

ATLANTIC COUNTY PROSECUTOR'S OFFICE

4997 Unami Boulevard, Mays Landing, NJ 08330

Theodore F. L. Housel

Prosecutor

NEWS RELEASE

For immediate release

Oct. 7, 2009

2 Page(s)

For further information contact:

Madelaine Vitale 609-909 -7855

or 609-457-7359

MAYS LANDING – A Cape May County man charged with aggravated manslaughter for the March 7 drunk driving crash that left a Philadelphia man dead entered a guilty plea today to Aggravated Manslaughter and Driving While Intoxicated, Atlantic County Prosecutor Ted Housel stated today.

Matthew J. Maher, 25, of Cape May Courthouse, who has no prior record, will be sentenced in the second-degree range. Maher, who entered a plea to an Accusation instead of having his case go before a County Grand Jury, faces up to 10 years in prison. He must serve 85 percent of the term imposed before parole eligibility for causing the death of Hort Kapp, 55, according to Assistant Prosecutor Curt Baker.

During the plea hearing this morning, Maher admitted that he drank for several hours at two different bars in Philadelphia, got into his vehicle and traveled at a high rate of speed down the Atlantic City Expressway. He further acknowledged that at 2:51 a.m. while driving down the Expressway in the Hamilton Township area he crashed into Kapp's vehicle. The impact caused both vehicles to leave the roadway. Kapp was partially ejected from his vehicle and pronounced dead at the scene, Baker stated.

In addition to entering the guilty plea to aggravated manslaughter, the defendant also pled guilty to Driving While Intoxicated. Maher admitted Wednesday that an hour after the crash his blood alcohol content was a .21. At his sentencing on Jan. 7, Maher faces suspension of his driver's license, Baker said.

The morning of the crash Maher and his passenger Michael V. Filachek, of Philadelphia, declined medical treatment. Maher was given field sobriety tests and later had blood drawn at Kessler Memorial Hospital in Hammonton to determine his BAC. The New Jersey State Police Fatal Accident Unit and Crime Scene Investigations Unit processed the scene. A member of the Prosecutor's Office Fatal Collisions Unit also responded to the scene and worked with the troopers.

Superior Court Judge Michael A. Donio will sentence Maher.

Anyone with information involving serious crimes is asked to call the Atlantic County Prosecutor's Office at 609-909-7800 or go to the Prosecutor's Office Web site at <http://www.acpo.org/tips.html> and provide information by filling out the form anonymously on the Submit a Tip page. People can also call Crime Stoppers at 609-652-1234 or 1-800-658-8477 (TIPS). Crime Stoppers offers cash rewards for information leading to the arrest and indictment of those who commit crimes in Atlantic County.