



**CORONERS COURT  
OF NEW SOUTH WALES**

<b>Inquest:</b>	Inquest into the death of Antonio Hermiz
<b>Hearing dates:</b>	21 March 2023
<b>Date of findings:</b>	21 March 2023
<b>Place of findings:</b>	Coroners Court, Lidcombe
<b>Findings of:</b>	Magistrate Harriet Grahame, Deputy State Coroner
<b>Catchwords:</b>	CORONIAL LAW – death by gunshot wounds, unsolved homicide
<b>File Number:</b>	2016/388895
<b>Representation:</b>	<b>Advocate Assisting:</b> Ms Tina Xanthos (Inspector)

<p><b>Findings and recommendations</b></p>	<p>The findings I make under section 81(1) of the <i>Coroners Act 2009</i> (NSW) are:</p> <p><b>Identity</b></p> <p>The person who died was Antonio Hermiz</p> <p><b>Date of death</b></p> <p>He died on 23 December 2016</p> <p><b>Place of death</b></p> <p>He died at Western Sydney Parklands, Abbotsbury NSW</p> <p><b>Cause of death</b></p> <p>He died as a result of multiple gunshot wounds</p> <p><b>Manner of death</b></p> <p>His death was the result of homicide committed by a person or persons unknown.</p> <p><b>Pursuant to section 82 the Coroners Act I recommend to the NSW Commissioner of Police that,</b></p> <p>This matter should be referred to the Unsolved Homicide Team of the NSW Police Force, so that it can be investigated further in accordance with the protocols and procedures of that team.</p>
<p><b>Non-publication Orders</b></p>	<ol style="list-style-type: none"> <li>1. Pursuant to section 74(1)(b) of the <i>Coroners Act 2009 (the Act)</i>, the following material contained within the brief of evidence tendered in the proceedings is not to be published: <p>The 2-volume brief of evidence (marked as exhibit 2) containing the collection of statements and information by the Homicide Squad, NSW Police Force under Strike Force JACOBY regarding the homicide of Antonio Hermiz.</p> </li> <li>2. Pursuant to section 65(4) of the Act, a notation is to be placed on the Court file that if an application is made under section 65(2) of the Act for access to Strike Force JACOBY brief of evidence (exhibit 2), that material shall not be provided until the Commissioner of NSW Police Force has had an opportunity to make submissions in respect of that application.</li> </ol>

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## **Introduction**

1. This inquest concerns the death of Antonio Hermiz. Antonio was shot on 23 December 2016 in the Western Sydney Parklands at an area known as Lizard Lodge Park. No person has been charged with causing his death.
2. Antonio's family continue to experience ongoing grief. I offer them my sincere condolences for their profound loss. Having lost a son in violent and traumatic circumstances, their grief is compounded by the fact that no person has been held responsible for his death. Antonio's mother told the court of the family's never-ending pain and darkness since her son's tragic death.
3. I note that Antonio's parents and uncle were present in court and I acknowledge the loss they have suffered. It is clear to me that Antonio came from a close family and that he was well loved by his parents and brothers as well as by his extended family of aunts, uncles, cousins and grandparents.

## **The role of the coroner and the scope of the inquest**

4. The role of the coroner is to make findings as to the identity of the nominated person and in relation to the place, date and medical cause of his or her death. The coroner is also to address issues concerning the manner or circumstances of the person's death.<sup>1</sup> At the conclusion of proceedings a coroner may make recommendations, arising directly from the evidence, in relation to matters that have the capacity to improve public health and safety in the future.<sup>2</sup>
5. In this case there was no dispute in relation to the identity of the deceased or to the date, place or medical cause of his death. However, the manner and circumstances of Antonio's death have never been fully explained, despite extensive police investigation.
6. This matter comes to court over six years after Antonio's death. I am satisfied that this is easily explained by the nature of the ongoing investigative strategies employed by NSW Police. Nevertheless, I acknowledge that for the family the delay and uncertainty has been extremely difficult.

## **The evidence**

7. The court took brief oral evidence from the Officer in Charge, Detective Inspector Mark Dukes. Detective Inspector Mark Dukes was involved in the investigation from 2016. He oversaw the investigative strategies employed by Strike Force Jacoby and directed many of the investigations undertaken.
8. The court also received extensive documentary material, comprising three volumes. This material included witness statements and transcripts, medical records, photographs, maps and other documents.
9. While I will not refer specifically to all the available material in detail in these reasons, it has been comprehensively reviewed and assessed. It is important to note that some of the material is subject to non-publication orders made to protect the integrity of any further police investigations.

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<sup>1</sup> Section 81 *Coroners Act 2009* (NSW).

<sup>2</sup> Section 82 *Coroners Act 2009* (NSW).

## **Background**

10. Antonio was born on 9 June 1996 and was only 20 years of age at the time of his death. He was the second of three sons to parents Samer and Athaar. He lived at home up until April 2016 when he moved out to reside at Fairfield West. Antonio had been employed in the building industry doing window fitting and labouring. Antonio was part of a loving family.
11. His mother described him as an intelligent, funny and loving man. She told the court he had an ability to make people feel happy and comfortable. She said he always made her feel special and “taken care of”.
12. Antonio was known to NSW police at the time of his death, but his conviction record was limited. He had several prior criminal convictions for minor drug, street and traffic related offences. His last interaction with police was on 20 December 2016 when he was charged for drug offences.

