

COMMONWEALTH OF PENNSYLVANIA  
 COUNTY OF CHESTER  
 Magisterial District Number: **15-3-01**  
 MDJ: Hon. **JAMES V. DEANGELO**  
**1130 RIDGE ROAD**  
 Address: **POTTSTOWN, PA 19465**  
 Telephone: **610-469-1910**



**POLICE CRIMINAL COMPLAINT**  
**COMMONWEALTH OF PENNSYLVANIA**

**VS.**

DEFENDANT: (NAME and ADDRESS):

**GABRIEL PILOTTI**  
 First Name Middle Name Last Name Gen  
 20 PINE DRIVE   
 CHESTER SPRINGS PA 19425

**NCIC Extradition Code Type**

- 1-Felony Full  4-Felony No Ext  B-Misdemeanor Limited  E-Misdemeanor Pending  
 2-Felony Ltd.  5-Felony Pend.  C-Misdemeanor Surrounding States  Distance:  
 3-Felony Surrounding States  A-Misdemeanor Full  D-Misdemeanor No Extradition

**DEFENDANT IDENTIFICATION INFORMATION**

Docket Number Date Filed OTN/LiveScan Number Complaint/Incident Number SID: Request Lab Services?  
 02/22/13 13-000219  YES  NO  
 GENDER  Male  Female  
 DOB 7/8/1940 POB Add'l DOB Co-Defendant(s)   
 AKA First Name Middle Name Last Name Gen.

RACE  White  Asian  Black  Native American  Unknown

ETHNICITY  Hispanic  Non-Hispanic  Unknown

HAIR COLOR  GRY (Gray)  RED (Red/Auburn)  SDY (Sandy)  BLU (Blue)  PLE (Purple)  BRO (Brown)  
 BLK (Black)  ONG (Orange)  WHI (White)  XXX (Unk/Bald)  GRN (Green)  PNK (Pink)  
 BLN (Blonde / Strawberry)

EYE COLOR  BLK (Black)  BLU (Blue)  BRO (Brown)  GRN (Green)  GRY (Gray)  
 HAZ (Hazel)  MAR (Maroon)  PNK (Pink)  MUL (Multicolored)  XXX (Unknown)

Driver License State PA License Number 10671653 Expires: WEIGHT (Lbs.)

DNA  YES  NO DNA Location 999

FBI Number MNU Number Ft. HEIGHT In.

Defendant Fingerprinted:  YES  NO 5 10

Fingerprint Classification:

**DEFENDANT VEHICLE INFORMATION**

Plate # State Hazmat Registration Sticker (MM/YY) Comm'l Veh. Ind. School Veh. Oth. NCIC Veh. Code Reg. same as Def.  
 VIN Year Make Model Style Color

Office of the attorney for the Commonwealth  Approved  Disapproved Because:

(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth Prior to filing. See Pa.R.Crim.P. 507).

(Name of the attorney for the Commonwealth-Please Print or Type) (Signature of the attorney for the Commonwealth) (Date)

I, **AUSTIN RUSSELL** (Name of the Affiant-Please Print or Type) **25P01** **014** (PSP/MPOETC -Assigned Affiant ID Number and Badge #)  
 of **West Vincent Township Police** (Identify Department or Agency Represented and Political Subdivision) **PA0153900** (Police Agency ORI Number)  
 do hereby state: (check appropriate box)  
 1.  I accuse the above named defendant who lives at the address set forth above  
 I accuse the defendant whose name is unknown to me but who is described as \_\_\_\_\_  
 I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have therefore designated as John Doe or Jane Doe  
 with violating the penal laws of the Commonwealth of Pennsylvania at [ **253** ] **WEST VINCENT**  
 (Subdivision Code) (Place-Political Subdivision)  
**20 PINE DRIVE**  
 in **CHESTER** County [ **15** ] on or about **02/12/13 AT 1138HRS**  
 (County Code)

RECEIVED  
 FEB 22 PM 11:30  
 151 COUNTY  
 15-3-01



# POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: <b>02/22/2013</b>	OTN/LiveScan Number	Complaint/Incident Number <b>13-000219</b>
Defendant Name	First: <b>GABRIEL</b>	Middle:	Last: <b>PILOTTI</b>

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically.

(Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute (s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§213.1-213.7.)

