

# Ivanhoe Road man accused of causing the death of his girlfriend

By **Jim Herr** - January 22, 2019



BUFFALO – A resident of Ivanhoe Road is accused of strangling and recklessly causing the death of his girlfriend while the two engaged in sexual intercourse the Erie County District Attorney announced Wednesday.

Sonny Martinez, 26, is said to have caused the death of his girlfriend, Brittney Balbuzoski, 23, of Buffalo, inside his home at 14 Ivanhoe Road.

Cheektowaga Police and the Pine Hill Fire Department responded to the address just after 4 am Saturday after it was reported that Ms. Balbuzoski was unresponsive following sexual intercourse.

She was transported to Buffalo General Medical Center where she later died.

District Attorney John Flynn said during a press conference Tuesday afternoon that the two were dating for around a month and calls the incident a case of reckless conduct.

"There doesn't appear to be any, at this time, evidence that shows that this was not a consensual act by both parties that were engaging in this erotic asphyxiation," Mr. Flynn said. "I don't have any evidence at all that the victim did not consent to the activity that was taking place."

He says Mr. Martinez's actions warrant the charge of Manslaughter in the Second Degree, a Class "C" non-violent felony.

"If I do uncover evidence that the victim perhaps did not consent or something else was afoot, then that may warrant higher charges," added Mr. Flynn.

Mr. Martinez was arraigned Saturday morning before Cheektowaga Town Court Justice Paul S. Piotrowski on the Manslaughter charge. He is scheduled to return on Thursday, January 24 at 2 pm for a felony hearing. He remains in jail without bail.

If convicted, he faces a maximum of 5-15 years in prison.

Mr. Flynn says that while erotic asphyxiation is not an illegal act, the results of any acts gone wrong will be prosecuted.

“I’m not the bedroom police alright. I’m not going to impart my morals onto anyone else okay. All I can tell the public is that if someone is injured or someone is killed, that case is going to be investigated and if the evidence warrants it, they will be charged, arrested, and prosecuted,” Mr. Flynn said.

The case is being prosecuted by Assistant District Attorney Christine M. Garvey of the DA’s Homicide Bureau.

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