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Open Letter: Second-Degree Murder

On March 26, 2026, our Supreme Court ruled that a sentence of Life without Parole for second-degree (felony) murder is unconstitutional, absent an assessment of culpability. They also gave the General Assembly until July 24, 2026, to amend our legislation. Among the political wrangling in attempting to resolve this new caveat to second-degree murder, it is relevant to point out the cases endured by our Luzerne County police, first responders, prosecutors, and families to emphasize that these cases are not amorphous, theoretical ideas, but real people who suffered loss, grieved, and struggled through the process.

While first degree murder is premeditated, intentional murder, second-degree murder, also known as felony murder, is committed while defendant was engaged as a principal or an accomplice in the perpetration of a felony. To be clear, second-degree murder cannot occur during the course of just any felony such as a theft greater than \$2,000, which is graded as a felony. The legislature limited second-degree murder to six (6) felonies deemed by the General Assembly, and agreed by the then Governor, to be so dangerous, their commission is likely to result in a death. Those felonies are robbery, rape, deviate sexual intercourse by force or threat of force, arson, burglary or kidnapping. A mere sampling of Luzerne County victims during my time in the District Attorney's Office are as follows:

Defendants: Breon Davonne Judon

In early August 2012, Breon Judon robbed Aaron Reznick, age 30, of his cellphone with a .44 magnum pistol. Aaron was stripped of his clothes, severely beaten and forced into the trunk of Judon's car.

As Judon and his co-defendant fled from the scene in the car, Reznick was able to open the trunk and, in an attempt to escape his doubtlessly impending murder, jumped from the trunk. Aaron Reznick died from his injuries.

Following a protracted trial, Judon was found guilty of second-degree murder for the death occurring during the course of a robbery and kidnapping. Pursuant to his conviction, he was sentenced to life without parole for Aaron's death.



Defendant: Joseph Kerekes



Bryan Kocis, Victim

On January 24, 2007, at the age of 44, Bryan Kocis was found dead after a fire at his Dallas Township home. He was stabbed 28 times, his throat was cut nearly decapitating him, and his body was left in the house prior to the house being set ablaze. Because Kocis' body was burned beyond recognition, law enforcement needed dental records to identify him. The murderers, Joseph Kerekes and Harlow Quadra, were arrested and charged with the homicide in 2009.

The Commonwealth and Kerekes' counsel reached a negotiated plea to second degree murder with the agreement of the family. The deal was largely premised on Kerekes serving life without parole, and a condition of the agreement required his testimony against his co-defendant Harlow Cuadra.

Cuadra was convicted of first-degree murder after a trial and is serving life without parole for his part in the murder. At the time of the murder, the defendants were participating in a burglary and robbery of Bryan Kocis.

Defendant: Louisa Alexandria Reyes

Officers responded to the Wilkes-Barre City home of Fred Boote on the 14th day of September in 2018, when they found blood on the tile floor and multiple other locations throughout the residence. While clearing the second floor, officers observed Boote hunched over in the master bedroom, covered in blood, and with a large amount of blood around his body. The room revealed signs of a struggle and a large, bloody kitchen knife.

The investigation revealed that Louisa Reyes conspired with her boyfriend, Reynaldo Mercado, who agreed to go to Boote's home for the purpose of robbing him. Reyes gained entry to the residence because she was known to Mr. Boote through her mother, his girlfriend. She took Boote to the second floor in an attempt to allow Mercado to surreptitiously enter the residence. Mercado then made his way to the second floor, struck Boote with a bedroom lamp, and continued to assault him whereupon Reyes handed the kitchen knife to Mercado who stabbed Boote repeatedly until he was dead.



Fred Boote, Victim

Reyes, with her counsel, negotiated a plea to second degree murder for the death which occurred during the burglary/robbery, and was sentenced to life without parole.

Defendant: Michael J. Simonson



Donnie Skiff, Victim

In late April 2009, Donnie Skiff had finished an evening of fishing with two of his friends. After loading his fishing gear into his pick-up truck, he gave a ride to co-defendants, Elvis Ricardi and Michael J. Simonson, who were exiting a bar near Donnie's truck.

During the ride, Simonson asked Donnie to pull over at which point Simonson began beating him with his fists and demanding money.

Simonson eventually tied Donnie's feet together with his own shoelaces, demanded his ATM card's personal identification number, and retrieved money with Donnie's ATM card.

After continuing to punch and kick Donnie in the face, Simonson took Donnie into the woods and beat him to death with a tree branch. Simonson then took Donnie's truck to a remote location where he set it on fire.

On August 25, 2010, Michael Simonson entered a guilty plea to second degree murder for the death which occurred during the robbery. Again, a principal factor in this plea was the sentence of life without parole, and pursuant to applicable law, he was sentenced as such.

