



DISTRICT ATTORNEY'S OFFICE OF CHESTER COUNTY
201 W. MARKET STREET, SUITE 4450
POST OFFICE BOX 2748
WEST CHESTER, PENNSYLVANIA 19380-0991

Thomas P. Hogan
District Attorney

TELEPHONE: 610-344-6801
FAX: 610-344-5905

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PRESS RELEASE

Chester County District Attorney Tom Hogan announced the arrest of Phillip Daniel Tomsic. The defendant is charged with Homicide by Vehicle while DUI, Aggravated Assault while DUI, and related charges.

The defendant is 22 years old and attends Lincoln University. He is a resident of Grand Junction, Michigan.

District Attorney Hogan stated, "This is another tragic example of alcohol and recklessness destroying young lives. One young man is dead, one young man has suffered injuries that will last throughout his life, and one young man has been arrested for felony offenses."

A summary of the allegations from the criminal complaint are as follows:¹

On November 11, 2011, the defendant had been drinking. He was with Anthony Washington and Kadeem Fulmore when the three men decided to go out for something to eat. The defendant borrowed a vehicle and drove the three men down Ashmun Avenue in Lower Oxford Township, next to Lincoln University. The posted speed limit on the road is 35 miles per hour. Prior to the crash, the defendant was driving in excess of 85 miles per hour.

The defendant was under the influence of alcohol and lost control of the vehicle. The car struck a tree, causing catastrophic damage to the vehicle. The car caught fire and flames engulfed the vehicle.

¹ A criminal defendant is presumed innocent unless and until proven guilty at trial.

The defendant managed to crawl out of a window. Anthony Washington was killed in the crash. Kadeem Fulmore was pinned in the burning car. He eventually was rescued, but lost his right foot and his left leg below the knee, suffered a traumatic brain injury, and has severe burns over a large portion of his body. Mr. Fulmore is still in the hospital recovering from his injuries. The defendant's BAC was .089%, which is in excess of the legal limit.

District Attorney Hogan added, "An incident like this is every family's nightmare. This case should be a warning to every student in Chester County not to drink and drive. You do not want to be the one responsible for killing your friends."

This case was investigated by the Pennsylvania State Police. The defendant was taken into custody on September 21, 2012 by Cpl. Lou Robinson of PSP Avondale Barracks without incident. Chester County District Attorney Chief of Staff Charles Gaza is assigned to prosecute this case. The defendant currently is at Chester County Prison in lieu of \$75,000 bail.

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Approved for release:

Thomas P. Hogan