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Defendant Name:	First BRIAN	Middle:	Last RICCHIUTO

male wearing a dark tee shirt and tan shorts approached them along with the driver's friend, a white male large build wearing a blue shirt and jeans. He said, as they got closer the driver yelled, "What's the problem", Umeweni replied, "Why are you hocking at us". The driver then lifted his shirt and showed us that he had a gun in a holster inside his waistline. He said back off back off, saying put that away were not armed, and he was scared. The driver friend then got in front of the driver and said, "I don't need a gun". The larger male keep approaching taking a swing at Umeweni, striking his arm. Umeweni then said that after he was struck, both of them turned ran in the direction of Meyran Avenue, were they parked there car.

It should be noted, that cameras in the area of the incident were reviewed and the video evidence strongly supports what Hill and Umeweni alleged. The video shows the altercation and the two males parking the vehicle and running over to confront the two victims. The video also shows the driver lifting his shirt as he approaches them.

The vehicle in this incident was a red jeep, registration was unknown at that time, but is a PA plate. The Jeep had white decals on the rear and side windows. On October 11, 2018, I, Detective Hamilton reviewed the surveillance footage for this incident. I was able to get several pictures of the suspect vehicle and put them out to Patrol Units. The surveillance footage will be available for court and backs the statements of both victims.

On October 12, 2018, at 10:22hrs, Lt. Basile, along with Deputy Chief Lamb and Det. McDaniel were traveling out bound on Forbes Ave. when they noticed a vehicle matching the description of the red Jeep involved in this case. They followed the vehicle onto DeSoto St. and stopped it in a UPMC parking lot. They identified the driver and spoke with him briefly about the night the incident took place. He agreed to meet with them at the station for an interview about what happened that night

On 10/12/2018, Detective McDaniel along with Lt. Basile met with Anthony Ricchiuto regarding his vehicle matching the description of the prior incident. Ricchiuto was Mirandize by Lt. Basile and was asked about his whereabouts on October 11, 2018. He stated that he went out to Thirsty Scholars on Fifth Ave but it was closed so he and his brother (Brian Ricchiuto) went to the Garage Door to meet some friends to celebrate a co-workers promotion. After some time at the Garage Door, he and his brother (Brian Ricchiuto) left the bar. Anthony stated he recalls driving up Atwood Street and approached two males in the cross walk and which they exchanged words. Anthony then drove away and parked on Meyran. Anthony and his brother started walking down Fifth Avenue towards the males and more words were exchanged. The males could have observed the firearm in his waistband and then fled. Anthony said they chased the males a few feet then went back to the car and then drove away.

Surveillance footage shows that Brian Ricchiuto did push pass Anthony Ricchiuto, pushing the victim Stanley Umeweni and striking him. Both victims then turn and is viewed walking in the opposite direction. All the while both Brian Ricchiuto and Anthony Ricchiuto following both victims for several feet.

With the statements made by the victims, corroborating video footage, and Anthony Ricchiuto admission. I, Det. Hamilton spoke with ADA Ryan Kiray and I will be filling the following charges against Brian Ricchiuto:

[REDACTED]
 (2) Counts of Harassment 2709 A1 M3
[REDACTED]



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I, RICHARD HAMILTON, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

I CERTIFY THAT THIS FILING COMPLIES WITH THE PROVISIONS OF THE CASE RECORDS PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA THAT REQUIRE FILING CONFIDENTIAL INFORMATION AND DOCUMENTS DIFFERENTLY THAN NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.

Ricchiuto 18-03595

(Signature of Affiant)

Sworn to me and subscribed before me this 24 day of OCTOBER, 2018

10/24/2018 Date [Signature], Magisterial District Judge

My commission expires first Monday of January,

