

COMMONWEALTH OF
PENNSYLVANIA
COUNTY OF: LANCASTER

Magisterial District Number: 02-2-07
MDJ Name: Hon. TONY S. RUSSELL
Address: 609 E. MAIN STREET
EPHRATA, PA. 17522
Telephone: (717) 733-8688



POLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA
VS.

DEFENDANT:

(NAME and ADDRESS):

MARK

A

IVIE

SR.

First Name

Middle Name

Last Name

Gen.

EPHRATA, PA 17522

NCIC EXTRADITION CODE TYPE

- | | | | |
|--|---|--|------------------------------------|
| <input type="checkbox"/> 1-Felony Full | <input type="checkbox"/> 5-Felony Pend. | <input type="checkbox"/> C-Misdemeanor Surrounding States | <input type="checkbox"/> Distance: |
| <input checked="" type="checkbox"/> 2-Felony Ltd. | <input type="checkbox"/> 6-Felony Pend. Extradition Determ. | <input type="checkbox"/> D-Misdemeanor No Extradition | |
| <input type="checkbox"/> 3-Felony Surrounding States | <input type="checkbox"/> A-Misdemeanor Full | <input type="checkbox"/> E-Misdemeanor Pending | |
| <input type="checkbox"/> 4-Felony No Ext. | <input type="checkbox"/> B-Misdemeanor Limited | <input type="checkbox"/> F-Misdemeanor Pending Extradition Determ. | |

DEFENDANT IDENTIFICATION INFORMATION

Docket Number: 2020-07876 Date Filed: 07/05/2020 OTN/LiveScan Number: Complaint/Incident Number: 2020-07876 Request Lab Services? ☐ YES ☐ NO

GENDER: ☒ Male ☐ Female DOB: [REDACTED] POB: UTAH Add'l DOB: Co-Defendant(s) ☐
First Name: MARK Middle Name: A Last Name: IVIE Gen.:
AKA: MARK A IVIE

RACE: ☒ White ☐ Asian ☐ Black ☐ Native American ☐ Unknown
ETHNICITY: ☐ Hispanic ☒ Non-Hispanic ☐ Unknown

HAIR COLOR: ☐ GRN (Green) ☐ RED (Red / Auburn) ☐ SOY (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)

DNA: ☐ YES ☐ NO DNA Location: WEIGHT (lbs.):

FBI Number: MNU Number: 215

Defendant Fingerprinted: ☐ YES ☒ NO FL HEIGHT in:

Fingerprint Classification: 6 02

DEFENDANT VEHICLE INFORMATION

Plate #	State	Hazmat	Registration Sticker (MM/YY)	Comm/Veh. Ind.	School Veh.	Oth. NCIC Veh. Code	Reg. Sameas 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. Pa.R.Crim.P. 507.)

(Name of Attorney for Commonwealth - Please Print or Type)

(Signature of Attorney for Commonwealth)

(Date)

I, DET. GRAEME QUINN

(Name of Affiant - Please Print or Type)

24143/82521

(PSPN/PCETC - Assigned Affiant ID Number & Badge #)

of EPHRATA POLICE DEPARTMENT

(Identify Department or Agency Represented and Political Subdivision)

PA0360300

(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 is 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:

36408

EPHRATA BOROUGH

(Subdivision Code)

(Please Print Political Subdivision)

6 BLACKBERRY LN, EPHRATA, PA 17522

in LANCASTER

County

36

(County Code)

on or about 07/05/2020 01:44 -

(Offense Date)

**POLICE CRIMINAL COMPLAINT**

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Defendant Name	First: MARK	Middle: A	Last: IVIE

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) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input checked="" type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older
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<input checked="" type="checkbox"/>	1	2702	A1	of the	18 PA P.S.A	6	F1	1315	13A
Lead?	Offense#	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance): AGGRAVATED ASSAULT

Acts of the accused associated with this Offense: Conspiracy to commit Aggravated Assault: A person is guilty of conspiracy with another person or persons to commit a crime if with the intent of promoting or facilitating its commission he: (1) agrees with such other person or persons that they or one or more of them will engage in conduct which constitutes such crime or an attempt or solicitation to commit such crime, to wit; during a physical altercation involving co-defendant and multiple victims, defendant Mark Ivie Sr. handed an AR style rifle to the co-defendant who then shot multiple victims - intentionally, recklessly, and knowingly causing serious bodily injury. All four victims required medical treatment at Lancaster General Hospital for their injuries.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older
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<input type="checkbox"/>	2	2701	A1	of the	18 PA P.S.A	1	M2	1313	13B
Lead?	Offense#	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance): SIMPLE ASSAULT

Acts of the accused associated with this Offense: SIMPLE ASSAULT The defendant, Mark Ivie Sr. on or about, July 5, 2020, at 0140 hrs, in the County of Lancaster, attempted to cause or intentionally, knowingly or recklessly caused bodily injury to the victim, that is to say the defendant, Mark Ivie Sr., in violation of Section 2701(a)(1) of the Pennsylvania Crimes Code, Act of December 6, 1972, as amended, Pa. C.S. 2701(a)(1), to wit; defendant engaged in a physical fight with the victim which caused bumps and bruises to the victims face and head area.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older
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<input type="checkbox"/>	3	2702	A1	of the	18 PA P.S.A	6		1315	13A
Lead?	Offense#	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance): AGGRAVATED ASSAULT

Acts of the accused associated with this Offense: AGGRAVATED ASSAULT: The Actor, Mark Ivie Sr., attempted to cause or intentionally, knowingly or recklessly caused serious bodily injury to another, under circumstances manifesting extreme indifference to the value of human life, To wit; during a physical altercation involving co-defendant and multiple victims, defendant Mark Ivie Sr. handed an AR style rifle to the co-defendant who then shot multiple victims - intentionally, recklessly, and knowingly causing serious bodily injury. All four victims required medical treatment at Lancaster General Hospital for their injuries.



