

Would-be 'informant' acquitted in drug case

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MEDIA COURTHOUSE » A Broomall man who set up a clandestine phony drug buy that he later passed along to police was acquitted of drug possession charges following a bench trial Tuesday.

"The court finds in this particular case that the drugs were not purchased for either resale or personal use, but with the misguided belief that the defendant was somehow going to assist in the apprehension of the nefarious drug dealer known as 'Pickles,'" said Judge Ken Bradley. "The court finds that there is no criminal intent here and is going to enter a verdict of not guilty. I would suggest to the defendant that you not watch drug movies or law enforcement movies and that you leave law enforce-

ment to the professionals in the future."

Marple Patrolman Sean Hannigan testified that he met with defendant Nikolaos Hatziefsthathion in February after speaking with him on the phone about a drug investigation. Upon meeting at the police station, Hannigan said Hatziefsthathion, 22, and co-defendant Flavio Latollari, 19, presented him with a proffer similar to what a District Attorney might create for a cooperating witness.

Hannigan told Assistant District Attorney Thomas Lawrie that Hatziefsthathion also provided him with a written narrative about making a drug buy from a dealer at an apartment complex along with Snapchat screenshots of a conversation Latollari allegedly had with the dealer setting up a drug buy in a parking lot. Hannigan said he told

the two men that is not how an informant works and that he did not intend to work with them in that capacity. As he was escorting them out of the building, he said Hatziefsthathion handed him a manila envelope containing nine pills, which he did not immediately look at.

Hannigan said he examined the pills after Latollari and Hatziefsthathion left, and sent them out for testing. Defense attorney Charles Peruto Jr. stipulated that the pills tested positive for controlled substances.

Bradley asked Hannigan if it was possible Hatziefsthathion was not simply an "overzealous, unpaid, unsolicited confidential informant who is incredibly naive about the workings of the criminal justice system," particularly with respect to drugs. Hannigan said there were some inconsistencies that gave him pause, such as the arranged buy for three pills described in the Snapchat conversation and the total of nine pills he was handed.

"Yeah, but usually you go out and catch the guy with the drugs, he doesn't usually bring them to you," said Bradley. "That's not the typical pattern, is it?" Hannigan said the location of the drug buy was also under police surveillance at the time, so it was possible Hatziefsthathion was attempting to preempt any criminal prosecution if he believed he had been spotted making a buy by turning the evidence over and claiming to have conducted his own operation. Hannigan admitted to Peruto that he had no evidence of that scenario, however.

The two men a better deal for buying more pills at the scene of the purchase. He said he handed all of the pills he bought over to police.

Hatziefsthathion said he had first contacted the U.S. Drug Enforcement Agency, who suggested he contact local police due to the small quantities involved. Hannigan seemed interested when he first spoke to him over the phone, according to Hatziefsthathion, so he brought all of his evidence to the station for their meeting.

Hatziefsthathion said he gave Hannigan the envelope containing the contraband even knowing police were not interested in working with him because he was worried he might be pulled over on his way home.

"It's certainly probably one of the easier cases I've had in my life," said Peruto following the verdict.

"I would suggest to the defendant that you not watch drug movies or law-enforcement movies and that you leave law-enforcement to the professionals in the future."

— Judge Ken Bradley
"I would put the label 'no brainer' on it."

Hatziefsthathion remains on probation for harassment charges in a separate case, but Peruto noted he will no longer be under house arrest following the verdict in the drug case.

James Pierce, representing Latollari, also filed a Section 17 probation motion for drug dependent defendants on behalf of his client Tuesday. A hearing on that motion is set for Aug. 29.