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FOR IMMEDIATE RELEASE: THURSDAY, MARCH 28, 2013

**Pablo Cruz Indicted for Murder
for Vehicular Fatality and Police Chase**



ALBANY, NY – District Attorney P. David Soares today announced that PABLO CRUZ, 39, of Schenectady, was indicted by a Grand Jury for causing the death of a bicyclist after striking him on Manning Blvd. in the City of Albany and continuing to lead police on a chase into Schenectady County.

CRUZ was indicted on (1) Count of Murder in the Second Degree, a Class A-I Felony, (1) Count of Manslaughter in the Second Degree, a Class C Felony, (1) Count of Criminally Negligent Homicide, a Class E Felony, (1) Count of Vehicular Manslaughter in the Second Degree, a Class D Felony, (2) Counts of Driving While Intoxicated, both Misdemeanors, (1) Count of leaving the Scene of an Incident Without Reporting as a Felony, a Class D Felony, (1) Count of Unlawfully Fleeing a Police Officer in a Motor Vehicle in the First Degree, a Class D Felony, (1) Count of Unlawfully Fleeing a Police Officer in a Motor Vehicle in the Third Degree, a Class A Misdemeanor, (2) Counts of Reckless Endangerment in the First Degree, both Class D Felonies, (1) Count of Reckless Driving, a Misdemeanor, and (1) Count of Resisting Arrest, a Class A Misdemeanor.

The indictment alleges that at approximately 12:48am on November 24, 2012, while in the area of Washington Avenue in the City of Albany, CRUZ, while in an intoxicated condition, was operating a 1997 Chevy pickup truck at 25 or more miles above the posted speed limit and ignored a uniformed police officer in a car with active lights and sirens who directed him to pull over.

The indictment then alleges that at approximately 12:51am on November 24, 2012, CRUZ did, with depraved indifference, recklessly cause the death of Paul Merges, Jr., by striking him with the pickup truck in the vicinity of Manning Boulevard in the City of Albany. CRUZ failed to report this incident to authorities, and instead CRUZ continued to drive down Central Avenue, with the victim still attached to the truck, through the Town of Colonie and into the County of Schenectady in a reckless manner and at a high rate of speed, at times in excess of 90 miles per hour, driving over the double yellow lines, and at times almost striking marked police units.

By 1:12am CRUZ's vehicle stopped in the vicinity of Curry Road in the Town of Rotterdam and failed to comply with police officer's commands to exit the vehicle. CRUZ did fight with numerous officers who were attempting to take him into custody.

CRUZ remains in custody at the Albany County Correctional Facility.

CRUZ is scheduled for arraignment on Thursday April 4, 2013 before the Honorable Andrew Ceresia in Albany County Court.

Vehicular Crimes Unit Bureau Chief Mary Tanner-Richter is prosecuting this case.

For more information, please contact Cecilia Logue.

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All charged individuals are presumed innocent until proven guilty.