POLICE CRIMINAL COMPLAINT

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Defendant Name	First: MARK	Middle: A	Last: IVIE

2. 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.

3. 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.

SEE PAGE 10!

4. This complaint consists of the preceding page(s) numbered 1 through 2.

5. I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

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.)

DET. GRAEME QUINN

07/05/2020

(Date)

Graeme Quinn
(Signature of Affiant)

AND NOW, on this date

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.

02-2-07

(Magisterial District Court Number)

(Issuing Authority)

SEAL

**POLICE CRIMINAL COMPLAINT**

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AFFIDAVIT of PROBABLE CAUSE

1. At approximately 0142 hrs on July 5, 2020, Lancaster Countywide Communication received a 911 call from Randy Brandt indicating that he was present with multiple individuals who had been shot in the area of ~~Blackberry Lane~~ Ephrata Township. Several officers, including Officer Yevgeniy Kertsman and Officer Beth Rivera, responded to the area at approximately 0147 hrs.

2. Officer Kertsman arrived near the intersection of ~~Blackberry Lane~~ in Ephrata Township, he observed a group of males gathered around a white sedan in front of a residence at ~~Blackberry Lane~~. Officer Kertsman observed that several of these males had bleeding injuries. These males were subsequently identified as Joshua ~~Harwood~~, Devon ~~Schaeffer~~, Jeremy ~~Ross-Gates~~, Billy ~~Warner~~, Josue ~~Colon~~, and Randy ~~Brandt~~. It was subsequently determined that four of these six individuals had suffered gunshot wounds.

3. Officer Kertsman asked this group who had shot them, and a male later identified as Joshua ~~Harwood~~ pointed toward the residence at 6 Blackberry Lane and stated, "He shot them!" Officer Kertsman approached ~~Blackberry Lane~~ and observed blood droplets on the sidewalk between ~~Blackberry Lane~~ and the white sedan where the shooting victims were gathered. Officer Kertsman observed two males and a female standing directly in front of the residence. These individuals were subsequently identified as Mark Ivie Sr., Mark Ivie Jr., and Nicole Ivey. Officer Kertsman asked which of them was the shooter, and Mark Ivie Jr. stated that it was him. Officer Kertsman then took Mark Ivie Jr. into custody and transported him to the Ephrata Police Station. While in Officer Kertsman's patrol vehicle en route to the police station, Officer Kertsman heard Mark Ivie Jr. state that he had ruined his own life.

4. Detective Quinn reviewed the video footage from ~~Blackberry Lane~~, which provides a clear view of the front of ~~Blackberry Lane~~ and captured the altercation and shooting. The video footage shows Mark Ivie Sr. and Mark Ivie Jr. standing in front of the residence near the sidewalk. Mark Ivie Sr. is holding an assault rifle, and Mark Ivie Jr. appears to be holding a cellular phone in his hand. A group of six males approach Mark Ivie Sr. and Mark Ivie Jr. The Ivies and the group of males talk, and then one of the group of males begins fighting with Mark Ivie Jr. Mark Ivie Jr. winds up on the ground and is punched repeatedly by the male. When Mark Ivie Jr. gets up from the ground, he obtains the gun from Mark Ivie Sr. and is seen firing multiple rounds into the group of males - striking four of the six males. Five of the six males then flee from ~~Blackberry Lane~~, while the sixth male fights with Mark Ivie Sr. for several more seconds.

5. Four victims required medical treatment for their injuries as a result of gunshot wounds while a fifth victim receives medical treatment for injuries sustained through a physical fight with the defendant Mark Ivie Sr.

5. Mark Ivie Sr. admits to owning the rifle and bringing the rifle outside of his home to the altercation with the victims.

6. Your Affiant respectfully requests that Mark Ivie Sr. answer to the alleged offenses listed in this criminal complaint.



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FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

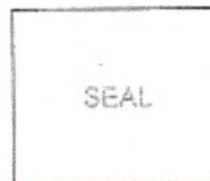
I CERTIFY THAT THIS FILING COMPLIES WITH THE PROVISIONS OF THE CASE RECORDS PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA THAT REQUIRE FILING CONFIDENTIAL INFORMATION AND DOCUMENTS DIFFERENTLY THAN NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.

(Signature of Affiant)

Sworn to me and subscribed before me this _____ day of _____

_____ Date _____, Magisterial District Judge

My commission expires first Monday of January,



18 Pa. C.S. § 4904

Current through P.A. Acts 2022-20

Section 4904 - Unsworn falsification to authorities

(a) In general.--A person commits a misdemeanor of the second degree if, with intent to mislead a public servant in performing his official function, he:

- (1)** makes any written false statement which he does not believe to be true;
- (2)** submits or invites reliance on any writing which he knows to be forged, altered or otherwise lacking in authenticity; or
- (3)** submits or invites reliance on any sample, specimen, map, boundary mark, or other object which he knows to be false.

(b) Statements "under penalty."--A person commits a misdemeanor of the third degree if he makes a written false statement which he does not believe to be true, on or pursuant to a form bearing notice, authorized by law, to the effect that false statements made therein are punishable.

(c) Perjury provisions applicable.--Section 4902(c) through (f) of this title (relating to perjury) applies to this section.

(d) Penalty.--In addition to any other penalty that may be imposed, a person convicted under this section shall be sentenced to pay a fine of at least \$1,000.

18 Pa.C.S. § 4904

1972, Dec. 6, P.L. 1482, No. 334, § 1, effective 6/6/1973. Amended 2006, Nov. 29, P.L. 1481, No. 168, § 3, effective in 60 days [1/29/2007].