

**SUPPLEMENTAL NOTICE OF DEFENDANT OF INTENTION TO
OFFER EVIDENCE PURSUANT TO SECTION 710.30 CPL**

PLASE TAKE NOTICE, that the District Attorney intends to offer at trial evidence of a statement made by the defendant **JAHKIM MCGHEE**, to a public servant which statement, if involuntarily made, would render the evidence thereof suppressible upon motion pursuant to Subdivision 3 of Section 710.20 CPL.

- ☐ Oral
- ☒ Oral, reduced to writing
- ☐ Signed statement
- ☐ Recorded electronically
- ☐ Grand Jury testimony
- ☐ Testimony at

and made on or about **July 25, 2014**, at approximately **10:35 am to 12:35 p.m.**, at the
Greene County Correctional Facility, Coxsackie, New York.

In sum and substance, defendant stated: He denied culpability in crime and then admitted to climbing in window of Mortimer Street home and stabbing Anthony Guglielmo as he was sleeping. (See attached signed statement)

JANET DiFIORE
DISTRICT ATTORNEY
WESTCHESTER COUNTY
County Courthouse
111 Dr. Martin Luther King Jr. Blvd.
White Plains, NY 10601

PORT CHESTER POLICE

Port Chester, New York

Copy

VOLUNTARY STATEMENT – WAIVER OF RIGHT TO PRESENCE AND ADVICE OF A LAWYER FREE OF COST TO ME IF I AM INDIGENT

DATE 7/25/2014 TIME 1225 PLACE Green County Correctional Facility

I, JAHKIM Mc GHEE am 20 years of age and my

address is GREEN COUNTY CORRECTIONAL FACILITY

I have been cautioned by DET. KRZEMINSKI / DET. MURRAY, who has identified

himself as POLICE OFFICER, who has warned me as follows:

WARNING

~~I am a police officer. I warn you that anything you say will be used in a Court of law against you;~~

That you have an absolute right to remain silent;

That you have the right to the advice of a lawyer before and the presence of a lawyer here with you during questioning, and

That if you cannot afford a lawyer, one will be furnished for you free before any questioning if you desire.

I hereby state that I want to make a statement without a lawyer, that is to say, give up and do without the right to talk to a lawyer and ask his advice before I make a statement, and also I wish to give up and do without having a lawyer present with me during the time when questions are asked me and during the time when I answer those questions. I am willing to make the following statement to the above person, knowing that any statement I make may be used against me in Court and that I have an absolute right to remain silent.

I declare that the following statement is made of my own free will without anyone having promised me anything or offered out to me any hope of reward, and I make this statement without any fear of physical harm, without anyone having offered to do me any favor and without anyone promising me leniency.

I further state that I am able to read and write the English language and have completed years of school.

J.M. At approximately 1:30 a.m., ^{Sunday} morning September 11, 2013, I, Jahkim McGhee, had snuck out of my house to go and buy some drugs. I met up with a the drug dealer at Columbus park and snorted the cocaine there. I also had a personal bottle of Henney and 3 bottles of Bacardi. I started thinking about the fact that I needed more money as I was almost home at around 4:30 a.m. I passed by ~~the~~ Nicole's house and decided to burglarize it for money. When I broke in, I found the kitchen J.M.

Witness Det. [Signature] 104

Witness Det. [Signature] #107

Signed Jahkim McGhee

J.M.

Page 2 of 2

knife and decided to use it for protection, just in case. I walked into the livingroom and thought about what I was doing because I was scared. But instead of stopping I went into the bed room and I accidentally stabbed Tony in his heart. He didn't die right away, he woke up screaming and kicking, and I got scared and ran home. J.M.

J.M.

Above Allegations of Fact Are Made Upon Direct Knowledge
Notice

Persuant to Penal Law, Section 210.45

It is a crime Punishable As a Class A Misdemeanor Under the Laws Of The State of New York, For a Person, In Aid By a Written Instrument, To Knowingly Make a False Statement Which Said Person Does Not Believe To Be True.

Taken By: Det. MURPHY / Det. MURPHY

Date: 7/25/2014

Time: 1237

Place: Cazen County Correctional

Copy to:

Affirmed Under Penalty of Perjury
This 25 Day of July 19 2014

[Signature]
DEPONENT

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and made on or about **July 25, 2014**, at approximately **10:35 a.m.**, at the **Coxsackie, New York.**

In sum and substance, defendant stated: (See attached Miranda warnings)

JANET DiFIORE
DISTRICT ATTORNEY
WESTCHESTER COUNTY
County Courthouse
111 Dr. Martin Luther King Jr. Blvd.
White Plains, NY 10601

INTERROGATION; ADVICE OF RIGHTS

YOUR RIGHTS

Place COXSACKIE NY
Date 7/25/14
Time 1035AM

J.M. Before we ask you any questions, you must understand your rights.

J.M. You have the right to remain silent.

J.M. Anything you say can be used against you in court.

~~J.M. You have the right to talk to a lawyer for advice before we ask you any questions and to have a lawyer with you during questioning.~~

J.M. If you cannot afford a lawyer, one will be appointed for you before any questioning if you wish.

J.M. If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

WAIVER OF RIGHTS

I have read this statement of my rights and I understand what my rights are. I am willing to make a statement and answer questions. I do not want a lawyer at this time. I understand and know what I am doing. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Signed

[Signature]

Witness:

[Signature] #107

Witness:

[Signature] 101

Time:

1035