

Exhibit F - Various Evidence

MAP A Google Map image of the block where ██████ grew up, verifying his residence was in close proximity to the residences of some of the persons mentioned in this litigation (and in the articles and evidence submitted) 4

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<https://www.google.com/maps/@40.7379682,-73.8578902,18z>



- 1 - [REDACTED]
- 2 - **Prowl's Place** 60-15 Calloway Street
- 3 - **David Tarloff** 99-46 60th Ave
- 4 - **Kun Young Yoon** 99-11 60th Ave
- 5 - **Judah Johnson** 55-25 98th Street
- 6 - **Murder of Boodah** Martense Ave
- 7 - **James Cheng** 99th Street
- 8 - **Rob's Place** 99-25 60th Ave

<https://www.nytimes.com/1991/03/21/nyregion/5-officers-charged-with-murder-in-slaying-of-a-suspect-in-queens.html>

The New York Times

5 Officers Charged With Murder In Slaying of a Suspect in Queens

By [JOSEPH P. FRIED](#) | MARCH 21, 1991, Page 1

Five New York City police officers were arraigned on murder charges yesterday in the death of a car-theft suspect who the Queens District Attorney said was punched, kicked and choked as he was being arrested. The Medical Examiner's office ruled that the suspect, Federico Pereira, died of asphyxiation. The District Attorney, John J. Santucci, said yesterday that one officer had choked the 21-year-old man in Queens on Feb. 5 as he lay face down with his hands cuffed behind his back, but that all the officers had acted in concert to cause Mr. Pereira's death. "Each played a part, varying in degrees," Mr. Santucci said. "They had no right to take his life," Mr. Santucci said after announcing the indictments on charges of second-degree murder, manslaughter, assault and criminally negligent homicide. "They had no right to kick him and punch him." The five officers, all from the 112th Precinct in Forest Hills, pleaded not guilty before Justice Vincent F. Naro in Queens Criminal Court. Their lawyer sharply contested Mr. Santucci's account. The charges, based on grand-jury testimony from 12 witnesses, are the latest in a string of accusations of brutality to be made against New York City officers in recent years. They come at a time when the prevalence of police brutality is being debated nationwide because of the beating of a man in Los Angeles that was videotaped by a man who lived nearby. New details were also revealed yesterday about the initial investigation into Mr. Pereira's death, which occurred in an early-morning struggle that began when the officers discovered him sleeping in a stolen car. [Page B6.] The initial inquiry, conducted shortly after the death, found that the officers had acted within police guidelines. But it did so largely because the chief investigator relied entirely on the officers' own statements, law-enforcement officials said yesterday. Not until the day after the incident did three witnesses come forward and cast doubt on the officers' accounts, the officials said. It was their testimony, along with the Medical Examiner's subsequent ruling that Mr. Pereira was choked to death, that played an important role in persuading a grand jury to indict the five officers on murder charges, the officials said. The District Attorney said yesterday that witnesses had testified that Mr. Pereira "was struck by feet and by hands, and at some point one of the officers placed his hands around the throat of the victim" from behind. New Guidelines issued Police Commissioner Lee P. Brown yesterday suspended the five officers without pay and ordered a departmental review to insure that the commanders who supervised them were held accountable. The Commissioner also issued new guidelines for dealing with suspects in cases like Mr. Pereira's. "Excessive force used by a police officer is totally unacceptable and will not be tolerated by this department," Mr. Brown said. "A police officer cannot break the law in order to enforce it." Mayor David N. Dinkins said he was "deeply concerned and troubled" by the allegations. He said that if proved, the charges "represent the most serious kind of criminal conduct." Relatives of Mr. Pereira, who was Hispanic, said yesterday that his death was part of a pattern of killings of Hispanic residents by the police. The five officers are white, but Mr. Santucci said "there is nothing to indicate" that the officers' actions were motivated by racial or ethnic bigotry. The indictment did not spell out the details of the incident. But Mr. Santucci said at a news conference that the officers had handcuffed Mr. Pereira and forced him from the parked car on 62d Avenue near 108th Street in Forest Hills, not far from

where Mr. Pereira had lived in Rego Park before moving with his family to New Jersey two years ago. The police said at the time that the officers resorted to force after Mr. Pereira, who they said was carrying a used crack pipe and an envelope of marijuana, became violent. Mr. Santucci said yesterday that Mr. Pereira had a "moderate" amount of cocaine in his system. But "in the opinion of the Medical Examiner," Mr. Santucci said, "the victim was not in the violent throes of cocaine reaction." **Choke Holds Prohibited** The office of the Chief Medical Examiner ruled on Feb. 6 that the death was a homicide, saying that Mr. Pereira died of asphyxiation resulting from compression of the neck or chest. Police regulations prohibit choke holds except when an officer's life is threatened. Mr. Santucci said there was also evidence suggesting that one of Mr. Pereira's ankles might have been shackled to his hands. The regulations also prohibit hogtying suspects. But a lawyer for the officers gave a sharply different account, depicting Mr. Pereira as a "maniac" who "caused his own death" through a cocaine-induced outburst as the officers tried to arrest him for car theft. The lawyer, James J. Lysaght, said Mr. Pereira -- who officials said had past convictions for auto theft and drug possession -- had been armed with a screwdriver and at one point had kicked an officer's gun free. "They are facing the possibility of jail time for an act that deserves an award," Mr. Lysaght said. 'No Justice, No Service!' The five officers -- Sgt. Barry Goldblatt, 48; Officers Thomas Loeffel, 25; James McMorro, 28; Anthony Paparella, 27, and John O'Connell, 24 -- stood silently behind Mr. Lysaght as he faced reporters on the courthouse steps yesterday. A large group of off-duty police officers, many of whom had packed the courtroom for the brief unsealing of the indictment and the arraignment, cheered the lawyer's words. Outside earlier, they had chanted slogans like "Santucci must go!" and "No justice, no service!" The indicted officers were released without bail. Mr. Santucci had asked that bail be set at \$100,000 apiece. If they are convicted of the most serious charge against them, second-degree murder, they face a maximum sentence of 25 years to life in prison. In his news conference, Mr. Santucci said the grand jury had heard 12 witnesses, but he declined to say who they were and how many of them witnessed the incident. Asked how the officers had acted in concert, Mr. Santucci said that "all had some physical contact" with Mr. Pereira. Yet the prosecutor also stressed that only one officer had choked him, and that it was the choking -- not the punching or kicking -- that caused the death. Some law-enforcement officials said the prosecution is relying on the accounts of three teen-agers who live in the area and knew Mr. Pereira. A lawyer for two of them said they had spent the evening cruising in their car, listening to a police radio scanner and going to crime scenes described by dispatchers. But the two, Thomas Zaribinsky and Anthony Hickok, had just happened upon the police arresting Mr. Pereira, the lawyer, Nicolas Velez, said. Mr. Velez said the two youths watched from about 20 feet away as the police kicked and beat Mr. Pereira while he lay handcuffed on the ground, with one leg also tied to the handcuffs behind his back. "One officer sat on the victim and started yanking his neck up," Mr. Velez said. Mr. Velez declined to make the witnesses available for interviews. Mr. Velez's partner, Hector Soto, said that police officers had harassed his clients since they came forward as witnesses, despite an agreement he reached with the District Attorney's office that police officers from the 112th Precinct were to stay away from them. Mr. Santucci said that the accusation of coercion was being investigated.

A version of this article appears in print on March 21, 1991, on Page A00001 of the National edition with the headline: 5 Officers Charged With Murder In Slaying of a Suspect in Queens.

Newsday

4 Teens Stabbed In Subway Brawl

By David E. Rovella STAFF WRITER | April 4th, 1992

NY Newsday – Long Island, N.Y. | Combined editions | Section: News | Page: 7

One teenager was seriously stabbed with a kitchen knife and three others were attacked during a subway brawl yesterday afternoon among students aboard a crowded northbound G train in Brooklyn, transit police said. Although the 3:30 p.m. incident near the Clinton-Washington Avenues station was still under investigation last night, transit police spokesman Sgt. Luis Medina said the fight may have stemmed from a rivalry between two schools. The four male victims were taken to Kings County Medical Center, where a 15-year-old was in serious but stable condition with a stab wound to the chest. One 16-year-old had superficial stab wounds to the back and another had been kicked, Medina said. A 17-year-old had a superficial wound to the left hand. Police recovered a kitchen knife with a 12-inch blade from the train. **All the victims were from Brooklyn Technical**, said Medina, and a 15-year-old suspect and other witnesses who were being questioned last night were from either Sara Hale High School or PS 371. No other details were available, Medina said.

[Illustration]

Photos by Andy Uzzle-

- 1) Transit Police Officer Alicia Jones examines the knife used in the attack.
- 2) EMS workers give aid to two of the four victims at the subway station.

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http://pqasb.pqarchiver.com/newsday/doc/278544450.html



1 Dead, 2 Hurt in Shooting

By Bruce Stanley | Saturday, September 12th, 1992

NY Newsday – Long Island, N.Y. | Combined editions | Section: News | Page: 74

A drive-by shooting in Queens early yesterday left one teenager dead and two people wounded in what police called a "gang- and drug-related" incident. Police spokesman Lt. Norris Hollomon said Kevin Ramson, 17, of 131st Street, was shot once in the chest at 12:25 a.m. and was dead on arrival at Elmhurst Hospital Center. He was killed near the intersection of Elmhurst Avenue and Broadway in what police said was a dispute between two gangs. The shooting left Thomas Brosky, 16, of Veitor Avenue, in the same hospital in critical condition with a gunshot wound in the abdomen, Hollomon said. Police Det. Kim Royster described Brosky as a member and Ramson an associate of one of the gangs. Also wounded was Anon Thepcuyporn, 31, of Judge Street, who was listed in good condition at Booth Memorial Medical Center with a bullet wound in the leg, according to a hospital spokeswoman. Police said he was a bystander. Police arrested Christian Patallo, 20, of 83-15 95th Ave. in Ozone Park and charged him with murder and assault, Royster said. No weapon was recovered and the investigation is continuing.



