

LONG ISLAND / CRIME**NYPD sergeant and reputed romantic rival he shot indicted after Seaford dispute**

Nassau police investigate the scene where an off duty NYPD sergeant shot a personal trainer during an altercation outside the Stirrup Path home on Oct. 25, 2019 in Seaford. Credit: Howard Schnapp

By Bridget Murphy

bridget.murphy@newsday.com @ByBridgetMurphy

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An NYPD sergeant, and the reputed romantic rival he shot when the man allegedly tried to attack him with a bat during a confrontation in Seaford last year, are both facing criminal charges.

Sgt. Justin Ellis, 35, pleaded not guilty Wednesday to felony assault during a virtual arraignment in Nassau County Court that followed the off-duty shooting near his home on Oct. 25, 2019.

Later Wednesday, personal trainer Patrick Catania, 30, of Point Lookout, pleaded not guilty to attempted assault, criminal possession of a weapon, menacing and criminal trespass during a separate arraignment.

A grand jury indicted both men last week. But attorneys for both defendants said Wednesday that the actions of each of their clients were justified.

Ellis faces up to seven years in prison if convicted of the top charge against him, according to prosecutors. They said Catania is facing a potential maximum of 1 1/3 to 4 years behind bars if found guilty of his top charge.

Nassau police didn't arrest either man in the aftermath of the Stirrup Path shooting. Nassau prosecutors later took the case to the grand jury.

Police said following the shooting that Ellis had opened fire on a man who had wielded a bat while confronting him outside his home.

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The Nassau district attorney's office alleged Wednesday that Catania was trespassing on the grounds of the home Ellis shared with his wife and children.

Ellis came home and encountered Catania — a

man he knew — nearby, according to prosecutors.

The two men argued and Catania retrieved a baseball bat and tried to assault Ellis, the district attorney's office said.

Ellis allegedly shot at Catania twice, hitting him once and causing a chest injury, according to prosecutors. They said both men called 911.

Catania's attorney, Jason Russo, said in an interview that his client formed a friendship with Ellis' wife "which blossomed to more" and "started to become a romantic relationship" after the two met when she took some of his classes.

But the sergeant, whose wife planned to leave him, had objected to her relationship with Catania and previously threatened Catania, according to Russo.

The Bay Shore lawyer said his client had been speaking to Ellis' wife on the front steps of the married couple's home when the sergeant came home.

That prompted the wife to go back inside and Catania to start walking toward his car — with the sergeant following behind him, Russo said.

He said Catania acted in self-defense by retrieving a bat from his car and holding it up after Ellis followed Catania down the street while "telling him he was going to kill him."

Ellis was about 20 feet behind Catania when Catania held up the bat and said "stay away from me," before Ellis took out a gun and shot Catania in the chest, Russo said.

But Ellis' attorney, Andrew Quinn, said in an interview Wednesday that the off-duty police official was within his rights to open fire during the early-morning encounter.

"We believe that his use of his weapon was justified given the circumstances," the White Plains lawyer said.

Quinn wouldn't comment further on the encounter or on the nature of the relationship between the involved parties.

Acting State Supreme Court Justice Francis Ricigliano released both defendants on their own recognizance after their arraignments and gave them different January court dates.

An NYPD spokeswoman said Ellis is suspended without pay.

By Bridget Murphy

bridget.murphy@newsday.com @ByBridgetMurphy

Bridget Murphy is a Newsday criminal justice reporter.

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