## **The events of 23 December 2016**

13. It is not possible to entirely certain of all Antonio’s movements on 23 December 2016. His mother told investigators that Antonio did not have a mobile telephone on this date. It is of course possible that he had a telephone that she was not aware of. In any event NSW Police were not able to triangulate or pinpoint his movements using telephone data. What investigators discovered is that at around 10:30am, Antonio’s father drove him to the home address of Ronaldo ODISHO at Fairfield Heights. Not long after, Mr ODISHO’s cousin Dominic NISSAN saw Antonio and Mr ODISHO on The Boulevard at Fairfield. Mr Nissan recalls this encounter as he had not seen his cousin for about six months.
14. At 11:45am, Mr ODISHO was seen by off-duty police officer LSC Drury with two other males in the vicinity of 436 The Horsley Drive. Subsequently, investigators determined that Antonio and Mr ODISHO went to Woolworths and then to Fairfield police station where they reported in compliance with their bail conditions at 12:32pm. CCTV footage indicates that they then went to a coffee shop in Fairfield and later to McDonalds at the corner of Court Road and Horsley Drive, Fairfield. CCTV at this location identified a blue/green holden rodeo utility with NSW registration CK-58-JD enter the car park at 4:01pm. This vehicle drove around the car park before leaving and returning again at 4:08pm. Investigators later confirmed this was the vehicle that arrived at Lizard Log Park with Antonio.

## **The shooting at Lizard Log Park**

15. Lizard Log Park is part of the Western Sydney Parklands located in Abbotsbury. The Parklands consist of over 5280 hectares of land stretching over 27kms within the Blacktown, Fairfield and Liverpool Local Government Areas. The entrance to the Lizard Log park is located at the intersection of Horsley Drive and Cowpasture Road. There are two main parking areas. The park has several children’s playgrounds, walking and riding tracks, BBQ and picnic facilities and other entertainment amenities including an outdoor amphitheatre.
16. With only two days before Christmas, many people were using the park and investigators relied on their independent recollections to piece together the chronology of events that followed.

Shortly before 5:00pm, five males that witnesses described as being of “Middle Eastern” appearance were seen to arrive in vehicle CK-58-JD. These males were subsequently identified as being Antonio, Mr ODISHO, Yousif KIORKIS, Korkis SEFO and Elias ABALAHAD. As they entered the park, one male was overheard saying, “*They said that they were meant to be here in the park*”.

17. Approximately 15 minutes later, this group of males was seen to walk towards another group of males who were entering the park from the other direction. Altogether, witnesses described approximately 10-12 males come together. Those that saw this gathering did not consider the meeting to be coincidental, but rather a pre-arranged event. Furthermore, the males interacted like they knew each other.
18. The males were heard arguing loudly. Witnesses could not identify exactly what was being said, but most stated that it sounded hostile. After about five minutes, gun shots were heard. The males immediately dispersed from the area running back the way they had come. One male appeared “*to be limping*” and got into vehicle CK-58-JD which was seen to be “*stopping and starting in a jerking motion*” before driving away.
19. A call for police assistance was broadcast at 5:05pm. The first police vehicle arrived at 5:11pm. One of the officers happened to be LSC Drury (who had seen Mr ODISHO earlier in the day). Police saw vehicle CK-58-DJ travelling at speed from the east car park to the west. Police followed the car where it stopped and Mr ABLAHAD got out of the driver’s seat. He pointed towards the grassed area of the park where Mr ODISHO, Mr KIORKIS and Mr SEFO were carrying an unconscious Antonio down the hill. They put Antonio down onto the footpath where police tried to render first aid. Police saw that Mr ODISHO had also been shot in the chest and was struggling with the pain. Paramedics arrived and Mr ODISHO was taken to hospital. Despite efforts to help Antonio, Paramedics pronounced him deceased at the scene.
20. An autopsy was performed on Antonio by Dr. Istvan Szentmariay at the Department of Forensic Medicine, Sydney on 28 December 2016. Antonio had sustained two gunshot wounds. Ballistic experts confirmed that the ammunition used was a .25/6.35mm calibre. The first trajectory entered from over the left side of the back of the chest approximately 15.5cm left of the midline through the underlying portion of the left eighth rib with the gunshot piercing both lungs; the second bullet was 7.3cm left of the midline entering from the back and going through the aorta and exiting between the fourth and fifth ribs over the right nipple at the front. The projectile from the first wound was recovered but not the second. Toxicology detected a small amount of Delta-9-tetrahydrocannabinol and THC.