Hailed as Hero Cops: Kin's kick and quick thinking saved kidnap victims

By Susan Forrest. STAFF WRITER | Feb 5, 1993

NY Newsday – Long Island, N.Y. | Combined editions | Section: News | Page: 3 | Text Word Count: 1575

A Queens man who wrestled a gun away from a kidnaper, shot him dead, and then persuaded two other kidnapers to surrender their weapons was hailed yesterday by police as the hero of an abortive robbery attempt at an exclusive North Hills home on Wednesday night. In a scene that could have been drawn from a martial arts movie, James Cheng, 22, hustled several women and children to safety, positioned himself behind a wall in the house and then mixed karate and wrestling to kick the gun away from one of the three armed kidnapers, police said. "It all happened very quickly," said Nassau Robbery Squad Det. Sgt. Stephen Skrynecki, explaining the scene inside the upscale home on Aldgate Drive West in the Hamlet Estates development. "James Cheng took complete control of the situation." The two surviving kidnapers were taken into custody following the incident and were held without bail following arraignment yesterday on kidnaping, burglary and other charges. None of the family members who were in the house at the time of the incident were injured. Police yesterday filled in details of the abortive robbery attempt, which began when Jimmy Tung, 32, the homeowner, and his brother, Simon, 11, were kidnaped in their van at about 7 p.m. Wednesday after going for dinner in Manhattan's Chinatown. Nassau First Deputy Chief of Detectives Mel Kenny said the motive was robbery and the kidnapings were a way for the suspects to gain entry to the North Hills development, which is protected by a guard post. According to Kenny, Jimmy and Simon Tung had left a takeout restaurant in Chinatown and were headed back to their family's sportswear manufacturing business at 47 Chrystie St. in their van, when four gunmen accosted them. They ordered the Tungs inside the van. Three of them climbed in and then told Jimmy Tung to drive home to North Hills. At least two witnesses, employees of the Tungs, saw the abductions and one of them called Jimmy Tung's wife, Judy, in North Hills. Instead of immediately notifying the police, Judy Tung phoned Cheng, her brother, who lives in Queens and whose family owns import businesses. According to Sixth Squad Det. Lt. Shaun Spillane, Cheng rushed to the Tung home, accompanied by three male friends, all of whom were unarmed. Inside at the time were seven people - Judy Tung, her three children, including a newborn, her parents and her sister. Fearing the kidnapers would come to the home, Spillane said, Cheng initially wanted everyone inside to leave the house but Judy Tung resisted, fearing she would miss a phone call from the kidnapers. While two of Cheng's friends remained outside the house, Cheng herded the occupants upstairs to safety. He and the third friend then positioned themselves behind a wall and waited. Meanwhile, since Jimmy Tung was driving the van, the gunmen were able to get through the guard gate and into the Hamlet Estates development. The van pulled into the garage and the gunmen ordered the Tung brothers to wait there while they entered the home through a side door. Cheng was waiting, Spillane said. "He grabbed the first guy who came in the door," Spillane said, adding that after he kicked the gun away and shot him, the other two kidnapers fled back to the garage. "He now calls out to them to throw their guns to him and release the hostages." The two men threw their guns and surrendered to Cheng. He, his father-in-law and his friend then tied up the men in the garage. Meanwhile, Nassau police, who had been contacted by Judy Tung at about 8:35 p.m., had the house surrounded. Police were outside when Cheng shot the intruder about 8:55 p.m. Kenny said Cheng called 911 to "say he had three suspects that he had captured in the house." Police then moved in and took all the men from the house in custody. Police "didn't know the bad guys from the good guys," Kenny said. Police sorted out the intruders from the family and friends quickly, he said. The robber, who had been shot in each thigh and in the chest, was taken to North Shore University Hospital in Manhasset where he was pronounced dead on arrival. He was identified only as Ah-Sam, age and address unknown, said Homicide Det. Sgt. William Cocks. Charged with first-degree kidnaping, burglary, criminal use of a firearm and criminal possession of a weapon were Qiao Zheng, 17, of 159 Chrystie St., and Jian R. Chen, 21, of 218 Grand St., both of Manhattan. They pleaded not guilty yesterday in District Court, Hempstead, and were ordered held without bail. The suspects, who are to return to court Monday, remained impassive throughout the arraignment. The judge also issued temporary orders of protection for the suspects to stay away from the Tung brothers. Police said they are seeking a fourth suspect who was in another van at the time of the kidnaping.

Meanwhile, despite the witnesses to the kidnaping, New York City police said they weren't notified of the kidnaping until 8:17 p.m. Nassau police weren't notified for about 1 1/2 hours after the ordeal began. Said Kenny: "Obviously, the question was, why didn't they call us right away. In view of what happened, she was scared and didn't know what to do. She sought advice from her brother and he told her to wait there until he got there." Cheng couldn't be reached for comment and other family members declined to be interviewed. A man who answered the phone at Jimmy and Judy Tung's home yesterday would only say, "We hope it never happens again." The Tungs moved into their home within the past few weeks from Queens, where police say they had twice been victims of robberies. A man who answered the phone at the Tung's business, Kent Sportwear Inc., said he had nothing to say and that the owner was not available. Law enforcement sources said Zheng and Chen, who are unemployed, know each other and told police the motive for their crimes was robbery. But when police tried to identify their dead accomplice more fully, the suspects told authorities they didn't know his full name or anything else about him. Law enforcement sources said the home invasion and the behavior of the suspects fit the classic profile of violent Asian street gangs who terrorize other Asians, usually Chinese and Vietnamese immigrants who own small family businesses around the city. The suspects often are recent immigrants from China between the ages of 13 and 23 and who have been newly initiated into gangs. What police call "home invasions" are organized by an older street boss, known as a dai-lo, who prefers to use gang members unfamiliar with one another to protect his share of the robbery. Cellular phones or twoway radios often are used by those who take people captive in their home. Law enforcement sources said a cellular phone was used in the Tung case, but they declined to elaborate. Police said that the Tungs operate strictly cash businesses, making them a good target. Nassau Robbery Squad Det. Thomas Sullivan said that in 1992, five home invasions occurred in the county – two in Carle Place, and one each in Syosset, Valley Stream and North Bellmore. Before Wednesday, in 1993, there had been one, in Valley Stream. Sullivan said all the victims were Asians.

The Abduction

What happened when Jimmy and Simon Tung were abducted Wednesday night, according to police.

7-7:15 p.m. Jimmy and Simon Tung leave a takeout restaurant in Chinatown and are about to head back to their family's sporting goods store in their van. Outside the vehicle, four gunmen accost them, order them inside and tell the older brother to drive to North Hills. Three of the gunmen climb inside with them. Shortly after. A witness to the abduction calls Jimmy Tung's wife, Judy, in North Hills. Judy Tung phones her brother, James Cheng of Queens, who goes to North Hills.

8:17 p.m. An unidentified person calls New York City police, reporting the abduction.

8:35 p.m. Judy Tung phones Nassau police and tells them of the abduction. Police are dispatched.

8:55 p.m. After the van pulls up to the North Hills home, the gunmen enter the home and one of them is shot by Cheng. The other two return to the van, where they later surrender to Cheng. Minutes later. Cheng calls 911 and tells police that there are three suspects that he has captured in the house. Police are already outside.

[Illustration]

Newsday Photos by Dick Kraus-1) Qiao Zheng in custody yesterday. 2) Jian Chen, also in custody. 3) Newsday Photo by Kathy Kmonicek-The Tungs' Kent Sportwear, where Jimmy and Simon Tung were headed when they were abducted. 4) Newsday Photo by Kirthmond Dozier-Police outside the Tungs' North Hills home. Newsday Color Cover Photos by Dick Kraus-5) Qiao Zheng, left, 6) and Jian R. Chen, two Manhattan residents, in custody yesterday. One suspect was killed Wednesday night and police are seeking a fourth suspect. Newsday Photo by Dick Kraus-7) Unidentified police officers escort Qiao Zheng, 17, above, 8) and Jian Chen, 21, below. (3 C). Chart-The Abduction-See end of text; NORTH HILLS HOME INVADED. Local Hero. Man Who Foiled Kidnapers Hailed. Newsday Color Cover Photos by Dick Kraus-1) Qiao Zheng, left, and 2) Jian R. Chen, two Manhattan residents, in custody yesterday. One suspect was killed Wednesday night and police are seeking a fourth suspect

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Cops: Killed Kidnaper Was Gang Member

By Susan Forrest and Peg Tyre. STAFF WRITERS| Feb 6, 1993

NY Newsday – Long Island, N.Y. | Combined editions | Section: News | Page: 6 | Text Word Count: 342

The man shot dead during an aborted kidnaping and robbery in North Hills was identified yesterday as a Manhattan teenager believed to be a member of a Chinatown street gang involved in robberies and extortions in the New York area, police in New York City and Nassau County said yesterday. Qi Nian Situ, 19, of 37 Henry St., also known as Christopher Situ, was shot three times by a relative of two brothers kidnaped at gunpoint by Situ and three others in Chinatown Wednesday night, police said. Nassau Sixth Squad Det. Lt. Shaun Spillane said police have information that Situ belonged to a "loosely knit" gang called "Soni's Boys" - also known as the Grand Street Dragons - which is a faction of the Flying Dragons. Senior investigators in the New York City Police Department identified Situ as a member of Soni's Boys, which has also been connected to several homicides, police said. The Flying Dragons are one of the largest and best established Asian gangs in New York, city police said. According to Nassau police, Situ and two other armed men forced James Tung, 32, and his brother, Simon, 11, to drive to their home in North Hills so they could rob the house and its occupants in what police call a "home invasion." The robbery was foiled by James Cheng, 22, of Queens, who is the Tungs' brother-in-law. Two of the alleged kidnapers are being held without bail at the Nassau jail on several charges while police yesterday were still seeking a fourth suspect. Situ came to the United States from China in 1985, said Nassau homicide Det. Sgt. William Cocks. An unemployed factory worker, he lived in Chinatown with his mother, grandmother and two siblings. City police officials, who requested anonymity, said the Flying Dragons gang is divided into four factions: the Chinese faction which controls Bayard Street, the Vietnamese faction, which controls Pell Street, the Korean faction, which is based in Flushing and Elmhurst in Queens, and Soni's Boys, who have their base along Grand Street in Chinatown.

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<https://www.nytimes.com/1988/10/24/nyregion/a-stray-bullet-kills-a-woman-in-queens-home.html>

The New York Times

A Stray Bullet Kills a Woman In Queens Home

By DON TERRY | Published: October 24, 1988

A woman standing in the foyer of her house in Queens was killed yesterday when a bullet from a high-powered rifle smashed through the front door, striking her in the abdomen, the police said. The bullet was fired during a traffic dispute involving an off-duty New York City police officer who was driving his own car, and two men with a rifle in another car in Elmhurst. The officer, William Diaz, 29 years old, told detectives that he fired his off-duty revolver at the suspects after they opened fire on him, said Sgt. Raymond O'Donnell, a police spokesman. He said Officer Diaz, a four-year veteran assigned to the 90th Precinct in Brooklyn, was placed on modified duty pending an investigation of the incident. Investigators found seven shell casings, which they thought had come from a single rifle, in three separate spots in the area. The two men apparently got away in their car. The officer involved was not hurt, and there were no arrests. Fatal Walk to Window The dead woman, Caroline Connelly, 61, had been drawn to a foyer window of her two-story house at 102-20 Martense Avenue about 2:25 A.M., by the sound of screeching tires outside, said her son, Bernard Connelly. "She never goes to the window," said Mr. Connelly, 27, who lives in the house with his mother, grandmother and sister. "She minds her own business. I don't know what made her go to the window like that." Sergeant O'Donnell said Officer Diaz told investigators that he was driving home on Martense Avenue, a one-way street, when a white Pontiac Camaro came down the street the wrong way. The two cars stopped and the occupants of the Camaro suddenly fired at the officer, Sergeant O'Donnell said. He could not explain why. Mrs. Connelly, whose bedroom was on the first floor, told her mother that she thought there had been a car accident, Mr. Connelly said. From his second-floor bedroom window, he saw two cars stopped in the middle of the street, their lights on and motors running. Mr. Connelly said his mother walked to a foyer window near the front door and peered outside. Suddenly, a bullet came through the two-inch thick wooden door, striking her in the abdomen and passing out her back. Mr. Connelly said he was on the telephone with a 911 operator to report the shots being fired when he heard his 79-year-old grandmother scream, "Mommy's been shot."



