



**OFFICE OF THE PROSECUTING ATTORNEY  
ERIC M. HOFFMAN, PROSECUTOR  
46TH JUDICIAL CIRCUIT  
DELAWARE COUNTY, INDIANA**

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**FOR IMMEDIATE RELEASE**

From: Eric M. Hoffman, Prosecuting Attorney  
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Date: October 19, 2020

**Prosecutor files formal charges against Antonio A. Riviera-Manship**

*Muncie Indiana* – Today the Delaware County Prosecutor filed formal charges against Antonio A. Riviera-Manship (dob June 24, 1996) in the Delaware Circuit Court Number 3. They include the following:

- Count 1: Battery Resulting in Bodily Injury to a Person Less than 14 Years of Age, a Level 5 Felony.
- Count 2: Battery Resulting in Bodily Injury to a Person Less than 14 Years of Age, a Level 5 Felony.
- Count 3: Neglect of a Dependent Resulting in Catastrophic Injury, a Level 1 Felony.
- Count 4: Neglect of a Dependent, a Level 6 Felony.
- Count 5: Aggravated Battery, a Level 3 Felony.
- Count 6: Aggravated Battery, a Level 3 Felony.
- Count 7: Neglect of a Dependent Resulting in Catastrophic Injury, a Level 1 Felony.
- Count 8: Obstruction of Justice, a Level 6 Felony.

A copy of the Affidavit of Probable Cause for Arrest and the Charging Information is attached.

The Honorable Judge Linda Ralu Wolf will set an initial hearing for the case. Riviera Manship is currently being held in the Delaware County Jail under a \$160,000 bail.

It is important to remember that any accusation that someone has committed a crime, an arrest and/or the filing of a criminal charge is simply an allegation and is not evidence of guilt. All suspects are presumed innocent unless and until proven guilty beyond a reasonable doubt at trial. The ethical rules for prosecutors in Indiana prohibit further comment on this matter. At this time, there will be no further comment.

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STATE OF INDIANA )  
 ) SS: IN THE DELAWARE CIRCUIT COURT 3  
COUNTY OF DELAWARE ) CAUSE NUMBER. 18C03-2010-F1  
INFORMATION:

STATE OF INDIANA

VS

ANTONIO A RIVIERA-MANSHIP

2413 W 10th St  
Muncie, IN 47302

DOB: 6/24/1996  
SSN: XXX-XX-1642

Count 1:  
Battery Resulting in Bodily Injury to a  
Person Less than 14 Years of Age  
I.C. 35-42-2-1(c)(1) and I.C. 35-42-2-1(g)  
(5)(B)  
a Level 5 Felony

Count 1:

The undersigned says that between approximately September 1, 2020 and October 8, 2020 in Delaware County, State of Indiana, Antonio A. Riviera-Manship, a person at least eighteen (18) years of age, did knowingly touch Victim 1, a person under the age of fourteen (14), in a rude, insolent, or angry manner by squeezing or striking Victim1's thighs resulting in bodily injury to wit: pain or bruising, contrary to the form of the statutes in such cases made and provided by I.C. 35-42-2-1(c)(1) and I.C. 35-42-2-1(g)(5)(B) and against the peace and dignity of the State of Indiana.

ERIC M. HOFFMAN  
Prosecuting Attorney  
46th Judicial Circuit of Indiana

BY: /s/ Eric M. Hoffman  
Eric M. Hoffman 24232-18  
Prosecuting Attorney  
46th Judicial Circuit of Indiana

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Count 2:  
Battery Resulting in Bodily Injury to a  
Person Less than 14 Years of Age  
I.C. 35-42-2-1(c)(1) and I.C. 35-42-2-1(g)  
(5)(B)  
a Level 5 Felony

Count 2:

The undersigned says that between approximately September 1, 2020 and October 8, 2020 in Delaware County, State of Indiana, Antonio A. Riviera-Manship, a person at least eighteen (18) years of age, did knowingly touch Victim 1, a person under the age of fourteen (14), in a rude, insolent, or angry manner by hitting or striking Victim 1's testicles or scrotum resulting in bodily injury to wit: pain or bruising, contrary to the form of the statutes in such cases made and provided by I.C. 35-42-2-1(c)(1) and I.C. 35-42-2-1(g)(5)(B) and against the peace and dignity of the State of Indiana.

