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## **Associate Lori Hoffman Esq. analyzes the plea deal in connection to a fatal West Seneca crash**

**Man makes plea deal in connection to fatal crash**

**By Lou Raguse, News 4 Reporter**

**Published: Wednesday, April 2, 2014, 12:56 pm**

**BUFFALO, N.Y. (WIVB) -**

**A man made a plea deal in court Wednesday morning, in connection to a crash that killed Erie County Sheriff's deputy and well-known political leader, Daniel McParlane. Robert Styn pleaded guilty to two misdemeanor DWI counts. In return, Styn will not go to jail. Styn was never charged with causing McParlane's death, and now he will likely be sentenced similarly as anyone else convicted of misdemeanor aggravated DWI. It was a stormy November night when West Seneca democratic chair and Erie County Deputy Daniel McParlane spun out on Indian Church Road, crossed the center line, and was broadsided by a pickup truck driven by Robert Styn. Styn's blood alcohol content was point 21, nearly three times the legal limit. Styn was charged with two counts of misdemeanor dwi. Lori Hoffman is a criminal defense attorney unaffiliated with this case. She says many people assume, in a fatal drunk driving crash, that the drunk driver caused the death. "Sometimes that's true. Sometimes that's not true," said Hoffman, of Tully Rinckey PLLC. Hoffman says for someone to be charged with vehicular manslaughter, it's not enough that he's drunk. "If you have a situation where you have someone that has been charged with driving while intoxicated, like in this situation, but there doesn't seem to be proof that it was the driver's fault that the accident occurred,**

then the charge cannot be levied and cannot be proven," Hoffman said. While pleading guilty in State Supreme Court, Judge Russell Buscaglia asked the assistant district attorney whether the same accident would have happened even if Styn was sober. The prosecutor answered yes. And with that, the judge was willing to accept a plea agreement that included no jail time for Styn. He will likely face 3 years probation at his June sentencing. "It's actually a fairly standard sentencing," Hoffman said. The prosecutor added she talked to McParlane's family about the plea and they were OK with it. Styn, a volunteer firefighter, did not try to leave the scene of the accident. In court, his lawyer said he tried to help McParlane. McParlane's toxicology results were never made public because Styn was not charged with his death.