3 Nabbed in '88 Shooting

By Otto Strong | 07-02-1993, pp 35.

After a five-year investigation, three men, including a former police officer, were arrested yesterday in connection with the 1988 shooting death of an Elmhurst woman, the Queens district attorney's office said. The three men were identified as Jih Jui (Jimmy) Cheng, 23, of Elmhurst; and Antonio Rodriguez, 25, and William Diaz, 33, both of Corona. Diaz is a former city police officer. The district attorney's office said the incident began as a shooting between Cheng and Rodriguez in one car and Diaz in another. During the shooting, a bullet from an AK-47 pierced Caroline Connelly's front door, the district attorney's office said. Detectives believe the shot was fired from Cheng and Rodriguez' vehicle. The office said all three men will be charged with intentional murder, depraved indifference murder, acting in concert and criminal possession of a weapon. Diaz, off-duty at the time of the shooting, was suspended and fired over his involvement in the incident.

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QLIL 79

Ex-cop is held in 1988 stray shot slaying

By MICHAEL FINNEGAN

Daily News Staff Writer

A former cop and two others have been indicted for the 1988 killing of a Corona woman, hit by a stray bullet in her home as a gunfight raged outside.

Ex-cop William Diaz, 34, of Granger St., and the other two were charged with murder and related crimes for the slaying of 61-year-old Caroline Connelly.

A Board of Education secretary, she was killed by a bullet that ripped through her front door as Diaz and the others were dashing past her home in a wild, late-night car chase and gun battle that began with a traffic dispute, authorities said.

Diaz was off duty at the time.

The two other suspects are Jose Rodriguez, 25, of 107th St., and Jimmy Cheng, 23, of Otis Ave.

During the chase, Rodriguez fired an AK-47 assault rifle from a car he was riding in with Cheng, said Queens District Attorney Richard Brown.

Diaz fired a .38 revolver from another car, Brown said.

As the shooting ended at Martense Ave. and 103d St., Connelly was hit in the abdomen with an AK-47 bullet.

Diaz, assigned to the 90th Precinct in Williamsburg, Brooklyn, when the killing occurred on Oct. 23, 1988, fled to the Dominican Republic, but returned and was arrested last month, Brown said.

Cheng fled to China after the incident, but he and Rodriguez were also arrested last month in Queens.

http://www.nytimes.com/1998/01/15/nyregion/us-indicts-bronx-lawyer-accused-of-abetting-a-drug-gang.html

The New York Times

U.S. Indicts Bronx Lawyer Accused of Abetting a Drug Gang

By [BENJAMIN WEISER](#) | JAN. 15, 1998

A Bronx lawyer was indicted yesterday on Federal charges of racketeering and conspiracy to distribute narcotics in connection with his legal representation of suspects in a heroin gang case. In addition, 17 other members of the gang, known as **the Maisonet organization**, were indicted on various charges. **Four were accused of murdering rival dealers.** The lawyer, **Pat V. Stiso**, was not accused of activity related to the killings, but Mary Jo White, the United States Attorney in Manhattan, called Mr. Stiso the "the organization's former lawyer." Ms. White's statement was the first by the Government accusing Mr. Stiso of representing the heroin gang itself. "Lawyers are not above the law," Ms. White said in a statement. "The indictment alleges that Mr. Stiso was a knowing participant in a conspiracy to distribute heroin, and that he used his position as a lawyer to obstruct justice in an effort to protect the interests of the drug dealers with whom he worked." Mr. Stiso's lawyer, Murray Richman, said his client would not comment last night. But Mr. Richman said, "To suggest that Pat Stiso was involved in any way with narcotics just flies in the face of reason." Mr. Stiso, 37, was charged last August with obstruction of justice and lying to a judge in connection with his representation of **the gang's accused leader, Francisco Maisonet**; Mr. Stiso has pleaded not guilty to those charges. But the new indictment goes much further, saying that he actually participated in the gang's criminal enterprise. The indictment offers few details about how Mr. Stiso was believed to have participated in the narcotics conspiracy. Prosecutors say **the Maisonet organization operated from 1988 through last August, focusing its activities in the Hunts Point section of the Bronx.** Throughout that period, the indictment said, Mr. Maisonet was the gang's leader, even during the last two years while he has been imprisoned in upstate New York for gun possession. **The gang sold as much as \$100,000 worth of heroin a day,** the Government contends, and prosecutors **accused Mr. Maisonet of ordering the murders of the rival drug dealers.**

U.S. Department of Justice
Drug Enforcement Administration

REPORT OF INVESTIGATION

Page 1 of 1

1. Program Code	2. Cross Related Files File	3. File No.	4. G-DEP Identifier
6. By: S/A (b)(7)(C), (b)(7)(F) At: NYFD/Group D-42	<input checked="" type="checkbox"/> X3-96-0005		(b)(7)(E)
7. <input type="checkbox"/> Closed <input type="checkbox"/> Requested Action Completed <input type="checkbox"/> Action Requested For		6. File Title (b)(7)(C)	
9. Other Officers: S/A (b)(7)(C), (b)(7)(F)		8. Date Prepared 3/31/96	
10. Report Re: Acquisition of Exhibit #N-33 on 2/14/96			

DETAILS:

1. On Wednesday, 2/14/96 special agents from group D-42, NYFD, arrested (b)(7)(C) (b)(7)(C) S/A (b)(7)(C), (b)(7)(F) seized exhibit #N-33, KASHAW'S personal property, at the time of (b)(7)(C)'s arrest.

2. Exhibit #N-33 consists of:

- 1995 POLICE BENEVOLENT ASSOC. CARD #4302
- VIP MIRAGE CARD
- BUSINESS CARD - (b)(7)(C)
- NEW WAY CAR SERVICE BUSINESS CARD
- MICHEL'S UNISEX BARBER SHOP BUSINESS CARD
- (2) TLC PHONE CARDS
- BUSINESS CARD - (b)(7)(C)
- BUSINESS CARD - LA CUE BILLIARDS
- SCRAP OF PAPER - (b)(7)(C)

One of these 2 business cards stolen from (b)(7)(C) by the DEA following their illegal arrest of him in 1996 belongs to Pat Stiso. The reason why the DEA illegally redacted this information in violation of the Privacy Act is because the DEA/FBI have been falsely claiming for years that (b)(7)(C) is "hallucinating" the fact that he infiltrated the Maisonet Organization and directly witnessed murders committed by them which he also disclosed to the Agents immediately upon his arrest, yet all his disclosures are also withheld in violation of the Privacy Act because they illegally blocked him from cooperating against Maisonet and others (which led to additional preventable deaths).

CUSTODY OF EVIDENCE:

1. Exhibit #N-33 is the personal property taken from (b)(7)(C) at the time of his arrest by S/A (b)(7)(C). S/A (b)(7)(C) transported Ex. #N-33 back to the NYFD at which time he initialed and dated it and then turned it over to S/A (b)(7)(C). S/A (b)(7)(C) initialed and dated Ex. #N-33 and then sealed it in an evidence bag, as witnessed S/A (b)(7)(C). S/A (b)(7)(C) maintained custody of Ex. #N-33 until it was relinquished to the NYFD non-drug evidence custodian for safekeeping.

11. Distribution: Division LaHore RO S/A (b)(7)(C), (b)(7)(F) District Other	12. Signature (Agent) (b)(7)(C), (b)(7)(F) S/A (b)(7)(C), (b)(7)(F) 14. Approved (Name and Title) (b)(7)(C), (b)(7)(F)	13. Date 4-5-96 15. Date 4/5/96
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DEA Form 100-5 (Rev. 10-94) (b)(7)(C) DEA SENSITIVE Drug Enforcement Administration 2 - AMRI (Pink)

<https://www.newspapers.com/newspage/478092631/>

DAILY NEWS

Judge Blasts Da's Tactics

By Pete Donohue | Friday, April 10, 1998

In a scathing decision, a Queens judge this week blasted prosecutors for the heavy-handed tactics they allegedly used to gather evidence in a murder case involving a Gotti family crony. Justice Randall Eng said prosecutors wrongly directed cops to seize a taped conversation from a defense investigator working for four men charged with gunning down Scott Schulman in Rego Park in February 1997. Schulman, an ex-con, was a pal of Peter Gotti Jr., nephew of imprisoned Mafia boss John Gotti, law enforcement sources said. "The district attorney's office was guilty of misconduct," Eng wrote in his Wednesday decision. "The interference with the legitimate activities of an investigator is to be abhorred." The audio tape contained a December 1997 conversation between a prosecution witness and investigator John Dabrowski. The sleuth was secretly taping the conversation until the woman became alarmed and called cops. Eng said Dabrowski properly identified himself and did not intimidate the woman. Nevertheless, the judge declined to dismiss the murder case. But defense attorney Marvyn Kornberg said he would make another dismissal request based on a "pattern of misconduct" by prosecutors. Schulman, 29, was shot 20 times outside his 98th St. apartment building. Police charged four Queens men Salvatore Pasquetti, 25; Joseph DeStefano, 24; his cousin, Gennaro DeStefano, 21; and Nicholas Varuzzi, 22, with the slaying. Prosecutors have not offered a motive. Mary de Bourbon, spokeswoman for District Attorney Richard Brown, said prosecutors are "distressed by the personal invective" of the decision, in which Eng sharply criticizes Assistant District Attorney Andrew Cohen. "We believe that [Cohen] was correct in having the recording seized, given the fact that the witness alleged she had been threatened," and prosecutors thought the tape could be evidence of possible witness-tampering by the investigator, de Bourbon said.

<https://www.newspapers.com/newspage/478092631/>

DAILY NEWS

Teen Slain In Tiff Over Bldg. Mess

BY MAKI BECKER AND JOHN MARZULLI | Friday, January 21, 2000

A Queens teenager was fatally shot by a gunman he had chased away for urinating outside a building where his father is the super, police said. Melvin Anthony Nieves, 18, was killed instantly by a shot to the head late Wednesday. Family members said Nieves and a friend were hanging out in front of the Carlyle Towers at 138-10 Franklin Ave. in Flushing when he noticed a young man urinating on the wall. Nieves, whose father, Jose, is the super at the 16-story co-op, told the man to stop, triggering an angry exchange of words. As the man walked away with a friend, Nieves flung a bottle in their direction, police said. A few minutes later, the two returned in a maroon Toyota. The man who had been caught urinating shot Nieves and fled. Nieves' girlfriend, Karyn Campanelli, 17, said that shortly before the shooting, the teen had asked her to marry him someday. "He was always protecting me. He had so much pride," she said. "If [the suspects] were doing something like that, he'd say something. He always spoke his mind."