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Count 3:  
Neglect of a Dependent Resulting in  
Catastrophic Injury  
I.C. 35-46-1-4(a)(1) and I.C. 35-46-1-4(b)  
(3)  
a Level 1 Felony

Count 3:

The undersigned says that between approximately September 1, 2020 and October 8, 2020 in Delaware County, State of Indiana, Antonio A. Riviera-Manship, being at least 18 years of age and having the care of Victim 1, a dependent less than 14 years of age, did knowingly place said dependent in a situation that endangered the dependent's life or health, to-wit: shaking Victim 1 and/or pushing Victim 1 down the stairs which resulted in catastrophic injury to Victim 1, contrary to the form of the statutes in such cases made and provided by I.C. 35-46-1-4(a)(1) and I.C. 35-46-1-4(b)(3) and against the peace and dignity of the State of Indiana.

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SSN: XXX-XX-1642

Count 4:  
Neglect of a Dependent  
I.C. 35-46-1-4(a)(1)  
a Level 6 Felony

Count 4:

The undersigned says that between approximately September 1, 2020 and October 8, 2020 in Delaware County, State of Indiana, Antonio A. Riviera-Manship having the care of Victim 1, a dependent, did knowingly place said dependent in a situation that endangered the dependent's life or health, to-wit: maintained a filthy and/or unsafe home, contrary to the form of the statutes in such cases made and provided by I.C. 35-46-1-4(a)(1) and against the peace and dignity of the State of Indiana.

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Count 5:  
Aggravated Battery  
I.C. 35-42-2-1.5  
a Level 3 Felony

Count 5:

The undersigned says that between approximately September 1, 2020 and October 7, 2020 in Delaware County, State of Indiana, Antonio A. Riviera-Manship did knowingly inflict injury on Victim 1 that created a substantial risk of death, contrary to the form of the statutes in such cases made and provided by I.C. 35-42-2-1.5 and against the peace and dignity of the State of Indiana.

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COUNTY OF DELAWARE )

IN THE DELAWARE CIRCUIT COURT 3

CAUSE NUMBER. 18C03-2010-F1

INFORMATION:

STATE OF INDIANA

VS

ANTONIO A RIVIERA-MANSHIP

2413 W 10th St  
Muncie, IN 47302

DOB: 6/24/1996  
SSN: XXX-XX-1642

Count 6:  
Aggravated Battery  
I.C. 35-42-2-1.5  
a Level 3 Felony

Count 6:

The undersigned says that on or about October 8, 2020 in Delaware County, State of Indiana, Antonio A. Riviera-Manship did knowingly inflict injury on Victim 1 that created a substantial risk of death, contrary to the form of the statutes in such cases made and provided by I.C. 35-42-2-1.5 and against the peace and dignity of the State of Indiana.

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Muncie, IN 47302

DOB: 6/24/1996  
SSN: XXX-XX-1642

Count 7:  
Neglect of a Dependent Resulting in  
Catastrophic Injury  
I.C. 35-46-1-4(a)(3) and I.C. 35-46-1-4(b)  
(3)  
a Level 1 Felony

Count 7:

The undersigned says that on or about October 8, 2020 in Delaware County, State of Indiana, Antonio A. Riviera-Manship, being at least 18 years of age and having the care of Victim 1, a dependent less than 14 years of age, did knowingly deprive said dependent of necessary support, to-wit: timely medical care which resulted in catastrophic injury to Victim 1, contrary to the form of the statutes in such cases made and provided by I.C. 35-46-1-4(a)(3) and I.C. 35-46-1-4(b)(3) and against the peace and dignity of the State of Indiana.