Defendant: Preston Bonnett

The deaths of Erik Dupree, age 16, Devon Major, age 12, and Ezekiel Major, age 7, were preceded by Preston Bonnett staying for a brief time at their residence with their mother, Susan Major. He was surreptitiously running a scam in the basement where he set up a credit card making machine.

After being thrown out of the house by Ms. Major, Bonnett made repeated threats which included posting images of his sexual encounters with her on the windows of the residence so the children could see both the images of his genitalia and the threats.



Erik Dupree, Devon Major and
Ezekiel Major, Victims

On the evening of October 25, 2017, toy video cameras purchased by the children's uncle due to their fear of defendant, captured Bonnett prowling around the back porch and smoking a cigarette. The eldest child, Erik Dupree, called 911 at the time of the incident and nervously identified the defendant in the rear of the home, the origin of the fire. Bonnett, with his cigarette lighter, lit the curtains on fire through a hole he made in the window with a beer bottle the previous week.

The children, having fled to an upstairs bedroom, awaited police following their 911 call unaware that the first floor of the house was ablaze.

The toy camera set up in front of the residence captures neighbors attempting to warn them of the fire.

The video and audio from the camera also capture the smoke and the children screaming for their lives from the upstairs window.

Upon my arrival at the scene, the body of the already deceased twelve-year old, Devon, was lying on the front lawn covered by a bed sheet. All three children died as a result of the fire. Tragically, first responders were unable to extract them in time to save their lives. Seven-year-old Ezekiel lived long enough to be transported to a Philadelphia hospital burn unit, but did not survive. An attendant at the hospital indicated to investigators that Ezekiel had been burned so badly, *"If he does survive, he may wish he didn't."*

Following a jury trial, Bonnett was convicted of the second-degree murder for the three deaths which occurred as a result of his arson. Pursuant to applicable law he was sentenced to life without parole.

As one might imagine, for investigators, witnesses, and prosecutors, these cases take a physical, mental, and emotional toll on everyone. For families of the victims, the grief is doubtlessly unbearable and to attempt to describe it would minimize the suffering of each and every friend and family member enduring this loss.

In each case, to convict of second-degree murder, police and prosecutors must present sufficient evidence to survive an initial test of the case at the Preliminary Hearing where defendant is represented by counsel. We must survive *habeas corpus* and Motions to suppress evidence. We must convince a jury of the accused's peers beyond a reasonable doubt that the accused: (1) killed or caused the death of the victim; (2) while committing, attempting to commit, or fleeing from the following six felonies only: robbery, rape, deviate sexual intercourse by force or threat of force, arson, burglary or kidnapping; and (3) that the accused did so with malice. After trial we must survive appeals to the Superior Court testing any errors made in the presentation at trial. We must win another possible appeal to the Supreme Court of Pennsylvania, possible Federal appeals, and Petitions for Post-Conviction relief where defendants get to claim violations of the Pennsylvania and United States Constitutions and the ineffectiveness of their defense lawyers. At each stage the family must endure and hope these claims fail and that the process, and their suffering, does not begin anew.

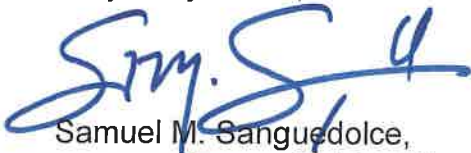
A person never was able to be convicted and receive life without parole unless we have proven beyond a reasonable doubt that the defendant knowingly agreed to participate in the above six felonies deemed so dangerous by the legislature that they were likely to result in someone's death, and survive every stage of protection afforded the defendant.

It is being proposed by certain groups, none of whom align with the values of Northeastern Pennsylvania, that the legislature not act. By not acting, they hope dozens of convicted murderers will be resentenced and released. Inaction is not an option.

This matter is a serious and emotional one for prosecutors and victims alike. While we recognize work is needed to reach agreement on the language of this legislation, we Northeast Pennsylvania prosecutors stand by our legislators' efforts. Their work in passing a fix to the Supreme Court decision and steadfastly protecting whatever amount of closure these cases have given to the families of the victims and families who unfortunately become future victims is profoundly appreciated.

I am proud to be joined by the undersigned Northeast Pennsylvania District Attorneys' Offices in offering our assistance in whatever fashion is needed in the amendment of this legislation to reflect the severity of these crimes.

Very Truly Yours,



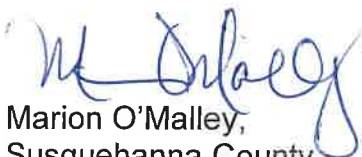
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