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<https://qns.com/story/2000/01/27/flushing-youth-18-slain-outside-his-apartment/>



Flushing youth, 18, slain outside his apartment

By Brian Lockhart | timesledgernews@cnglocal.com | Thursday, January 27, 2000 | 12:00 AM

Even as Melvin “Anthony” Nieves was mourned at his funeral Monday, detectives with the 109th Police Precinct were interviewing witnesses to find the killer who gunned down the 18-year-old outside his Flushing home last Wednesday. As of press time, no arrests had been made in the shooting, which occurred outside Carlyle Towers co-op at 138-10 Franklin Ave., a building that has been managed by Nieves' father and grandfather for decades. “I know they're working very diligently on it,” said Deputy Inspector James Waters, commander of the 109th, of his detectives. “There are some leads they need to follow up on. Hopefully, some of those leads will pan out.” Nieves was shot once in the head at around 10:28 p.m. last Wednesday, according to police spokesman Officer Louis Cruz. Cruz said Nieves had been arguing with another man before he was shot and that the suspect was an 18- to 20-year-old Asian man. Waters said police believed Nieves had an argument with the suspect earlier in the evening when he caught the young man urinating on or near the building. Nieves' family said that argument took place around 8 p.m., after the victim had waited with his girlfriend for her father to pick her up outside along Franklin Avenue. Waters could not confirm the information. The commander said following the initial argument, the suspect left with possibly two others who were also Asian in what might have been a maroon Toyota Camry with tinted windows. “We believe that car comes back a short time later and one male gets out,” Waters said. “There's more of an exchange and at very close range Nieves is shot once in the head.” Waters was uncertain why Nieves was still outside the building when the suspect returned. But he did confirm that Nieves was not alone when he was shot and the witness or witnesses were currently being interrogated. “This is not a case with no clues or leads, that's for sure,” Waters said. More than 150 mourners attended Nieves' funeral Monday morning at the family's church, St. Michael's, at the corner of Barclay Avenue and Union Street, just a few blocks east of the crime scene. “Ordinarily someone dies after many years of life and usually after some kind of illness,” said Rev. Edward Wetterer, who presided over the funeral. “But for our brother Anthony, death at a young age was very sudden indeed.” Wetterer said that like the crucified Jesus Christ, whose death “led him to be remembered in so many ways,” Nieves' parents “will never forget the day, the hour and the way they lost their son.” Nieves was the oldest of four children. He had two younger brothers and a young sister who attended school at St. Michael's. Their classmates and teachers were present for the funeral. Nieves grew up in the 15-story Carlyle Towers and surrounding neighborhoods. His mother's father had been the superintendent there for years and when he died, Nieves' father took over the position. Last Thursday, the day after Nieves' death, his family and friends packed their basement apartment in the co-op to grieve as snow blanketed the borough. Nieves' girlfriend, Karyn and her brother Ricky, who declined to give their last name, described the Nieves as someone who was always willing to do a favor for a friend. Karyn, also 18, said she met Nieves through mutual friends and this week would have marked their one-year anniversary. She said Nieves was a very “proud person” and very protective of her. When the couple argued, she said “he never left a problem unsolved between us.” An acquaintance of Nieves said at his funeral he had been a “wild kid” as a teenager, but had slowed down his lifestyle to focus on his relationship with Karyn and to further his education. Nieves graduated from Robert F. Kennedy HS in Flushing and began attending classes at the two-year Plaza College for Business in Jackson Heights in September. “He was a definite asset to our school,” said Linda Loffert, the school's associate dean and one of Nieves' instructors. “We're all really going to sadly miss him.” Loffert said Nieves had his sights set on a career in business administration and always adhered to the school's professional dress code and other standards. “He followed those rules to a tee,” she said. “He was a very good student, very serious about what he was doing.” “He's a good kid – starting out, getting into a profession,” said Louie, who has been a porter at Carlyle Towers for 15 years and watched Nieves grow up. On Monday, as mourners struggled to come to terms with the sudden end of such a promising young life, the Rev. Wetterer told the audience and Nieves' parents in particular what he thought the young man would say to them in death. “He would say to you, 'Live the gift, the holiness, the goodness of life God has given you,’” Wetterer said. “Take care of my brothers and sister. Do not let your sorrow weaken you, but live in hope and faith.”

<https://nypost.com/2000/05/27/manhunt-nets-duo-in-mass-slaying-suspect-quick-to-finger-alleged-accomplice-cops/>



MANHUNT NETS DUO IN MASS SLAYING: SUSPECT QUICK TO FINGER ALLEGED ACCOMPLICE

By [Murray Weiss](#) | May 27, 2000 | 4:00am

The furious manhunt for the two Wendy's massacre suspects ended yesterday after one was busted in a rundown Long Island hideout – and quickly coughed up the name of his accomplice, sources said. Suspect John Taylor told detectives: “Yeah, I really feel bad about it, but it was the other guy who shot them,” the sources said. Taylor fingered parolee Craig Godineaux – who has a rap sheet for robbery and drugs dating back to 1989 – as his partner and triggerman, they said. Godineaux, busted at the Queens clothing store where he works, immediately accused Taylor of carrying out the killings. Taylor – suspected of sticking up four fast-food outlets last year – said the seven victims were shot point-blank in the head so that no one could identify him and Godineaux, the sources said. That could earn them both a death sentence, said Queens District Attorney Richard Brown, who has four months to decide whether to seek life without parole or the death penalty against the suspects. “The brutality, the ruthlessness, the viciousness of the crime are certainly matters that will be considered in making our judgment,” Brown said. Cops grilled the two men separately and then charged them both with first-degree murder and robbery. Despite a massive manhunt for the 36-year-old Taylor, it took a fluke accident involving a Suffolk County child to lead cops to him. The hulking murder suspect with the nickname “Benji” came out to sit on the stoop of the Brentwood, L.I., home of his mother and sister-in-law, Zona, after the child was injured while playing in the street. NYPD detectives who were staked out nearby told Suffolk County cops to be on the lookout for “Benji.” When two cops responding to the child’s accident approached Taylor, they asked him what he saw and what his name was. Apparently thinking they wanted information about the accident, he answered, “Benji.” The cops quickly grabbed him and slapped on the cuffs. Detectives say that inside Taylor’s backpack, they found the .380 pistol they believe was used in the grisly execution-style slaying of five people. Two other victims survived – although one was still in critical condition after five hours of neurosurgery yesterday. Investigators also found a videotape in the Taylor house, which they believe was the tape stolen from the security camera at the fast-food restaurant in Flushing, Queens. Sources said the tape shows the suspects entering the Wendy’s. Authorities still don’t know for sure who shot the victims. Godineaux is on parole for a 1995 drug sale – a bust that came when he was out on parole for a series of 1992 gunpoint robberies. His parole was not due to end until 2003. Taylor is also a suspect in an unrelated sixth killing – the November stabbing of an elderly woman who lived across the hall from him in Lefrak City in Queens, sources said. Anxious cops had spent the past 48 hours rushing around the city, searching the homes of relatives and Taylor’s many girlfriends without success, sources said. Police sources said investigators went to the Brentwood house the day before, but Taylor wasn’t there. Police sources said Taylor apparently went to the home Thursday night. The most-wanted man in New York then rode a crowded commuter train to Brentwood, investigators said. Law-enforcement sources say Taylor, while riding in the back of a police car with detectives, confessed and put all the blame on Godineaux. Authorities said Taylor was still bitter about being fired from the Main Street eatery in October by manager Jean Auguste. Taylor and Godineaux allegedly entered the restaurant Wednesday night just as the workers were closing up. The stickup men took Auguste to the basement, where they used him to lure the other employees. The hostages were then bound and gagged and had plastic bags placed over their heads. As the terrified workers lay on the ground of a freezer room, their heartless killer stood over them pumping bullets into their heads. The killers’ alleged haul for the seven shootings was a paltry \$2,000. Investigators found a fingerprint belonging to Taylor amid the blood-splattered carnage in the basement. Taylor was already wanted for jumping bail on charges he twice robbed a McDonald’s last year. Police sources say they also want to question him about the November 1999 stabbing death of Antonia Enriquez. Enriquez lived across the hall from Taylor and his father on the 16th floor of 98-38 57th Ave. in Lefrak City. Investigators suspected Taylor from the start, but were never able to find concrete evidence, sources said.

<http://www.nydailynews.com/news/crime/man-slain-queens-barbershop-article-1.213773>

DAILY  NEWS

Man is slain in a Queens barbershop

By Warren Woodberry Jr. and Ernie Naspretto | NY Daily News | Thursday March 29, 2007

A 36-year-old man was shot dead in a Queens barbershop yesterday by a gunman who fled, officials said. William Lewis of East Elmhurst was shot in the head as he opened a bag of Doritos in Millennium Cuts on Northern Blvd. about 3:50 p.m., police sources and witnesses said.

"When I looked inside, his head was facing the door, like he was running [when he was shot]," said a woman who declined to give her name.

The shooting appeared to be drug-related, cops said. No arrests were made.

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WILLIAM LEWIS AKA BILLY BANG



<http://www.nytimes.com/2008/11/16/nyregion/16robbery.html>

The New York Times

Guard Shot During Robbery Attempt at Waldorf

By CHRISTINE HAUSER and RAY RIVERA (COLIN MOYNIHAN contributed reporting) | NOV. 15, 2008



A security guard was wounded in a shooting Saturday at the Waldorf –Astoria hotel in New York. Photo Credit Chang W. Lee | The New York Times

A gunman dressed in black burst into a jewelry store in the ornate lobby of the Waldorf-Astoria hotel on Saturday afternoon, announced that he was robbing the store and began smashing display cases with the butt of his gun, the police said. As the store security guard, a retired police detective, tackled the gunman, shots were fired, striking the guard and sending panicked hotel guests scattering for cover. Another employee at the store, Cellini Jewelers, grabbed the robber as he tried to flee and another gunshot went off, but no one else was hit, the police said. The man was restrained by the employee and then by other uniformed security officials until the police took him into custody, said Assistant Chief Michael Collins, a spokesman for the police. The police identified the man they arrested as Rafael Ravinovich, 20, of Highland Park, N.J. He was charged with attempted murder, assault, robbery and grand larceny. The store security guard, Gregory J. Boyle, 54, who had been working in plain clothes, was shot once under the left armpit and was taken to Bellevue Hospital Center. His injury was not life-threatening, the police said. Mr. Boyle had served with the force for 21 years and was assigned to the Brooklyn Detective Squad before he retired in 2002. A five-man special police team reached the hotel within minutes of the shooting. They split into two groups and ordered people to take cover. Halfway through the lobby, they smelled gunpowder. “It was pretty chaotic,” said Detective Dennis Canales, 32, a member of the team. “People running through the lobby, people screaming.” Several Secret Service agents who were on a security detail for the president of Pakistan, Asif Ali Zardari, at the nearby InterContinental Barclay New York hotel also ran to the Waldorf after hearing gunfire, a security official said. The ordeal transformed the lobby of the landmark hotel from a picture of refined hospitality into one of panic and confusion just before 2:30 p.m. Guests were checking in at the reception desk, relaxing in embroidered armchairs and milling in the luxury shops on the main floor of the hotel, on Park Avenue at 49th Street. But then came the bursts of gunfire. “We heard shots, and people came running out from the jewelry store shouting, ‘Run! Run!’ ” said Kevin Rands, a visitor from Britain who was checking in with his wife, Frances. Jeff Johnston, 51, was in a chair listening to music on his iPod when he saw people running. “I pulled my headphones off. I heard a pop,” said Mr. Johnston, an information technology professional from Raleigh, N.C. “I took cover. I stood behind a column.” He said people dodged into private alcoves holding telephones and chairs. “Everybody was scattering, running into rooms, behind columns,” he said. The police said they recovered two handguns, but later determined that all of the shots, fewer than six total, were fired by the gunman. The jewelry store is just past the long check-in counter, about 50 feet past the distinctive gold clock tower in the center of the lobby. Witnesses said the lobby was crowded at the time of the attempted robbery. Andrew Herald, who was in town from England for a wedding, was in the hotel bar, just steps from the jewelry store, when he heard the shots. “Everybody sort of ducked and got behind the marble pillars,” he said. After the lobby emptied and uniformed officers ran in, witnesses said they saw a man being carried out on a stretcher, a large bandage across his chest. Moments later, the police brought out Mr. Ravinovich, his hands cuffed behind his back.