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STATE OF INDIANA )  
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COUNTY OF DELAWARE )

IN THE DELAWARE CIRCUIT COURT 3

CAUSE NUMBER. 18C03-2010-F1

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ANTONIO A RIVIERA-MANSHIP

2413 W 10th St  
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DOB: 6/24/1996  
SSN: XXX-XX-1642

Count 8:  
Obstruction of Justice  
I.C. 35-44.1-2-2(a)(4)  
a Level 6 Felony

Count 8:

The undersigned says that on or about October 8, 2020 in Delaware County, State of Indiana, Antonio A. Riviera-Manship did make, present, or use a false record, document, or thing, to-wit: videotaped statement, said item being material to a point in question, and the defendant did so with the intent that said item appear in evidence in an official proceeding or investigation to mislead Corey Posey, a public servant contrary to the form of the statutes in such cases made and provided by I.C. 35-44.1-2-2(a)(4) and against the peace and dignity of the State of Indiana.

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STATE OF INDIANA	)	IN THE DELAWARE COUNTY COURTS
	)	
DELAWARE COUNTY	)	2020 TERM

AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WITHOUT WARRANT

COMES NOW, Corey Posey, a police officer of the Muncie Police Department, and being first duly sworn upon oath, deposes and says that the following described person was arrested, without Warrant, upon the charge(s), facts, and circumstances herein after stated, and makes this affidavit for the purpose of establishing probable cause for said arrest.

NAME OF ARRESTEE: Antonio Rivera-Manship CASE REPORT #: 20-38747

DATE OF BIRTH: 6/24/1996

ADDRESS OF ARRESTEE: 2413 West 10<sup>th</sup> Street, Muncie, IN 47302

DATE OF ARREST: 10/12/2020

TIME OF ARREST: 7:30 PM

- |   |                  |
|---|------------------|
| CHARGE 1: Neglect of Dep. Causing Catastrophic Injury   | a class 1 Felony |
| CHARGE 2: Aggravated Battery: Substantial Risk of Death | a class 3 Felony |
| CHARGE 3: Aggravated Battery: Substantial Risk of Death | a class 3 Felony |
| CHARGE 4: Aggravated Battery: Substantial Risk of Death | a class 3 Felony |
| CHARGE 5: Aggravated Battery: Substantial Risk of Death | a class 3 Felony |
| CHARGE 6: Aggravated Battery: Substantial Risk of Death | a class 3 Felony |
| CHARGE 7: Battery to Juvenile: Bodily Injury            | a class 5 Felony |
| CHARGE 8: Battery to Juvenile: Bodily Injury            | a class 5 Felony |

The basis and reasons why this officer believes that said arrestee committed the aforesaid offense(s) in Delaware County, State of Indiana, are as follows:

On October 8, 2020, I (Detective Posey) was working a uniform patrol shift when I responded to 2413 West 10<sup>th</sup> Street, Muncie, IN, for a call of a 3-year-old boy who had reportedly fallen down the stairs and was unconscious. Upon arrival, he was transported by EMS personnel to Ball Memorial Hospital, where he was then air lifted to Riley Children's Hospital due to the severity of his injuries. Upon consulting with Child Abuse Pediatricians and other Riley personnel, they advised that the child had two subdermal brain bleeds and suggested they were not likely to be caused by an unprovoked fall down stairs without a more plausible explanation. The child is currently still in critical and "grave" condition as described by Riley personnel. He has been medically induced into a coma at this time described as a "last ditch effort" to try to reduce the effects of the injuries. If the coma is not successful, medical

STATE OF INDIANA                 )  
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  )                                 2020 TERM

personnel stated that the next step will most likely be a brain death evaluation to determine if complete brain death has occurred.

Additionally, medical personnel advised that one section of blood was dried and a yellowish-green color, suggesting that the brain bleed had recently previously occurred. The second brain bleed was reported to appear to be directly recently caused and fresh with the blood not dried and appearing to be a more normal color as expected with a recent injury. In addition, medical personnel described two separate series of bruises that were present, one series on each thigh which appeared to have been possibly caused by fingers due to their shape and nature. Additional marks included scratches and bruising on the child's face, bruises on his buttocks and bruising to the top of a section of his left scrotum.

Antonio Rivera-Manship is the live-in boyfriend of the child's mother and was the only adult home at the time of the 911 call and hours leading up to. Antonio originally stated that he was upstairs using the bathroom when he believed the child tried to come up the stairs and must have fallen back down, as Antonio claimed to have run down the stairs to find the child unconscious. Antonio originally stated he called 911 right away within 5 minutes of finding the child.

