

New York State Department of Motor Vehicles  
**POLICE ACCIDENT REPORT**  
MV-104A (3/04)

Local Codes  
11 160674  
RJAM59000500

**AMENDED REPORT**

1 Accident Date: Month 9, Day 17, Year 2011. Day of Week: Saturday. Military Time: 21:30. No. of Vehicles: 1. No. Injured: 2. No. Killed: 2. Not Investigated at Scene: . Left Scene: . Police Photos:  Yes  No. Accident Reconstructed: .

2 VEHICLE 1: Driver License ID Number 694380980, State of Lic. NY. Driver Name - exactly as printed on license KASMORE--TORBERT, B J. Address (Include Number and Street) 87 PRYOR AV, City or Town TN TONAWANDA, State NY, Zip Code 14150. VEHICLE 2: Driver License ID Number 772616553, State of Lic. NY. Driver Name - exactly as printed on license BENNETT, JOSEPH A. Address (Include Number and Street) 76 ELIZABETH ST, City or Town DANSVILLE, State NY, Zip Code 14437.

3 Date of Birth: Month 8, Day 24, Year 1935. Sex F. Unlicensed . No. of Occupants 02. Public Property Damaged . Name - exactly as printed on registration TORBERT, BEVERLY. Date of Birth: Month 8, Day 24, Year 1935. Sex F. Unlicensed . No. of Occupants 01. Public Property Damaged . Name - exactly as printed on registration TORBERT, BEVERLY.

4 Address (Include Number and Street) 87 PRYOR AV, City or Town TN TONAWANDA, State NY, Zip Code 14150. Address (Include Number and Street) 76 ELIZABETH ST, City or Town DANSVILLE, State NY, Zip Code 14437.

5 Plate Number APX6518, State of Reg. FL, Vehicle Year & Make 2008 CHRY, Vehicle Type SUBN, Ins. Code. Plate Number PED, State of Reg. NY, Vehicle Year & Make, Vehicle Type PED, Ins. Code. Ticket/Arrest Number(s) APU1004ZRJ. Violation Section(s) 1180A.

6 VEHICLE DAMAGE CODES: Check if involved vehicle is:  more than 95 inches wide;  more than 34 feet long;  operated with an overweight permit;  operated with an overdimension permit. VEHICLE 1 DAMAGE CODES: Box 1 - Point of Impact 2, Box 2 - Most Damage 2. VEHICLE 2 DAMAGE CODES: Box 1 - Point of Impact 1, Box 2 - Most Damage 3.

7 ACCIDENT DIAGRAM: See the last page of the MV-104A for the accident diagram. Cost of repairs to any one vehicle will be more than \$1000.  Unknown/Unable to determine  Yes  No.

8 VEHICLE DAMAGE CODING: 1-13 SEE DIAGRAM ON RIGHT. 14. UNDERCARRIAGE 17. DEMOLISHED 15. TRAILER 18. NO DAMAGE 16. OVERTURNED 19. OTHER. Reference Marker, Coordinates (if available), Latitude/Northing, Longitude/Easting, Place Where Accident Occurred: County ERIE, Road on which accident occurred 1593 NIAGARA FLLS BD, at 1) intersecting street 250 feet of NIAGARA FALLS BLVD.

9 Accident Description/Officer's notes: VEHICLE # 1 TRAVELING SOUTH IN PARKING LOT MADE A RIGHT HAND TURN TO ENTER A PARKING SPACE IN FRONT OF BUILDING. DRIVER # 1 ACCELERATED AHEAD JUMPED UPRIGHT SIDEWALK CROSSED SIDEWALK AND SLAMMED INTO BUILDING. VEHICLE # 1 STRUCK FOUR PEDESTRIANS AT RESTAURANT TABLE. PEDESTRIANS WERE DRIVEN AHEAD AND PINNED BETWEEN INTERIOR WALL AND VEHICLE # 1. POST CRASH VEHICLE INSPECTION REVEALED NO MECHANICAL DEFECTS WITH THE VEHICLE. CODE # 4 DRIVER ACCELERATED AHEAD RATHER THAN APPLY BRAKE PEDAL CODE # 21 DRIVER FATIGUED TRAVELED FROM NASHVILLE, TN

ALL INVOLVED

	8	9	10	11	12	13	14	15	16	17 BY	TO 18	Names of all involved	Date of Death Only
A	1	1	4	1	76	F	-	-	-			KASMORE--TORBERT, B J	
B	1	3	4	1	79	M	-	-	-			MILLER, WALTER R	
C	P	-	-	-	56	M	05	03	1	9993	1423	BENNETT, JOSEPH A	9/17/2011
D	P	-	-	-	52	F	05	03	6	9993	1405	BENNETT, KATHRYN R	9/18/2011
E	P	-	-	-	X	M	05	03	6	9993	1405	BENNETT, MATTHEW	
F	P	-	-	-	20	F	10	04	6	9993	1423	WEBER, KELLY	

Officer's Rank and Signature SR. INV. Kevin A. Murphy. Badge/ID No. 0111. NCIC No. 01451. Precinct/Post Troop/Zone T5. Station/Beat Sector 5. Reviewing Officer. Date/Time Reviewed.

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