TIMESLedger
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Corona resident killed on East Elmhurst street: Cops

By Howard Koplowitz | News – Jackson Heights | May 31, 2011

Police were searching for answers after a Corona man was murdered Saturday on an East Elmhurst street. Judah Johnson, 33, of 55-25 98th St. in Corona, was found unconscious about 6:45 a.m. Saturday in front of 27-51 McIntosh St., police said. When police arrived at the scene, they found Johnson with three gunshot wounds to his torso and EMS declared the Corona man dead on arrival. A police source said Johnson had ties to the Bloods gang, according to the New York Post, but this could not be verified. Johnson did not have a listed phone number and his family could not be reached for comment. Police said the investigation was ongoing and they had made no arrests in the case as of Tuesday evening. A McIntosh Street resident who asked not to be named said he heard the shots but did not look out his window. “It woke us up, but we didn’t see anything,” he said. “The cops said the body was lying there for three hours.” Johnson’s slaying was the fourth murder this year in the 115th Precinct, which has seen an uptick in homicides for 2011. Last year, there was only one killing in the precinct, which covers East Elmhurst, North Corona and Jackson Heights.

Reach reporter Howard Koplowitz by e-mail at hkoplowitz@cnglocal.com or by phone at 718-260-4573.

Updated 10:52 am, October 12, 2011

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J. Foster Phillips Funeral Home

179-24 Linden Blvd, Jamaica, New York 11434 (718) 526-5656

Judah Menelik Johnson

(August 18, 1977 - May 21, 2011)



Judah Menelik Johnson was born on August 18th 1977 at Morisania Hospital in the Bronx to Rose Joiles and Rennie Johnson. The third of four siblings. His mother named him Judah Menelik Johnson. She took the name Judah from the crest "The Lion of the Tribe of Judah" which was bestowed upon the late Emperor Haile Selassie I of Ethiopia. His family moved to Queens when he was six years old. He attended P.S. 14, I.S. 61 and John Bowne High School. Judah's aspirations were majestic. Judah met his wife Niki when he was ten years old and she was eleven. Later in years they married and from this union begat three beautiful children, first son Jahki, who went to heaven 1 week after birth, Jahsy his second son (10 yrs.) and his princess Janai (5yrs). Judah loved his family. Judah obtained employment from Sal's Construction Company, but he aspired to become an entertainment Icon. Judah was Executive Vice President for "LOL" (Loyalty over Love Entertainment Inc.) and Digi Mob which he created. Judah was also a managing artist & created his own original music. Johnny Hansum as he was called had big dreams. The name Johnny was taken from a relative named Johnny Bop and Hansum incorporated by a neighborhood friend. Thus Johnny Hansum for he was indeed handsome. Judah aka Johnny Hansum has left behind a legacy. He has touched many lives during his short span on earth and will be truly missed. Left to mourn are: wife Nikki, son Jahsy, daughter Janai, mother Rose, father Randy, brothers Habuakkuk, Rashawn, Jedi, Nathaniel, sisters Shelly Ann, Ilishemah and Maria, Cousins, Sean Bobby and Keisha, many uncles, aunts, nieces and nephews, relatives and many friends. He will be received home by his son Jahki Judah Johnson.

Judah has left a community of mourners.

IT'S YOUR SIDE... IT'S THEIR SIDE... AND IT'S THE TRUTH

The TRUTH

FALSE ON THE SCENE, TRUTH FOREVER ON THE SCENE

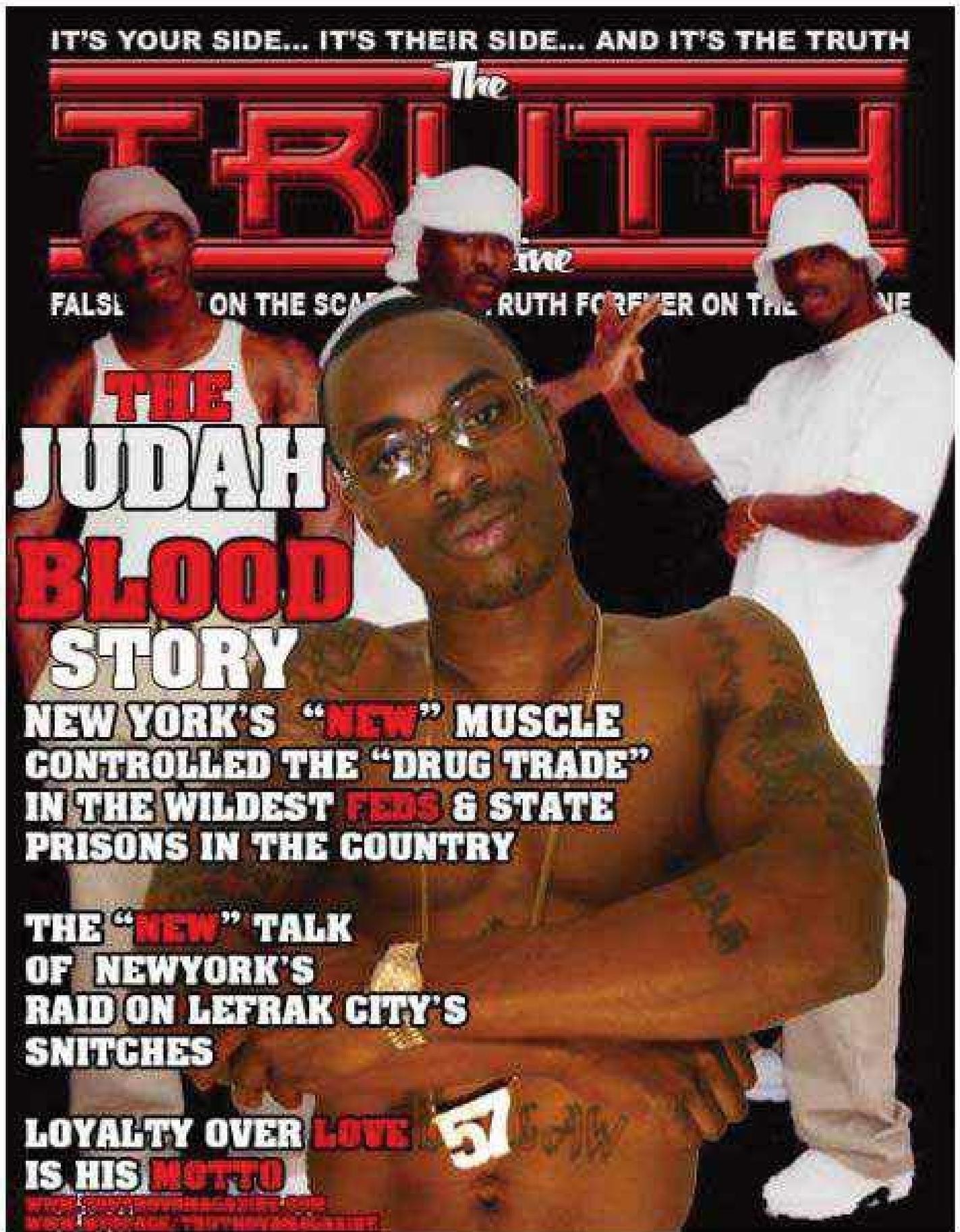
THE JUDAH BLOOD STORY

NEW YORK'S "NEW" MUSCLE CONTROLLED THE "DRUG TRADE" IN THE WILDEST FEDS & STATE PRISONS IN THE COUNTRY

THE "NEW" TALK OF NEWYORK'S RAID ON LEFRAK CITY'S SNITCHES

LOYALTY OVER LOVE IS HIS MOTTO

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DAILY NEWS

'Misunderstanding' led to Kansas City bomb scare and questioning of man who helped FBI after 1993 WTC bombing

By Victoria Cavaliere | New York Daily News | Sep 15, 2012 | 1:54 PM



Wahed Moharam says he loves this country but was hurt to be implicated in the bomb scare. (Fox 4)

A U.S. citizen who testified against terror suspects in the 1993 World Trade Center bombing says he walked into a federal building in Kansas City on Friday to ask why his name had been placed on the FBI's terror watch list, and then found himself mistakenly implicated in a bomb scare. Wahed Moharam told the Daily News on Saturday that he has "no idea" who accused him of saying he had a bomb. "I never said this, never said this," he said, adding that the incident was another "hurtful" hiccup as he tries to disentangle himself from the decade long war on terror. A former New Jersey resident who moved to the U.S. from Egypt 30 years ago, Moharam, 58, described himself as a football fan, dedicated family man and proud American. "I love this country more than any place on Earth. I will do anything, anything for this country," he said. Kansas City police confirmed Saturday that no explosives had been found during the bomb scare that shut down several buildings and roads in downtown Friday afternoon. The incident came on the heels of two bomb threats at the University of Texas, Austin and North Dakota State University in Fargo. Moharam was briefly questioned by the FBI, who also searched his car. Bomb-sniffing dogs picked up the scent of chemicals that were first reported to be explosives. Moharam said the dogs smelled chemicals used at his local carpet cleaning business. "Today I'm trying to convince myself that everything is okay, to put it behind me," Moharam said. "Or else I will just die a slow death." Moharam said Friday's incident capped a decade-long series of frustrations and what he calls "harassment" by local and federal law enforcement officials since he left the witness protection program 10 years after testifying about the 1993 World Trade Center bombing that killed six people. Moharam spied on convicted terrorist Sheikh Abdel Rahman for the FBI and testified against the conspirators, including one who worked for his car-service company in New Jersey. "An Arab guy did a bad thing and then another Arab guy helped find him, capture him," he said of his participation in the investigation. "Here I am, the person that did the good thing. Now, whenever I go to fly, they search my bag. Police here give me a hard time," he said.



