




**THE THIRD DAUPHIN COUNTY
INVESTIGATING GRAND JURY**

IN RE: : IN THE COURT OF COMMON PLEAS
: DAUPHIN COUNTY, PENNSYLVANIA
:
: NO. 487 M.D. 2004
:
THE THIRD DAUPHIN COUNTY :
INVESTIGATING GRAND JURY : **NOTICE NUMBER: 03-2004-20**

TO THE HONORABLE LAWRENCE F. CLARK, JR., SUPERVISING JUDGE:

PRESENTMENT NO. 5

We, the Third Dauphin County Investigating Grand Jury, duly charged to inquire into offenses against the criminal laws of the Commonwealth, have obtained knowledge of such matters from witnesses sworn by the Court and testifying before us. We find reasonable grounds to believe that a violation of the criminal laws has occurred. So finding with not fewer than twelve concurring, we do hereby make this presentment to the Court.


Foreperson - Third Dauphin
County Investigating Grand Jury

DATED: January 13, 2006

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INTRODUCTION

We, the members of the Third Dauphin County Investigating Grand Jury, having received evidence pertaining to a possible violation of various sections of the Pennsylvania Crimes Code, occurring in Harrisburg City, Dauphin County, Pennsylvania, pursuant to Notice of Submission of Investigation 03-2004-20, do hereby make the following findings of fact and recommendation of charges.

FINDINGS OF FACT

In the early morning hours of September 4, 2004, John Bruno was found shot to death outside the New York Chicken restaurant at 14th and Market Streets in the City of Harrisburg. Bruno was a cocaine user. Negii Coffee, a known cocaine seller, was a supplier of cocaine to Bruno. Within a week or two prior to Bruno's death, Rayanne Loy saw Coffee supply Bruno with cocaine in the area of Evergreen and Derry Streets in the City of Harrisburg. Loy positively identified Coffee from a photographic array as the person who supplied cocaine to Bruno.

Tinika Stein is the mother of Negii Coffee's young son. On July 14, 2004, Stein purchased a .45 caliber Springfield pistol, Serial Number N-430210, and a 9mm Ruger pistol, Serial Number 314-49403, at Gander Mountain store in Lower Paxton Township, Dauphin County. Stein purchased the two weapons for Negii Coffee at his instruction. After the purchase, Coffee took possession of the two handguns.

Labor Day Weekend in 2004 consisted of Saturday, September 4,

Sunday, September 5, and Monday, September 6. Sometime over Labor Day Weekend in 2004, Coffee came to her house and asked to get rid of the above referenced 9 mm pistol. Coffee indicated that he was shooting the gun and the police were probably after him. Stein hid the weapon in a drawer and Coffee recovered it sometime during the following week.

Stein took the same 9 mm pistol from Coffee again in November or December of 2004 and put it in the drawer. Coffee took back possession of that pistol on January 1, 2005. The Harrisburg Bureau of Police recovered the above 9 mm pistol on January 7, 2005, when Coffee discarded it during a chase. That same night, Coffee called Stein and told her that he had dropped the gun and thought that the police had recovered it. At least one other non-police witness saw Coffee in possession of that 9 mm pistol shortly before it was recovered on January 7, 2005. Afiyfah Abdallah, a friend of Negii Coffee, testified that she had seen Coffee with a handgun sometime in the year 2004. She also testified from personal knowledge that Coffee was involved in the sale of cocaine base in the year 2004. Coffee was frequently seen carrying a semi-automatic handgun by several grand jury witnesses in the time frame around Bruno's death.

Trooper Todd M. Neumyer of the Pennsylvania State Police has frequently testified as a ballistics expert in various courts of record in the Commonwealth of Pennsylvania. Trooper Neumyer examined the Ruger 9mm semiautomatic pistol bearing serial number 314-49403 recovered by the Harrisburg

Bureau of Police on January 7, 2005. Trooper Neumyer also examined a discharged and mutilated bullet jacket fragment and three discharged 9 mm Luger cartridge cases recovered at the scene of the Bruno murder. Trooper Neumyer determined to a reasonable degree of scientific certainty that the pistol bearing serial number 314-49403 discharged the above mutilated bullet jacket fragment and that the above three discharged 9 mm Luger cartridge cases had been discharged within that same pistol. Based on the above evidence, the grand jury concluded that Negii Coffee shot and killed John Bruno on September 4, 2004.

RECOMMENDATION OF CHARGES

Based upon the evidence we have obtained and considered, which establishes a prima facie case, we, the members of the Third Dauphin County Investigating Grand Jury, recommend that the District Attorney or his designee, institute criminal proceedings against Negii Coffee under the Crimes Code, 18 Pa.C.S.A. §2502 (murder).