

# Dad killed boy, 5: DA

A MAN WITH a long criminal history is facing second-degree murder and other charges in the death of his 5-month-old son.

Julio Rivera was ordered held without bail Friday after being arraigned in county court in Riverhead.

Prosecutors say little Eric Rivera suffered severe brain injuries and also had drugs in his system at levels ordinarily found in an adult.

Prosecutors said they believe the father blew the smoke from a marijuana cigarette laced with PCP, also known as "angel dust," directly into the child's mouth and nose "to quiet Eric when he was being fussy."

Rivera, 26, who recently moved from Brentwood to Colonial Heights, Va., pleaded not guilty at his arraignment before Suffolk County Court Judge Ralph Gazzillo.

Rivera was charged in a grand jury indictment with second-degree murder, second-degree manslaughter and endangering the welfare of a child in the March 31 death of his son.

Rivera was arrested in Virginia on July 7 on an unrelated warrant and waived extradition back to New York, said Assistant District Attorney Nancy Clifford.

An autopsy, she said, showed signs of "acute, chronic and re-

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current head injury" consistent with "shaken baby" syndrome. Blood and urine samples showed the child was "repeatedly exposed to PCP and marijuana consistent with levels ordinarily found in adult users." Rivera shook his head in denial when the prosecutor spoke of the marijuana use.

Clifford said Rivera "has no history of employment" and has numerous arrests on his record for misdemeanors, including aggravated harassment, grand larceny and assault. She declined to elaborate on the circumstances of how the child died on March 31, noting the investigation was ongoing.

"He is adamant he caused no harm physically," said Rivera's attorney, Michael Brown. He noted Rivera is the father of two children from a separate relationship and called him "a good father." Brown added that Rivera has been "extremely cooperative" with investigators. "He steadfastly denies these charges." Rivera's next court date was scheduled for Aug. 16.