Police at the scene of a bomb scare in Kansas City on Friday, Sept. 14. (Fox 4)

After entering the federal witness protection program in 1993, Moharam moved "16, 17 times," and suffered the dissolution of his marriage. He only saw a daughter in New Jersey "four times in 10 years. It hurt my heart," he said. After the Sept. 11, 2001 terrorist attacks, Moharam felt like federal authorities were no longer willing to protect him. In 2003, he ended up in Kansas City with the name Edgar Sanchez. "I know nothing about Mexico. Why did they give me a Mexican name?" He eventually left witness protection and took back his old name. He made his home in Kansas City, Mo., converted to Christianity and became an avid Kansas City Chiefs fan, known locally as the "Helmet Man" for his drum-banging at games. "I felt like I belonged," he said. Several years ago, Moharam said he learned he was on the terror watchlist and claims he has been frequently followed and questioned by local police. **On Thursday, police pulled Moharam over for a speeding violation. "They say my name is on the FBI watch list. They pull me over at a gas station and then four or five cars surround me. All my neighbors see this,"** he said. Moharam maintains he has no idea why his name ended up on the watch list. **On Friday, seeking answers, he went into the federal building and asked employees "why am I on the FBI watch list." The bomb scare ensued. The FBI said the incident was spurred by a misunderstanding. "The individual who walked into the Federal Building did so to clarify whether he was under investigation by a federal agency,"** the FBI said in a statement. The agency would not comment on any efforts to remove Moharam for this list, saying "federal law prohibits the FBI from discussing whether a person may or may not be included on national security related lists." Moharam says stress from feeling scrutinized had left him with back and kidney problems. "Still, I'm thankful every day. I love this country and it's my home too. I have four children. Three grandchildren. I'm not leaving," he said.

vcavaliere@nydailynews.com

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<https://www.nytimes.com/2013/03/13/nyregion/psychiatrist-also-a-victim-recalls-david-tarloffs-actions-on-night-of-therapists-murder.html>

The New York Times

Psychiatrist, Also Victimized, Tells of Attack by Defendant

By [Russ Buettner](#) | March 12, 2013

At the murder trial of a man accused of killing an Upper East Side psychologist, several mental health experts are expected to testify about the defendant's state of mind on the night of the slaying. But one of those experts, Dr. Kent D. Shinbach, did not come to his conclusions from the comfort of his desk. Dr. Shinbach's appraisal came to him as he was lying not far from a dead or dying colleague, looking up at a former patient, David Tarloff, who was wielding a bloody meat cleaver. "He was entirely focused on the task at hand," Dr. Shinbach, a psychiatrist, testified on Tuesday in [State Supreme Court in Manhattan](#). Dr. Shinbach, 75, shared an office suite with the dead psychologist, Kathryn Faughey. Mr. Tarloff's lawyers are not contesting that [he stabbed and slashed Ms. Faughey, 56, to death](#) on Feb. 12, 2008. They are seeking to prove he was not responsible because of his mental illness. His lawyers have said Mr. Tarloff came to the office intending to rob Dr. Shinbach, who had arranged for Mr. Tarloff to be hospitalized against his will 17 years earlier, so he could afford to take his mother from what he thought was an abusive hospital and care for her in Hawaii. Dr. Shinbach recounted a harrowing 10-minute fight for his life. As he completed his last appointment of the day, he heard unfamiliar noises — "a low rumble" and "sharp, higher-pitched noises" — coming from Ms. Faughey's office. He left his office and knocked on her door several times. When she did not answer, he opened the door. "From what I could see, the office was in tremendous disarray," he said. "I went in, turned to the left, and saw her body crumpled on the floor." The doctor stood there for a moment, stunned. "And then someone came up behind me and said, 'She's dead,' and shoved me to the floor," he said. "Then I was confronted by a very tall man and he was shouting, screaming, 'I'll kill you, I'll kill you!'" Dr. Shinbach said he did not recognize his former patient. He then saw him pull the bloody meat cleaver, with the handle already broken off, from his pocket. "I realized I had to do something or I was going to be slaughtered right there," he said. A soft-spoken man who stands about 5 feet 8 inches tall, and was then 70 years old, Dr. Shinbach lunged at Mr. Tarloff, who was then 39 and stood 6 feet 1 inch. The doctor grabbed at the cleaver. His fingers were slashed. Mr. Tarloff cut him several more times, knocked him to the floor again, and then lifted up a chair and pinned the doctor under the chair's legs. Dr. Shinbach got up again, only to be overpowered once more. Mr. Tarloff began demanding money. First \$1,000, then \$500, and finally \$250. Dr. Shinbach told him: "I don't have \$250. I just have what's in my wallet." When he found that Dr. Shinbach had only \$90, Mr. Tarloff began grilling Dr. Shinbach for his PIN. The doctor testified he did not use ATMs, but Mr. Tarloff would not believe him. He made up a PIN, but Mr. Tarloff saw that it had too many digits. "He then said, 'I'm going to the bank on the corner, and if that's not your PIN number I'm coming back and I'm going to kill you,'" Dr. Shinbach said. Mr. Tarloff, as he looked at the pictures from the doctor's wallet and his home address, added another threat: "I'm going to stick this knife into your wife." Some time passed. Mr. Tarloff said he wanted something to eat. "I said to him, 'Haven't you done enough harm this evening? Why don't you just leave,'" Dr. Shinbach said. "And at that point I was surprised that he just whirled around and he left." Dr. Shinbach was covered in blood. A portion of his right cheek was hanging off his face. He required surgery to repair the cheek and to reconnect the severed tendons in his left arm. **Dr. Shinbach, who has treated mentally ill people for decades, did not waver in his assessment of Mr. Tarloff's sanity on that night in 2008. Asked by a prosecutor whether Mr. Tarloff showed any sign of psychosis, the doctor answered with certainty. "No," Dr. Shinbach said.**

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<https://www.nytimes.com/2013/03/20/nyregion/tarloffs-father-testifies-about-sons-bizarre-behavior.html>

The New York Times

Father Describes Behavior of Son Accused of Murder

By [Russ Buettner](#) | March 19, 2013

After enduring years of his son's bizarre behavior, Leonard Tarloff had grown accustomed to the alarming phone calls that indicated that something was once again amiss. But this occasion, he testified on Tuesday, was clearly different. "Dad, they're telling me I killed this lady," Mr. Tarloff said his son, David Tarloff, told him five years ago. "What are they, crazy? You know I would never hurt anybody." David had been arrested in the murder of Kathryn Faughey, an Upper East Side psychologist, and the attempted murder of her office partner, Dr. Kent D. Shinbach, a psychiatrist. Calling from a police precinct station house, he quickly shifted to more prosaic concerns. "When you come, will you bring me a bag of potato chips?" David asked, according to his father. At David Tarloff's murder trial in State Supreme Court in Manhattan, his lawyers are not denying that he [stabbed and bludgeoned Dr. Faughey](#), 56, and Dr. Shinbach, 75. They are mounting a defense that he was not responsible for the crimes because of mental illness, a verdict that would result in his being sent to a psychiatric hospital, and occasionally evaluated for possible release, instead of to prison. [The lawyers argued that David Tarloff, who had repeatedly received diagnoses of schizophrenia since he was first involuntarily hospitalized by Dr. Shinbach in 1991](#), was operating under a delusion that God was directing him to rob Dr. Shinbach and use the money to take his mother from a Queens nursing home and care for her in Hawaii. [His father](#) and his brother, Robert, were among the first witnesses to testify in his defense this week. They recounted that David, now 45, [was a popular teenager in high school, someone who worked out and paid attention to his clothes and hair. But when he returned in late 1986 from his first semester of college, at Syracuse University, a dramatic change had occurred.](#) "When we picked him up at the airport I couldn't recognize him," Robert Tarloff, 43, said of his older brother. "He was a mess." Their parents had long since separated, and David moved back into the family's Rego Park apartment with his mother, Beatrice. He refused to return to Syracuse but briefly attended St. John's University, in Queens, and the University of Miami. Leonard Tarloff, 77, recalled the time his ex-wife called him, saying that David was standing on Queens Boulevard, "ranting and raving." He went to try to calm his son down, but David bolted into traffic without saying anything. "He looked like a homeless person to me; I was stunned," the father said. "That's when I thought something was very wrong with my son." Prosecutors [have pointed out](#) that David Tarloff's actions were focused. He took his mother's money from government checks, carefully planned the attack on Dr. Shinbach and concealed his identity in order to escape. [Leonard Tarloff said that he repeatedly tried to place his son in an adult home for the mentally ill, but that David would not agree.](#) "My goal was always to try to get him to stay in the hospital," he testified, gasping through tears to add that he felt it was the only way to deal with this "horrible disease that was taking my son away from me."



Leonard Tarloff testified as a defense witness at his son's murder trial.

Credit John Marshall Mantel for The New York Times

A version of this article appears in print on March 20, 2013, on Page A24 of the New York edition with the headline: Father Describes Behavior Of Son Accused of Murder. [Order Reprints](#) | [Today's Paper](#) | [Subscribe](#)

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The New York Times

Familiar Questions at 3rd Trial in Killing of Psychologist

By [James C. McKinley Jr.](#) | March 4, 2014

Nearly a year after his most recent trial [ended in a hung jury](#), a schizophrenic man accused of killing a psychologist on the Upper East Side went on trial a third time on Monday, and the opening arguments underscored what again will probably be the central question: When David Tarloff committed murder, was he sane enough to know right from wrong? Mr. Tarloff, 45, has been in and out of psychiatric hospitals during most of his life. His lawyers have never disputed that he [fatally stabbed and bludgeoned](#) Kathryn Faughey in her office on East 79th Street on Feb. 12, 2008. But they argue that he was too delusional to understand his actions — that he even believed God had spoken to him and had sanctioned the violence. “His mind doesn’t work the way our minds work, and that is a good thing,” Mr. Tarloff’s lawyer, Frederick L. Sosinsky, told the jury in State Supreme Court in Manhattan, gesturing toward his client. “That is a sick individual sitting over there.” Wearing a gray T-shirt, gray sweatpants, long graying hair and a scraggly beard, Mr. Tarloff pursed his lips through much of the day’s proceeding. His eyes often wandered around the room, as if looking for something on the ceiling and walls. Evan Krutoy, an assistant district attorney, told the jury Mr. Tarloff had attacked Ms. Faughey because “she became an obstacle” to his plan to obtain money with which to move his invalid mother to Hawaii. **He had intended to rob his former doctor, Kent D. Shinbach, a psychiatrist who shared an office with Ms. Faughey and had treated him in 1991, he said.** The prosecutor said Mr. Tarloff had carefully planned the crime, buying knives and a mallet and **taking pains to find out the location of Dr. Shinbach’s office.** [His actions](#) the night of the murder, Mr. Krutoy said, also show he did not want to be recognized. “He knew what he was doing was wrong,” the prosecutor said. “He knew what he wanted and he took it by force.” Mr. Sosinsky painted a more complex picture of Mr. Tarloff. **He said the defendant had first been hospitalized for paranoid schizophrenia 17 years before the murder — by Dr. Shinbach.** When he failed to take antipsychotic medication, he experienced hallucinations and believed he was in communication with God and the Devil, Mr. Sosinsky said. **From 1991 until 2008, he was hospitalized more than 20 times, often against his will,** because he was a danger to others. For most of that time, Mr. Tarloff lived with his mother, Beatrice Tarloff, in Rego Park, Queens, relying on her as his primary companion and caregiver. But his mother’s health started to fail in the early 2000s and she was placed in a nursing home, unhinging her son, Mr. Sosinsky said. He believed she was being tortured and he hatched what Mr. Sosinsky called “an absolutely lunatic, crazy plan.” **The plan was to hold up Dr. Shinbach with a knife and a mallet, take \$50,000 out of the doctor’s bank account at an A.T.M., buy a gun, kidnap his mother and flee with her to Hawaii, where he would rent a villa.** “In his twisted mind, his diseased mind, only he could care for his mother,” Mr. Sosinsky said. Last year, a jury failed to reach an agreement about Mr. Tarloff’s sanity. After 10 days of often heated argument, Justice Edward J. McLaughlin declared a mistrial. It was the second mistrial in the case. An attempt to

try Mr. Tarloff in 2010 ended even before the jury was selected because he had a psychotic episode and [was institutionalized](#). **A lifetime of mental illness, however, does not make a successful insanity defense a sure thing in New York State, and such trials often boil down to a battle between expert witnesses.** The defense must persuade jurors that Mr. Tarloff failed to understand that his actions would cause Ms. Faughey's death or to see that it was wrong. "I hope the jury sees through the performance by the defense," the victim's brother, Michael Faughey, said outside the court. "We have to relive Feb. 12, 2008, every single day of these trials."