Upon interviewing Antonio on October 12, after confronting him with inconsistencies regarding his story, he eventually stated that he had lied about the incident. Antonio stated that he was on the landing with the child halfway up the stairs when he and the child got into an argument over what the child would eat. Antonio stated that he became overwhelmed and eventually forcefully pushed the 3-year-old child backwards down the stairs and that he went unconscious upon striking the ground. An examination of Antonio's phone showed that he had called the child's mother several times starting at 7:22 PM, at which time he had claimed he found the child unconscious. Antonio's phone showed that he called 911 at 7:35 PM to report the unconscious child.

Upon confronting Antonio, he stated that he panicked and was quickly pacing throughout the house. He admitted that he realizes that if he had called 911 those 13 minutes earlier, that it could have had a major effect on being able to provide necessary treatment. A Riley Child Abuse Pediatrician stated that with this type of injury, 13 minutes could have definitely made a difference in the child's current and long-term state due to the main issue being that the child's brain is swollen and was not getting any blood flow for that time. The pediatrician stated that every minute is helpful in these injuries and that the more time goes by prior to treatment, the more the brain is damaged.

Antonio confessed to several other abusive incidents that he stated happened within the past two months. In regards to the first brain bleed, Antonio talked about a recent time within the past few weeks in which the child started to complain of headaches, had a poor appetite, was throwing up, was lethargic, and had a fever. Due to my training and experience, I know these symptoms to be consistent to those shown with children with brain bleed type injuries. Antonio stated that the day before these complaints started, he had grabbed the child by the shoulders and showed how he would have vehemently shook him in order to try to get him to listen.

STATE OF INDIANA ) IN THE DELAWARE COUNTY COURTS  
)   
DELAWARE COUNTY ) 2020 TERM

Antonio stated that the day before this incident, a similar one had also occurred where he had shaken the child in a similar manner. In regard to the thigh bruises, Antonio spoke of a time in which he was "roughhousing" with the child and the child started to get too rough. He stated that he held the child down by tightly gripping his thighs and trying to get ahold of him and pin him to the ground. Antonio stated that as he held the child down, he began to shake him and admitted that the child's head was likely coming off the ground and banging back into it as he was being shaken. Antonio recalled at least 4 to 5 incidents that had occurred in which he had shaken the child in similar manners. He stated that each of these shaking incidents involved shaking the child for 20-30 seconds at a time and stated that he did so because it seemed to be one of the only effective ways he had found to get the child to listen. He stated that most of the incidents occurred due to the child not knowing or not telling Antonio what he wanted to eat and Antonio described that the behavior "overwhelmed" him.


When asked about the bruise on the child's scrotum, Antonio stated that the child had hit him in that area and stated that he had hit the child back in his penis area essentially in a rough manner to try to show the child that it hurt. Antonio stated that he did it because it hurt when the child did it to him. Antonio also admitted to a separate incident of slapping the child multiple times on his stomach, thigh, and butt area, admittedly much harder than he should have ever done. Antonio demonstrated by vehemently slapping his own leg to show how he had slapped the child's body multiple times during this incident.

I affirm under penalty of perjury that the foregoing is true and accurate to the best of my information and belief.

DATED: 10/12/2020 OFFICER: /s/ Corey Posey, #1803

JUDICIAL DETERMINATION

THE UNDERSIGNED, BEING A JUDICIAL OFFICER OF DELAWARE COUNTY, AND HAVING REVIEWED THE FOREGOING AFFIDAVIT, NOW DETERMINES THAT PROBABLE CAUSE EXISTED FOR THE ARREST OF SAID ARRESTEE AND NOW FIXES BOND IN THE PENAL SUM OF \$160,000.00 CASH OR SURETY.

DATED: 10/13/2020 SIGNED:  TITLE: Judge

NAME OF ARRESTEE: Antonio Rivera-Manship CASE REPORT #: 20-38747  
CHARGES TO BE FILED BY: \_\_\_\_\_