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Consequences for 6 Drunk Drivers in Albany County Court



ALBANY, NY- District Attorney P. David Soares announced today that 6 defendants appeared for Driving While Intoxicated related charges in Albany County Court this week. Four of these defendants were breaking Leandra's Law by having children under the age of fifteen in the vehicle with them.

JOSEPH SZARY, 52, pleaded guilty to (1) Count of Driving While Intoxicated, a Class E Felony, before the Honorable Judge Stephen W. Herrick in Albany County Court on Monday morning.

On July 24, 2015, at approximately 10:28 p.m., Bethlehem Police Department received a call about an erratic driver. The vehicle was found being driven by SZARY in the area provided by the caller. Upon being stopped, SZARY showed physical signs of intoxication and failed the Standardized Field Sobriety Tests. SZARY refuses a chemical test at the station.

SZARY had a prior DWI conviction in 2011.

SZARY faces 45 days in Albany County Jail, to be followed by 5 years of Felony Probation, mandatory attendance at Drug Court, a \$1,000 fine, 1 year minimum license revocation which is subject to the Department of Motor Vehicles, and mandatory attendance at a Victim Impact Panel, when sentenced on January 8, 2016.

Additionally, **KASEEM BRANCH**, 29, of Albany pleaded guilty to (1) Count of Aggravated Driving While Intoxicated: Child in Vehicle, a Class E Felony, before Honorable Judge Stephen W. Herrick in Albany County Court on Monday morning.

On September 3, 2015, at approximately 12:02 a.m., on Delaware Avenue, BRANCH was seen speeding and crossing over the double yellow line. Upon being stopped, BRANCH showed physical signs of intoxication and failed the Standardized Field Sobriety Tests. He later registered a Blood Alcohol Content of .11.

This is a Leandra's Law case as BRANCH was driving with a 8-month-old infant in the vehicle.

BRANCH faces time served, to be followed by 5 years of Felony Probation, a \$1,000 fine, 5 years of mandatory Ignition Interlock Device upon his release from custody, 1 year minimum license revocation which is subject to the Department of Motor Vehicles, and mandatory attendance at a Victim Impact Panel, when sentenced on January 8, 2016.

Also, **VERNON WATSON**, 46, of Albany, was sentenced to 7 months in Albany County Jail, along with 5 years of Felony Probation, a \$1,000 fine, the mandatory installation of an Ignition Interlock Device for 5 years, and a minimum of 18 months of license revocation, subject to the Department of Motor Vehicles, before the Honorable Judge Stephen Herrick in Albany County Court on Wednesday morning.

On August 18, 2015, WATSON pleaded guilty to (1) Count of Aggravated Driving While Intoxicated before the Honorable Judge Stephen Herrick in Albany County Court this afternoon.

On November 8, 2014, at approximately 11:54 p.m., on I-90, New York State Police observed WATSON driving through the toll plaza with an expired inspection and no working plate lamps.

WATSON was pulled over and showed physical signs of intoxication. He failed the Standardized Field Sobriety Tests and registered a Blood Alcohol Content of .18%.

IESHA MULLINS, 30, of Schenectady, pleaded guilty to (1) Count of Aggravated Driving While Intoxicated: Child in Vehicle, a Class E Felony, before Judge Stephen W. Herrick in Albany County Court on Wednesday morning.

On June 20, 2015, at approximately 10:10 p.m., MULLINS was stopped by police by the I-90 Exit 25 Tollbooth for having tinted windows. At the time of the stop, MULLINS showed physical signs of intoxication. She failed the Standardized Field Sobriety Tests and later registered a .14 Blood Alcohol Content.

This is a Leandra's Law case as MULLINS was driving with her five-year-old twins in the vehicle.

MULLINS faces 5 years of Felony Probation, 5 years of mandatory Ignition Interlock Device, a \$1,000 fine, 1 year minimum license revocation which is subject to the Department of Motor Vehicles, and mandatory attendance at a Victim Impact Panel, when sentenced on January 6, 2015. MULLINS' license will also be revoked.

GRAHAM GARDINEER, 41, of Guilderland, pleaded guilty to (1) Count of Aggravated Driving While Intoxicated: Child in Vehicle, a Class D Felony, and (1) Count of Violation of Probation before Judge Stephen W. Herrick in Albany County Court on Thursday morning.

On October 9, 2015, at approximately 10:46 p.m., police received a complaint from a civilian about a possible drunk driver. Upon being stopped, GARDINEER showed physical signs of intoxication and failed the Standardized Field Sobriety Tests. He later registered a Blood Alcohol Content of .09. At the time of his arrest, GARDINEER was driving without an Ignition Interlock Device, which constituted a violation of probation from a previous DWI charge.

This is a Leandra's Law case as GARDINEER was driving with an 11-year-old passenger in the vehicle.

GARDINEER faces 1 2/3-5 years in State Prison, 3 years of mandatory Ignition Interlock Device, a \$2,000 fine, 18 months minimum license revocation which is subject to the Department of Motor Vehicles, and mandatory attendance at a Victim Impact Panel, for his Driving While Intoxicated charge and a consecutive 1-3 years in State Prison for violating probation, when sentenced on January 7, 2016.

Finally, **COREY AVIZA**, 26, of Loudonville, Albany, pleaded guilty to (1) Count of Aggravated Driving While Intoxicated: Child in Vehicle, a Class E Felony, before Judge Stephen W. Herrick in Albany County Court this morning.

On September 19, 2015, at approximately 10:56 p.m., police received a phone call from a concerned citizen who reported that someone who had been drinking was seen getting into a car with a child in the vehicle. Police found AVIZA operating the vehicle in the Huck Finn's Playland parking lot. AVIZA had physical signs of intoxication and failed the Standardized Field Sobriety Tests. Later, he registered a .18% Blood Alcohol Content.

This is a Leandra's Law case as AVIZA had a 3-year-old child in the vehicle with him.

AVIZA faces 90 days in Albany County jail, to be followed by 5 years of Felony Probation, 5 years of mandatory Ignition Interlock Device, a \$1,000 fine, 1 year minimum license revocation which is subject to the Department of Motor Vehicles, and mandatory attendance at a Victim Impact Panel, when he is sentenced on January 8, 2016.

These cases were all prosecuted by Vehicular Crimes Bureau Chief Mary Tanner-Richter.

For more information please contact Cecilia Walsh (518) 275-4710.

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