### **The Police Investigation**

21. Following Antonio’s death, police received a substantial amount of information from community sources and crime stopper reports. Various different theories and reasons for the shooting were suggested. NSW Police set up Strike Force Jacoby to consider and investigate all the information provided. The initial focus was to target the males with Antonio at the time of his shooting to ascertain how much knowledge they had of the offending group. Based on all witness accounts, investigators knew the meeting between the two groups was not a coincidence.
22. Mr ODISHO was taken to Liverpool Hospital and admitted. He subsequently provided an audio version of events telling investigators he went to the park to smoke cannabis when he heard shots. He told police that he was shot in the chest as he ran away. Mr ODISHO refused to tell police who he was with and claimed he did not know who shot him. Mr ODISHO discharged himself from hospital the following day. Medical records disclosed that the bullet entered just above Mr ODISHO’s left nipple

and exited through the left side of his armpit. Based on the trajectory of the bullet wound, it is most likely that Mr ODISHO had been facing the person/s who shot him.

23. Investigators spoke with Mr KIORKIS. He disclosed he that he drove vehicle CK-58-DJ to Fairfield McDonalds and picked up Antonio, Mr ODISHO and Mr SEFO at 4:00pm before driving to Lizard Log Park. When they arrived, they “*bumped*” into Mr ABLAHAD and they all went to the park to have a ‘smoke’. Whilst they were smoking, they heard what sounded like firecrackers and noticed that Antonio had been shot in the chest. Mr KIORKIS denied knowing the identity of who shot Antonio and refused to make a statement.
24. Mr SEFO was questioned by investigators. He disclosed that he arrived at the park with Antonio, Mr ODISHO, Mr KIORKIS and Mr ABLAHAD in vehicle CK-58-JD. Whilst smoking in the park, he heard several gun shots and ran away. He was called back by Mr ODISHO when he saw that Antonio had been shot and helped carry him back to the car park. Mr SEFO ran to a small vehicle and asked the man inside for assistance. He told investigators he did not know who shot Antonio and refused to provide a statement.
25. Investigators tried to obtain a version of events from Mr ABLAHAD. He denied knowing Antonio and Mr ODISHO and stated that he only knew Mr KIORKIS and Mr SEFO to say hello. He declined to nominate how he arrived at the park but disclosed that when he arrived, there was a “*massive commotion*”. Mr ABLAHAD’s version changed a few days later when he confirmed that he knew Antonio and Mr ODISHO and that he had gone to the park with them to have a smoke. He heard noises like fireworks and ran when he realised they were gunshots.
26. Anonymous information was received that included the possible involvement of DLASTHR (The Last Hour). Police know them to be an Assyrian crime network in the Fairfield area involved in serious crime in the southwestern suburbs of Sydney. The reputation of this group would certainly discourage anyone coming forward if they were indeed involved.
27. Investigators strongly suspect that the motive of Antonio’s murder was related to his involvement in the supply of prohibited drugs. Police suspect the meeting at Lizard Log Park was planned with a rival group also involved in the same criminal activity. Police suspect that the meeting turned hostile for some reason and that as a result a firearm was produced. Mr ODISHO was shot in the chest first and Antonio was shot in the back as he attempted to run away.
28. Strike Force Jacoby has conducted a significant investigation over a number of years using a variety of strategies. A substantial amount of information has been obtained and assessed. I do not intend to detail all those inquiries.

### **Outstanding concerns and the need for recommendations**

29. Section 82 of the *Coroners Act* 2009 confers on a coroner the power to make recommendations that he or she may consider necessary or desirable in relation to any matter connected with the death with which the inquest is concerned.
30. NSW Police already hold a substantial amount of material in relation to Antonio’s death. While Strike Force Jacoby has completed its work, the quest to discover who shot Antonio should continue with fresh eyes. I am satisfied that there are still real prospects for identifying those responsible for the shooting. I am of the view that the matter should now be referred to the Unsolved Homicide Team of the NSW Police Force, so that it can be investigated further in accordance with the protocols and procedures of that team.

## **Findings**

The findings I make under section 81(1) of the *Coroners Act 2009* (NSW) are:

### ***Identity***

The person who died was Antonio Hermiz

### ***Date of death***

He died on 23 December 2016.

### ***Place of death***

He died at Western Sydney Parklands, Abbotsbury NSW.

### ***Cause of death***

He died as a result of multiple gunshot wounds.

### ***Manner of death***

His death was the result of homicide committed by a person or persons unknown.

## **Recommendations pursuant to section 82 *Coroners Act 2009***

For the reasons stated above, I make the following recommendation to the Commissioner of Police.

That this matter should be referred to the Unsolved Homicide Team of the NSW Police Force, so that it can be investigated further in accordance with the protocols and procedures of that team.

## **Conclusion**

31. Finally, I offer my sincere thanks to advocate assisting Ms Tina Xanthos for her preparation of the material and for her conduct of the inquest. I acknowledge and thank Detective Inspector Mark Dukes and other officers who have worked tirelessly with Strike Force Jacoby to solve this terrible crime. Once again, I offer my sincere condolences to Antonio's family. I thank them for their generosity in sharing their feelings with the court and for attending the inquest in such difficult circumstances. I remain hopeful that one day they will be provided with the answers they seek.

32. I close this inquest.



Magistrate Harriet Grahame

Deputy State Coroner

21 March 2023

NSW State Coroner's Court, Lidcombe