



Town of Wallkill Police Department

MEDIA RELEASE

**For Immediate Release
September 6, 2016**

Incident: Motor Vehicle Collision – One Victim Fatally Injured
Location: 420 Highland Avenue Extension, Town of Wallkill, N.Y.
Date/Time: September 5, 2016 / 1:40 pm

On Monday, September 5, 2016 at 1:40 pm, officers from this Department responded to a report of a motor vehicle collision at Joshua's Repair Shop, 420 Highland Avenue Extension. Upon arrival, officers discovered that the victim, one year old, Joshua Gutierrez, of Mary Drive, Bloomingburg, N.Y. had already been removed by his mother to Orange Regional Medical Center ("ORMC"), where he was pronounced DOA. The victim's parents are the proprietors of the repair shop. According to witnesses, the victim was retrieving a ball when a van operated by an employee, Antonio Mendez, struck the victim as the vehicle backed up. Subsequently, Mendez, 31 years old, of Chattel Street, Middletown, was arrested by Police Officer Steven Miller and charged with Aggravated Unlicensed Operation of a Motor Vehicle Second Degree, after it was disclosed that his license was suspended. Mendez is scheduled to appear in Town of Wallkill Court on November 10, 2016 at 12:00 pm. The investigation by Town of Wallkill Police Department Detectives into the accident is ongoing and the Department is being assisted by the Orange County District Attorney's Office, the New York State Police, and the City of Middletown Police Department.

A criminal charge is merely an allegation by the police that a defendant has committed a violation of the criminal law, and it is not evidence of guilt. All defendants are presumed innocent and entitled to a fair trial, during which it will be the State of New York's burden to prove guilt beyond a reasonable doubt.

Robert C. Hertman
Chief of Police

-###-