



# POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 04/22/2008	OTN/LiveScan Number	Complaint/Incident Number J02-1188742
Defendant Name:	First: KRISTINA	Middle: MARIE	Last: QUERCETTI

## AFFIDAVIT of PROBABLE CAUSE

1. On 03/27/08 at approx. 2214 hrs. the defendant, Kristina M. QUERCETTI, DOB: 01/05/68, was operating a black in color 2007 Chevrolet Tahoe, displaying PA registration GLF-1595. QUERCETTI was traveling south on Route 41 in the area of Mosquito Lane in London Grove Township, Chester County, PA, which is a properly posted 45 MPH zone. At this location QUERCETTI's vehicle crossed the double yellow lines, which separate the northbound and southbound lanes of the roadway, and struck the mirror of a pick-up truck that was traveling north in the northbound lane. QUERCETTI's vehicle then began traveling south in the northbound lane where it collided nearly head-on with a Hyundai sedan operated by Kenton IWANIEC. At the time of impact IWANIEC's vehicle was traveling north in the northbound lane of Route 41. After impact IWANIEC's vehicle came to rest facing southeast on the berm/grass along the east side of Route 41. QUERCETTI's vehicle continued to travel south, rolled over and came to rest on the passenger's side facing north in the northbound lane.

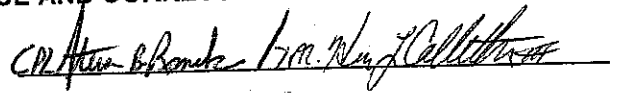
2. Trooper Jason SHAFFER, PSP Avondale Patrol Unit, arrived at the scene approximately four minutes after the aforementioned collision occurred and discovered QUERCETTI trapped in the driver's seat of her vehicle. Tpr. SHAFFER also discovered QUERCETTI's four year old son belted into a car seat in the rear of the vehicle. Tpr. SHAFFER freed QUERCETTI's son from the vehicle, then attended to QUERCETTI. While rendering aid to QUERCETTI, Tpr. SHAFFER noticed the odor of an alcoholic beverage on QUERCETTI's person. Once QUERCETTI was extricated from her vehicle and transferred to an ambulance, Tpr. Nathan HARTLAUB, PSP Avondale Patrol Unit, entered the ambulance to interview her and he also noted a strong odor of an alcoholic beverage on or about QUERCETTI's person.

3. IWANIEC was extricated from his vehicle and transported to Christiana Hospital in Delaware where he died in surgery as a result of the multiple traumatic injuries he sustained from the impact with QUERCETTI's vehicle. On 03/28/08 an autopsy of IWANIEC was conducted by Dr. Jennie VERSHOVUSKY, Assistant Medical Examiner, Forensic Services Laboratory, State of Delaware Department of Health and Social Services. The cause of death was determined to be multiple blunt force injuries sustained as a driver of a car involved in a head-on collision.

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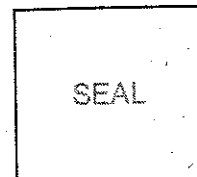
CPL. STEVEN B. RANCK

I, TPR. HENRY L. CALLITHEN III, 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.

  
(Signature of Affiant)

Sworn to me and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_  
Date \_\_\_\_\_, Magisterial District Judge

My commission expires first Monday of January,





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4. Paramedic Brian CASSON of Southern Chester County Emergency Medical Services, Medic 94, treated QUERCETTI in Ambulance 22-2 after QUERCETTI was extricated from her vehicle. Approximately one hour after the collision, at approximately 2318 hrs., CASSON initiated an I.V. and obtained four vials of blood from QUERCETTI, which is standard operating procedure for the treatment of trauma patients. QUERCETTI was subsequently transported to Christiana Hospital in Delaware where the aforementioned vials of blood were relinquished to emergency room personnel for testing to assist in determining the proper course of treatment and medication for QUERCETTI. A search warrant was obtained in Delaware and the remainder of the blood in said vials, along with a urine specimen from QUERCETTI, was acquired. Said blood and urine was forwarded to Drugscan Medical and Forensic Toxicology Services for testing to determine the blood alcohol content and presence/absence of prescription medication and/or controlled substances.

5. The results of the above indicated testing revealed that QUERCETTI's blood contained 40 nanograms Oxycodone/mL SERUM and her blood alcohol content was 340 milligrams Ethyl Alcohol/dL BLOOD or 0.34 %. Laboratory Director Richard D. COHN, Ph.D., DABFT. indicated that at and around the time the specimens were drawn QUERCETTI was under the combined impairing effects of ethyl alcohol and oxycodone, and was unfit to perform safety-sensitive tasks, including the safe operation of a motor vehicle on the highway.