David Tarloff, accused of murder, in court last week.
Credit John Marshall Mantel for The New York Times

A version of this article appears in print on March 4, 2014, on Page A17 of the New York edition with the headline: Familiar Questions at 3rd Trial in Killing of Psychologist. [Order Reprints](#) | [Today's Paper](#) | [Subscribe](#)

<https://www.nytimes.com/2014/03/29/nyregion/david-tarloff-found-guilty-of-bludgeoning-and-stabbing-psychologist-kathryn-faughey.html>

The New York Times

Jury Rejects Insanity Defense in '08 Killing of Manhattan Therapist

By [James C. McKinley Jr.](#) | March 28, 2014



A jury convicted David Tarloff, in court on Friday of first-degree murder in the 2008 attack, with a meat cleaver and a rubber mallet. Credit Bryan R. Smith for The New York Times

David Tarloff, a man with schizophrenia who bludgeoned and stabbed a psychologist to death during a botched robbery six years ago, was found guilty of her murder on Friday by a Manhattan jury that rejected an insanity defense. The verdict in State Supreme Court came in the third attempt to convict him. A year ago, a [mistrial was declared](#) after the jury announced it was deadlocked. The first trial, in 2010, stalled during jury selection when Mr. Tarloff became unstable. Mr. Tarloff, who appeared with long, scraggly hair in a dingy sweatsuit, betrayed little emotion as the jury forewoman rose to read the verdicts, reached after seven hours of deliberations. The jury found him guilty of first-degree murder in the [attack](#), with a meat cleaver and a rubber mallet, on the psychologist, Kathryn Faughey. He was also found guilty of assault and attempted robbery for [maiming Dr. Kent D. Shinbach](#), a psychiatrist who shared an office with her. In the audience, members of Dr. Faughey's family who had attended most of the monthlong trial hugged one another and wept as the verdicts were read. "The ordeal is over, thank God," said Owen Faughey, her brother. "We got justice for our beautiful sister Kathryn." As in

last year's trial, [the critical issue](#) was whether Mr. Tarloff, when he killed Dr. Faughey, was in the grip of a psychotic delusion that prevented him knowing that what he was doing was wrong. Mr. Tarloff's lawyers, Bryan Konoski and Frederick L. Sosinsky, argued that their client had a long history of delusions about communicating directly with God. He told doctors who examined him that his plan to rob Dr. Shinbach — which spun out of control when Dr. Faughey confronted him first — had been sanctioned by the lord. But the lead prosecutor, Evan Krutoy, argued that Mr. Tarloff's mental illness never grew so severe that he could not distinguish right from wrong. Nor, he argued, did Mr. Tarloff show signs he was out of touch with reality on the day of the killing. Mr. Tarloff faces a maximum term of life in prison without parole when he is sentenced May 2. Had the insanity defense succeeded, he could have been ordered held indefinitely in a psychiatric hospital. His lawyers said they would appeal. The defendant's brother, Robert Tarloff, said, "I am hopeful now that the Faughey family has some peace, that it's finally over." Mr. Tarloff, 47, told the police he went to Dr. Shinbach's office on East 79th Street on Feb. 12, 2008, to rob the doctor of \$50,000 for a far-fetched scheme to kidnap his mother from a hospital and move with her to Hawaii. Jurors said they were convinced that even though Mr. Tarloff at times had delusions about communicating with God, he still knew that the robbery and murder were immoral in society's eyes and understood that he had committed a crime. "He's sick, but I feel like he knew what he was doing," said a juror, Dana Torres, 27, a construction worker. **"For me, if he had said Satan told him to do this, it would have been a different story."** Another juror, Emma Pulitzer, 27, said the narrow rules governing the insanity defense left the jury little choice but to convict Mr. Tarloff, because even during psychotic periods he was obsessed with religion and morality. Still, she said, Mr. Tarloff belonged in a mental hospital, not a prison. "I felt like there needed to be one more box," Ms. Pulitzer said, "the box for the obviously crazy people who know right and wrong." At the start of deliberations on Thursday, only two jurors were leaning toward finding Mr. Tarloff not responsible because of insanity, jurors said. After heated discussion, the holdouts were persuaded to join the majority. One of the jurors initially on the fence was Tiffany Brown, 38, a city employee, who said she thought Mr. Tarloff "might have snapped" when he encountered Dr. Faughey. But Ms. Brown said she eventually decided that the defense had not offered strong evidence of Mr. Tarloff's state of mind during the attack. Also, she said, he seemed rational during a videotaped confession to detectives a few days later. "He understood what he did in that interview," she said. "He started off being apologetic." Other jurors agreed that the videotape had been critical to their decision, offering an unfiltered peek into Mr. Tarloff's state of mind shortly after the crime, and months before he told doctors that God had sanctioned the robbery. "His mannerisms, his way of speaking — he knew what was going on," said Kevin Berry, 48, a flight attendant. "I believe he's sick to a certain degree, but not sick enough to not know right from wrong."

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<https://www.nytimes.com/2014/05/03/nyregion/david-tarloff-is-given-life-sentence-for-08-killing-of-psychologist.html>

The New York Times

Life Sentence Is Imposed in '08 Killing of Therapist

By [James C. McKinley Jr.](#) | May 2, 2014

Slouching over the defense table in the stained, gray sweat clothes he wore throughout his trial, David Tarloff finally got a chance to speak on Friday in the Manhattan courtroom where his sanity had been debated for weeks. Just before being sentenced for killing a psychologist, Mr. Tarloff apologized to the victim's family members, who sat in the front row, waiting for the final act in a legal drama that has dragged on for six years. Then Mr. Tarloff, who has schizophrenia, asked Justice Edwin L. McLaughlin of State Supreme Court for mercy. For two decades, he said, he has lived with persistent hallucinations of communicating with God and the devil, a condition he described as "a battle in my head." Mr. Tarloff, who was convicted in March, has never disputed that [he killed](#) the psychologist, Kathryn Faughey, during an attempt in February 2008 to rob her colleague, Dr. Kent D. Shinbach. Dr. Shinbach, who had treated Mr. Tarloff, [was injured in the attack](#) but survived. "I believe in obeying the law, but that night I had a thought come into my head that I interpreted as coming from God," Mr. Tarloff said. "God said, 'Your mother's going to die unless you kill Dr. Shinbach.' I didn't want to do this, I swear to God, but I thought all these bad things were going to happen." Then it was Justice McLaughlin's turn to speak and impose sentence. "Sometimes at sentencing I can be angry, I can be pointed at times, I can even be articulate and creative," the judge said. "This is such a tragedy I have none of that in me." He sentenced Mr. Tarloff to life without parole, the maximum allowed, as requested by the prosecutor, Evan Krutoy, and by Ms. Faughey's family. He said Mr. Tarloff would most likely be held in a prison psychiatric unit. Mr. Tarloff, 46, admitted to the police that he went to Dr. Shinbach's office on East 79th Street in Manhattan on Feb. 12, 2008, to rob the doctor of \$50,000 as part of a scheme to kidnap his mother from a hospital and move with her to Hawaii. His lawyers, Frederick L. Sosinsky and Bryan Konoski, used an insanity defense, arguing Mr. Tarloff was too out of touch with reality during the robbery to understand that what he was doing was immoral. [A jury disagreed](#), determining that Mr. Tarloff, despite his medical history, knew the murder was wrong and so was responsible under New York State law. Mr. Tarloff was found guilty of first-degree murder, assault and attempted robbery. Two earlier trials ended [in mistrials](#). The proceedings were also delayed for months when Mr. Tarloff was declared temporarily unfit to stand trial by court-appointed psychiatrists. Insanity defenses rarely succeed in New York. Of 5,910 murder cases in the last decade statewide, only seven defendants have been found at trial to be not responsible by reason of mental disease or defect, according to the state Division of Criminal Justice Services. Before his sentencing in State Supreme Court in Manhattan on Friday, David Tarloff asked the judge for mercy, saying he had lived with delusions and hallucinations for two decades. [Mr. Tarloff was given a diagnoses of schizophrenia in college and doctors had him committed to mental hospitals more than 20 times over the next 20 years](#). Medical records show he reported seeing the "eye of God" on a kitchen floor, heard the voice of the devil and at times had the delusion he was the Messiah. By early 2008, he was upset about being barred from a hospital where his mother was being treated and became obsessed with taking caring of her himself, evidence showed. [He decided to rob Dr. Shinbach, the first doctor to have him committed, kidnap his mother and move to Hawaii. But he encountered Dr. Faughey as he waited outside Dr. Shinbach's office](#). He pushed his way into her office, stabbed her in the chest with a knife, slashed her with a meat cleaver and fractured her skull with a mallet. He attacked Dr. Shinbach when he came to Dr. Faughey's aid, slashing him with the cleaver. Prosecutors said Mr. Tarloff had planned the robbery, buying the weapons, which he carried in his coat, and calling ahead to find out Dr. Shinbach's hours. Afterward, he tried to get rid of the bloodstained clothes and other evidence. He was arrested four days later based on fingerprints left at her office. "Doctors Faughey and Shinbach devoted their careers to helping people who have mental illnesses, making this coldblooded attack all the more tragic," [Cyrus R. Vance Jr., the Manhattan district attorney](#), said in a statement. Dr. Faughey came from a large, tight-knit family of working-class Irish

immigrants in Queens, her brother Owen Faughey said. In spite of her family's modest means and the death of her father when she was young, she achieved her dream of moving to Manhattan and becoming a therapist. She graduated from Hunter College, then worked as an X-ray technician while going to Yeshiva University at night to get her doctorate in psychology. "If given the chance, I know our sister could have helped him," he said. Mr. Faughey characterized Mr. Tarloff as a criminal who sought to use his mental illness as an excuse to avoid prison. "He is a liar, he is a thief, he is a drug user, he is a murderer," he said. Another brother, Michael Faughey, said he felt the loss of his sister every day. "I am dealing with a life sentence and have been since Feb. 12, 2008," he said. Justice McLaughlin said Dr. Faughey's story struck a chord in him, since he came from a similar family. He said her painful and violent death did not negate "the unending, never-to-be-diminished, conscious awareness of God's presence in her life." Mr. Sosinsky, the defense lawyer, said Mr. Tarloff's case demonstrated a need to change New York law. Jurors should have the option, he said, of finding a person guilty but insane, as some states like Michigan allow. "You know because you sat through more than two trials here, that Mr. Tarloff's severe, and I mean severe, mental illness had everything to do with what happened," he told the judge before the sentencing. **The defendant's brother, Robert Tarloff, of Olney, Md., watched silently in the courtroom audience. "Now that justice has been served for his crime," he said after the sentencing, "justice needs to be served for David — he needs to be cared for."**



Before his sentencing in State Supreme Court in Manhattan on Friday, David Tarloff asked the judge for mercy, saying he had lived with delusions and hallucinations for two decades. Credit Anthony Lanzilote for The New York Times

A version of this article appears in print on May 3, 2014, on Page A15 of the New York edition with the headline: Life Sentence Is Imposed in '08 Killing of Therapist. [Order Reprints](#) | [Today's Paper](#) | [Subscribe](#)

From: [REDACTED]
Sent: Saturday, April 06, 2019 10:56 AM
To: 'bkonoski@aol.com'
Subject: David Tarloff Case

Dear Mr. Konoski,

I wrote to you and Mr. Sosinsky several times regarding the David Tarloff Case (even before he was convicted). I know I filled out a webform previously trying to notify you about this matter but no response. I had to go on pacer to get your direct email. Please confirm your receipt of this email. Thank you.

