

STATE OF NEW YORK : COUNTY OF DUTCHESS
COUNTY COURT

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THE PEOPLE OF THE STATE OF NEW YORK

BILL OF PARTICULARS

- against -

ROY A. JOHNSON,

Ind. No. 87(1)/2022

Defendant.
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The Plaintiff, as and for its Bill of Particulars, alleges:

As to All Counts of the Indictment:

A. The date when the crimes were committed is on or about the 2nd day of October 2022.

B. The time when the crimes were committed is in the morning hours, at approximately 7:29 a.m.;

C. The place where the crimes were committed is in the Town of Poughkeepsie, County of Dutchess and State of New York, more particularly in the Courtyard by Marriott hotel, located at 2641 South Road.

**Substance of Defendant's Conduct as to
All Counts of the Indictment**

At the above date, time and place, the defendant entered the lobby of the Courtyard by Marriott hotel, armed with a loaded, operable Glock Model 17, 9-millimeter caliber semi-automatic pistol bearing serial number TKB407, which had been outfitted with a fixed pin to render it fully automatic. At the time, the defendant

was wearing an "Army-green" colored jacket, green boxer-type shorts, and a black balaclava over his head and face. The defendant was cursing and yelling while pacing in the lobby, near the barista bar. The defendant then approached the front desk clerk and attempted to make his way around the front desk. The clerk put his arm out to stop him from proceeding any further. The defendant then turned away from the clerk, walked toward the table seating area near the front lobby doors, took out the Glock pistol, and with intent to cause the death of another person, caused the death of Paul J. Kutz by shooting him with the pistol. The defendant shot Mr. Kutz in the right side of his chest, under his right armpit. The bullet perforated the right top lobe of Mr. Kutz' liver, the lower lobes of both lungs, as well as his aorta, and fractured his left seventh rib and then exited out his back. The injuries sustained from the gunshot wound caused the death of Paul J. Kutz within minutes of being inflicted.

The defendant continued to fire numerous rounds inside the lobby of the Marriott. He also fired approximately twenty-two rounds outside of the hotel in the parking lot and in the entranceway to the hotel property. The defendant removed his green jacket and balaclava and left the items along with an electronic detector device in the parking lot. He also removed the magazine from the Glock and placed the Glock and the magazine on top of a black BMW SUV which was parked in the Marriott parking lot. The defendant went back into the Marriott hotel, where he was located by responding officers and taken into custody.

Yours, etc.,

WILLIAM V. GRADY
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