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903					
<input checked="" type="checkbox"/> 1	5511	(2.1)(i)(A)	of the PA Crimes Code	2	M1	7199	26	
Lead?	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
<input type="checkbox"/> PennDOT Data (if Applicable)	<input type="checkbox"/> Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			
Statute Description (Include the Name of the Statute or Ordinance): <b>CRUELTY TO ANIMALS</b>								
Acts of the accused associated with this Offense: <b>PACC 5511 (2.1)(i)(A) Cruelty to Animals M2, in violation of Section 5511 of the PA Crimes Code. (18 P.S. 5511 - Misd. 1st)</b>								
<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903					
<input type="checkbox"/> 2	2705		of the PA Crimes Code	1	M2	7099	04E 90Z	
Lead?	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
<input type="checkbox"/> PennDOT Data (if Applicable)	<input type="checkbox"/> Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			
Statute Description (Include the Name of the Statute or Ordinance): <b>RECKLESS ENDANG/PERSON</b>								
Acts of the accused associated with this Offense: <b>PACC 2705 Recklessly Endangering Another Person M2, in violation of Section 2705 of the PA Crimes Code. (18 P.S. 2705 - Misd. 2ndo)</b>								



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Defendant Name	First: <b>GABRIEL</b>	Middle:	Last: <b>PILOTTI</b>

- I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
- I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA.C.S. §4904) relating to unsworn falsification to authorities.
- This complaint is comprised of the preceding page, as well as the attached pages that follow, numbered \_\_\_\_\_ through \_\_\_\_\_

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited

(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

FEBRUARY 22ND, 2013 (Date)      *[Signature]* #14 (Signature of Affiant)

AND NOW, on this date 2/22/13 I certify that the complaint has been properly completed and verified

An affidavit of probable cause must be completed before a warrant can be issued.

1531 (Magisterial District Court Number)      *[Signature]* (Issuing Authority)





**POLICE CRIMINAL COMPLAINT**

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**AFFIDAVIT OF PROBABLE CAUSE**

Your Affiant, Officer Austin Russell, is a sworn police officer of West Vincent Township in Chester County Pennsylvania. On 02/12/2013 at 1138hrs I was on duty when I was dispatched by County Dispatch to 20 Pine Dr. for a subject that shot two dogs that were on his property. Chief Swinger and I responded to that residence and spoke with Gabriel Pilotti, also known as the defendant in this case. The residence is located in West Vincent Township, Chester County, PA.

The defendant's initial statement was as follows. Defendant claimed that at 1120hrs he looked out his kitchen window and saw two dogs in his pasture chasing his sheep. He went to the garage and retrieved his shot gun and three twenty gauge buck shot shells and loaded it. The defendant advised that he shot the bigger dog first (the male), reloaded his single shot gun and then shot the other dog (the female). He shot both dogs while they were in the fenced in pasture. The defendant advised that his sheep were unharmed.

I photographed the scene and located a phone number on one of the dog's collars. The dogs were a male and a female, Bernese Mountain dogs. Chief Swinger called the number on the collar and spoke with Mary Bock. She stated that her dogs had gotten out of the yard. I responded to the Bock residence and spoke with Mary about the incident.

Your affiant subsequently reviewed the evidence and the issues with the District Attorney's Office.

On February 21, 2013, the defendant was re-interviewed. At 1235hrs the defendant responded to our station and agreed to give us a voluntary statement. Chief Swinger and I advised the defendant the interview would be audio recorded and he was free to leave at anytime. The defendant advised that he understood and we proceeded with the interview.

A summary of the defendant's recorded statement is as follows. We asked the defendant where he first saw the dogs and he advised that he saw them in the left pasture. The pasture that the defendant was referring to is a fenced in pasture on the south east side of the property. The pasture is connected to a barn with an over hang area on the west corner of the pasture with a gate separating the two areas. During the interview, the defendant admitted to shooting the first dog (male). He advised that he was outside the fence of the pasture when he shot both dogs. He advised there were no sheep immediately near the male dog at the time and the male dog saw him and approached the defendant at a slow trot. He advised that at that time he did not know where the ewe and her lamb were in relation to the male dog but that they were far enough away that he felt that he would not hit them with the pellets he fired from the shot gun. At the time he shot, the dog was not pursuing any sheep. He shot the dog in the head and it dropped to the ground and died. Behind where that dog was shot at the end of the pasture there is a house (3 Margaret Dr) which was in the line of fire directly behind the dog. The residents of 3 Margaret Dr. were home at the time of the shooting. The defendant then reloaded his shotgun. The defendant then advised that after he shot the first dog, the second dog (female) came out of the over hang and began to run toward the eastern side of the pasture, fleeing away from him and the sheep. The defendant stated that at that time all the sheep were in the barn / over hang area. He shot the dog as she was running away from him and the sheep. The dog fell, got up and ran for a distance and then fell over and died. The defendant advised that there were no sheep near the female dog as it tried to run away. The defendant



**POLICE CRIMINAL COMPLAINT**  
**AFFIDAVIT CONTINUATION PAGE**

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**AFFIDAVIT OF PROBABLE CAUSE CONTINUATION**

expressed remorse for his conduct. Through the course of the investigation we determined that none of the defendant's sheep were harmed by the dogs.

Based on the above information Your Affiant requests that a summons be issued to the defendant to answer to the listed charges.

I, AUSTIN RUSSELL, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

  
\_\_\_\_\_  
(Signature of Affiant)

Sworn to me and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_ Date \_\_\_\_\_, Magisterial District Judge

My commission expires first Monday of January,