6. During the on scene investigation of the aforementioned collision, Tpr. Colm HIRSCHMANN, PSP Avondale Patrol Unit, observed a purse inside QUERCETTI's vehicle. Located inside the open purse and in plain view was a partially depleted 750 ml bottle of Grey Goose vodka, which was approximately 2/3 full. Also observed in the purse and in plain view were multiple white pills wrapped in clear cellophane, which was consistent with the wrapper from a pack of cigarettes. Said pills were collected and subsequently sent to the PSP Lima Regional Laboratory where they were identified as twenty, 5 milligram tablets of Oxycodone, a Schedule II controlled substance.

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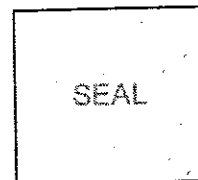
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7. On 03/27/08 at approximately 2245 hrs. Tpr. Edmund SICHLER, PSP Avondale Patrol Unit, interviewed Larry E. KEITH at the scene. KEITH indicated that at the time of the aforementioned collision KEITH was operating a 1997 Chevrolet 1500 Silverado pick-up and traveling north in the northbound lane on Route 41 in the vicinity of Mosquito Lane. KEITH indicated that just prior to said collision something struck and shattered the drivers side mirror of KEITH's vehicle. KEITH indicated that he looked in his rear view mirror and observed a tremendous amount of sparks and something spinning in the roadway. KEITH indicated that he turned his vehicle around, returned to where he saw the sparks and discovered the aftermath of the collision. He indicated that prior to his mirror being struck and the subsequent collision involving IWANIEC's vehicle, he did not observe any headlights or vehicles traveling southbound on Route 41.

8. On 03/27/08 at approximately 2330 hrs. Tpr. SICHLER interviewed Samuel DYOTT at the crash scene. DYOTT indicated that he was traveling south on Route 41 when he heard a CB radio transmission warning other motorists that a vehicle was traveling south on Route 41 with its headlights off and that it was cutting off other drivers. DYOTT indicated that shortly after hearing the CB radio transmission he came upon the crash scene.

9. On 03/28/08 at approx. 0245 hrs. this affiant, Tpr. Henry L. CALLITHEN III, interviewed QUERCETTI at Christiana Hospital. QUERCETTI admitted to operating her vehicle and traveling south on Route 41 at the time of the collision. She indicated that she did not recall anything about the collision itself. QUERCETTI indicated that the last thing she remembered prior to the collision was doing something with the DVD player that her son was watching. QUERCETTI admitted that she purchased a bottle of Grey Goose vodka earlier in the day. She admitted that she had the bottle of vodka in the vehicle with her and that she had opened the bottle, however she refused to admit that she drank the vodka or any other alcoholic beverage. QUERCETTI also admitted to using/taking "percocet" earlier in the day.

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*Cpl. Steven B. Ranck / Tpr. Henry L. Callithen III*

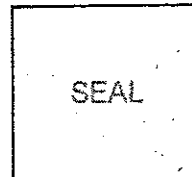
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10. A collision analysis and reconstruction was conducted on the aforementioned crash by Cpl. Joseph GABRYLUK, PSP, Troop J, Collision Analysis and Reconstruction Specialist. Cpl. GABRYLUK determined that QUERCETTI's vehicle was traveling at approximately 70 MPH at the time that it collided with IWANIEC's vehicle.

11. On 03/31/08 a search warrant was obtained to search QUERCETTI's vehicle. During said search the SDM module was removed from the vehicle and the information was downloaded by Cpl. GABRYLUK. Said SDM module captures and records information pertaining to the vehicle's performance at the time of impact and activation of airbags. Information provided by the SDM module indicated that at the time of impact QUERCETTI's vehicle was traveling at 73 MPH and the brakes were not applied before or after impact. Additionally, the intact passenger side headlight and fog light was collected from QUERCETTI's vehicle for analysis to determine if these lights were in operation at the time of impact. Prior to being sent to the laboratory for analysis, a preliminary examination was completed by Cpl. GABRYLUK, who indicated that it appeared as though the lights were not in operation at the time of impact.

12. Based upon the facts set forth above this affiant respectfully requests that the defendant, Kristina M. QUERCETTI, be charged for the above indicated offenses and that a warrant of arrest be issued for the defendant.

CPL. STEVEN B. RANCK

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