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PAROLEE INDICTED FOR ONE-PUNCH ASSAULT OUTSIDE RESTAURANT
Victim Suffered Brain Injury, Was Left in Coma
Defendant Charged With Second-Degree Assault

Bronx District Attorney Darcel D. Clark today announced that a Bronx parolee has been indicted on second-degree Assault for sucker-punching a man, leaving him in a coma.

District Attorney Clark said, “The defendant, a parolee, allegedly struck a man once, and he fell, suffering terrible injuries. An investigation led to the defendant being charged with second-degree Assault. Fortunately, the victim is progressing in his recovery. I have met with him and his family and we are providing crime victims services to them as well.”

District Attorney Clark said the defendant, Bui Van Phu, 55, last of Creston Avenue, was arraigned today on second-degree Assault before Bronx Supreme Court Justice George Villegas. Bail was set at \$100,000 cash/\$300,000 bond/\$500,000 partially secured bond and the defendant is due back in court on December 15, 2022.

According to the investigation, the victim, Jesus Cortes, 52, was standing near a group of people outside a restaurant located on 163 East 188th Street at approximately 10:32 p.m. on August 12, 2022, when the defendant allegedly walked up to him, then went behind him and struck Cortes in the head with a closed fist. The victim fell to the ground. He was taken to a local hospital and went into a coma. The victim suffered from a broken eye socket, fracture on his left cheek, a skull fracture, and other injuries. The victim has since awakened from the coma.

After the incident, the defendant, who is on lifetime parole for a sexual abuse case and criminal possession of a firearm case, was arrested on August 17, 2022. Van Phu was remanded for violating his parole on August 23, 2022.

The case is being prosecuted by Assistant District Attorney Lisa Ortolano of Trial Bureau 30, under the supervision of Julie DeLeon, Chief of Trial Bureau 30, and under the overall supervision of James Brennan, Deputy Chief of the Trial Division, and Theresa Gottlieb, Chief of the Trial Division.



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District Attorney Clark thanked Assistant District Attorney Kimberly Gay of Trial Bureau 30; BXDA Senior Detective Investigators Daniel Yi Suh, Vincent Harden and Christopher Scerbak, under the supervision of Deputy Chief Investigator Terence Mulderrig. District Attorney Clark also thanked BXDA Video Technicians Andy Victor and Aristedes Molina, Video Unit Supervisor Joao D'Alessandro, Digital Forensic Examiners Ashley Hinkson, Richard Rojas and Julie Moy, under the supervision of Selena Ley, Chief of the Digital Forensics Laboratory.

District Attorney Clark thanked NYPD Detective Julissa Flores of the 46th Precinct.

An indictment is an accusatory instrument and not proof of a defendant's guilt.

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