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Teen pleads not guilty in driving fatality

Joshua Paniccia accused of criminally negligent homicide, manslaughter in bicyclist's death

By **DENNIS YUSKO**, Staff writer

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BALLSTON SPA -- An 18-year-old with a long list of traffic infractions pleaded not guilty Tuesday in Saratoga County Court to charges that his reckless speeding caused the death of a bicyclist on Riverview Road in Clifton Park.

Joshua Paniccia, of 2201 Lynwood Drive, Niskayuna, pleaded not guilty to second-degree manslaughter and criminally negligent homicide, both felonies. The charges stem from a June 29 accident in which police say he struck and killed David Ryan, 32, while exceeding the road's 45 mph speed limit.

Judge Jerry J. Scarano Jr. set bail at \$10,000. After making bail, the teen, who is unemployed and attending Hudson Valley Community College, joined his attorney Charles Wilcox to briefly speak about the case.

"It was a terrible accident that's happened, but there's a lot of misinformation that's come out," Wilcox said. Asked what he meant, he replied, "In court, it will come out and it's a little different than what we've been hearing."

He did not dispute court records that indicate a long rap sheet for the young driver.

Police in Niskayuna, Colonie and Schenectady each ticketed Paniccia for speeding prior to the Clifton Park accident, and all of the tickets were pleaded down to traffic and moving violations, according to court documents.

He's been convicted of multiple traffic violations in Niskayuna and faces misdemeanor charges connected to a "road racing" incident that occurred in Niskayuna about two weeks before the fatal accident, Saratoga County Assistant District Attorney Jim Davis said Tuesday. Paniccia is charged with "speed contests and races" in that case, Davis said.

Niskayuna court officials would not discuss that case, citing the teen's eligibility for youthful offender status.

The night of the June 26 accident, Paniccia handed over his driver's license to police and is not driving, Wilcox said. He lives with his parents, who joined him in the courtroom.

"I just feel bad. It was just an accident. I feel very bad for Mr. Ryan and his family," Paniccia said outside court after his plea.

Ryan, an avid cyclist, worked as a physicist at the General Electric Co. in Niskayuna. Some of his colleagues and fellow riders attended Tuesday's arraignment.

"Two negatives don't make a right, but justice has to be served," said Walter Cicha, who has organized a David Ryan Memorial Ride for Oct. 9. The New York Bicycling Coalition and area bike clubs have

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adopted the Ryan accident in a push for safer roads and understanding between drivers and cyclists.

"We hope one interest group's agenda doesn't drive things," Paniccia's lawyer said Tuesday. "It was just a bad accident on a very difficult road that he was not completely familiar with."

The defense has 45 days to make pre-trial motions. Paniccia faces up to 15 years in state prison if he is convicted of the charges.

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