I witnessed substantial misconduct concerning the David Tarloff case which the Manhattan District Attorney Cyrus Vance covered up because I am a witness against him and his office in a related matter.

David Tarloff witnessed a murder approximately 1986, and he told me (and others from our neighborhood) that he tried to confide in Dr. Shinbach what he witnessed, but that Dr. Shinbach accused him of hallucinating and instead had him illegally committed to a hospital for schizophrenia (at a time when he clearly knew that David was suffering from PTSD resulting from having witnessed this murder). This started a massive cycle that destroyed his life. David confided in me from a long time ago that he wanted to kill the Doctor that ruined his life. David was fearful of disclosing what he witnessed to his family because the murder/manslaughter was allegedly caused by a drug overdose committed by whomever gave David's friend the drugs). Although I never knew the actual name of the doctor that David was complaining about because he never told me the name or even the gender of the doctor, from what I can gather from the newspapers it appears to fit the description of Dr. Shinbach. So when I heard David killed a female doctor, I originally thought that Kathryn Faughey was the doctor that he was complaining about to me back in those days, but after reading the newspaper articles concerning this matter I believe that it was actually Dr. Shinbach that he was complaining to me about.

Unfortunately, only a few people in the entire neighborhood knew about this event (I know of at least one other person named Lance who was present with me and David when we spoke about all this). This murder/manslaughter caused David substantial distress, mostly because Dr. Shinbach falsely accused him of "hallucinating" it (and that is actually what caused David to fall into the downward spiral. For example, when another kid in the neighborhood learned about the murder (a mutual friend of ours named nicknamed EMED who used to work at a Pizzeria on 99th st and 59th ave called the "Leaning Tower of Pizza"), EMED used to taunt David and harass him and mock him about it. David would then retaliate against EMED by calling the Police on him anytime he caught him working at the Pizzeria, where he would then tell the police that EMED was himself involved in other neighborhood murders which were occurring (which was partially true, as EMED's brother had also been killed on 57th ave). The NYPD would show up to the pizzeria to question EMED about the "murders" that David was accusing him of confessing to, but they never knew why David was making this up against EMED to retaliate against him for mocking him about the murder that David himself witnessed. Additionally, many people in the neighborhood also used to bully David and even assault him from time to time to get revenge against him for the beef with EMED, because EMED would start to complaint to others that David was calling the police on him and so people used to retaliate against David for that by beating him up from time to time (which resulted in him being bullied in the neighborhood which clearly compounded his trauma).

So although I reached out to you guys prior to the conviction and never received any response, I did have occasion to notify the NYPD on several occasions from 2008 to 2013, and then in 2013 the NYPD arrested me on an unrelated incident accusing me of "harassing" one of Cyrus Vance direct friends and I again brought up the matter of David Tarloff directly with the Manhattan DA Office at a time when they were simultaneously prosecuting me on a false charge at the same time they were prosecuting David on a 1st Degree Murder charge for the specific purpose of covering up the

scandal we both witnessed. The Manhattan DA knew that the 1st Degree Murder was not the appropriate charge to be filed against David in that case of extreme psychosis which was itself brought on by extreme medical malpractice imposed upon David for decades via the actions of Dr. Shinbach (which clearly turned David into a vegetable by the time he finally decided to correct this egregious crime committed against him by the doctors starting since his youth). Although David was confiding to me and others that he wanted to kill Dr. Shinbach for years (without any of us knowing the actual identity of the doctor), I believe that was more so out of anger and that he really did not want to do that if he could avoid it. I believe that he truly went there to rob Dr. Shinbach in order to get some money from him (basically because he really didn't know how to sue him for the medical malpractice). I believe he took the meat cleaver with him to scare Dr. Shinbach, but that his entire plan fell apart when he was startled by the other psychologist in his office. I believe that once he killed Kathryn Faughey, he felt immediate remorse and thereby spared Dr. Shinbach's life. David was really a very docile person and I know that it took a lot for him to get to the point where he was, where he felt that the only way to resolve this situation was to rob Dr. Shinbach (basically because he didn't know how to sue him), and so he wanted to use that money to escape to Hawaii with his mother.

So although I do not have a copy of the prior emails that I am sure I sent to Sosinski, I also was able to additionally confirm that Cyrus Vance was again made aware of all this in 2013/2014 (and the fact that I was a witness to other murders that they were themselves also obstructing because of this scandal which for me, goes back to at least 1987), and so I am assuming that Cyrus Vance never provided this exculpatory evidence/testimony and additional path of investigation to your team because clearly it proves the reason why David targeted Shinbach (who was the doctor that was directly responsible for the complete destruction of David's life). I believe that David really did not intend to kill Kathryn Faughey, but in his state of mind the mere surprise of her yelling caused his mind to collapse and try everything possible to force her to stop. I also remember David always describing the doctor who destroyed his life by using the term "faggot" to describe him, and also accusing the doctor of trying to get him "molested" in the hospitals and other statements made by David, which in retrospect now appear to be important because it is possible that Dr. Shinbach may have illegally retaliated against David by accusing him of "schizophrenia" to punish him for being "homophobic," and that may have also been a substantial factor in why Dr. Shinbach may have maliciously diagnoses him as a "schizophrenic."

This may be relevant to the situation because I was also illegally arrested and prosecuted by Cryus Vance based upon a false complaint filed against me directly by one of his high-profile LGBT friends, who was sending me threats of violence and when I responded to call him a "faggot," Cyrus Vance illegally arrested me on a "hate crime" while their office (and the pro-gay Legal Aid Society) all engaged substantial felony misconduct to cover up the fact that I was receiving death threats from his LGBT friend to specifically provoke me into a response (because they knew Cyrus Vance would cover up their death threats for them and refuse to prosecute them for these crimes). They even attempted to falsely accuse me of "schizophrenia" to specifically prevent me from defending myself because they knew I would win the case, and so I was forced into an illegal prosecution for nearly two years before I could finally win my right to proceed to trial PRO SE. Immediately after I regained the right to proceed PRO SE, Cyrus Vance then ran away from the trial and dismissed the case as part of a plot to refile the same false case a year later in federal court (as part of an attempt to rig the 2016 Election in favor of Hillary Clinton, whom I had also fell into dispute with directly as part of this scandal (and I have email communications directly with Hillary Clinton to prove it, whereby after I emailed her she then sent Ambassador Robert P. Jackson to negotiate a "peace treaty" with me).

There is no way on this earth that Tarloff should have gotten life without parole, because in this particular scandal Cyrus Vance actually allowed murders to go unsolved (and murderers to roam free) in order to cover up the crimes that were being committed by his LGBT constituency against both myself and Tarloff. Even if the appeals are exhausted in his case, the illegal withholding of critical exculpatory evidence (which would have absolutely impacted everything from the verdict to his crazy life sentence without parole), is probably something that can be raised under 28 USC 2254 and other applicable federal statutes.

Thank you for taking the time to read this. Justice has never been served in this case because Shinbach and Cyrus Vance covered up the real reason why David and Kathryn Faughey ended up in that horrific situation. I have no doubt that after 20 involuntary commitments and the massive amount of psych meds they forced upon David from 1986 to

present, that this medical malpractice is the absolute cause of his psychosis. All David suffered from in 1986 was a very manageable case of PTSD which likely could have been resolved with a simple prescription for medical marijuana (had it been legal at that time). I directly witnessed that when David smoked marijuana with our mutual friend Lance, that it really did calm him down very much. But the crimes of Dr. Shinbach were so extreme that David fell into abusing other drugs and ultimately a form of psychosis which is probably irreversible by now (unless he actually gets the treatment he needs, which is not possible when this matter continues to be covered up).

It is the American Psychological Association and various special interest groups that all contributed to the death to the female whom he did not intend to target that day. I suppose that he may have gotten into an argument with Dr. Shinbach and called him a "faggot," and that Dr. Shinbach retaliated against him by having him illegally committed for "schizophrenia."

Very sad case. What is very scary is that Dr. Shinbach had no problem destroying Tarloff's life with a knowingly false diagnosis of Schizophrenia (thereby alleging he was incompetent at the time when he set in motion decades of brutal torture at the hands of psychologists), yet when David was in his office, all of a sudden Shinbach testified that he believed David was sane (for the purpose of finishing him off with a final torture of life in prison without parole).

It is Dr. Shinbach and his colleges (to include Cyrus Vance) who should be serving life without parole for setting in motion the events which led to the accidental death of Kathryn Faughey.

Please respond to confirm you received this email (as normally an attorney would have a lot of questions in a situation like this), as this is the last one I will send. Thank you.

<https://www.nydailynews.com/new-york/nypd-quota-whistleblower-settles-case-hospital-article-1.2425531>

DAILY NEWS

NYDAILYNEWS.COM



EXCLUSIVE: NYPD quota whistleblower settles case against hospital over holding him in psych ward

Adrian Schoolcraft had claimed that his fellow 81st Precinct officers conspired to have him held against his will in a Jamaica Hospital psych for six days after he complained of a quota system. (Freelance/for New York Daily News)

By [STEPHEN REX BROWN](#) | NEW YORK DAILY NEWS |
NOV 06, 2015 | 4:00 AM

NYPD whistleblower Adrian Schoolcraft has settled his case against the Jamaica Hospital doctors who put him in a psych ward, bringing an end to his explosive case. Schoolcraft, who [settled his claims against the city for \\$600,000](#) in September, had charged his fellow officers conspired to [have him held against his will at the hospital](#) for six days after he complained of a quota system at the 81st Precinct in Bedford-Stuyvesant, Brooklyn. Schoolcraft, 40, alleged that two doctors bought the NYPD's story that Schoolcraft was crazy without considering that the disgruntled cop was actually telling the truth in October 2009. A Jamaica Hospital spokesman had no comment. Schoolcraft attorney Jon Norinsberg confirmed the parties reached a settlement Tuesday — the same day the case was to go to trial. Court records indicate a conference was held that day before Manhattan Federal Court Judge Robert Sweet, but a transcript of what was said is under seal. The terms of the settlement are confidential. Schoolcraft had been suspended without pay from the NYPD. He was expected to resign from the force after reaching his settlement with the city. The alleged architect of Schoolcraft's detention was Stephen Mauriello, his commanding officer at the 81st Precinct who is now a deputy inspector. Two months ago Mauriello's attorney Walter Kretz told the Daily News his client was disappointed the case wasn't going to trial. Evidence would have included recordings Schoolcraft made that hinted at a quota system within the NYPD. "I don't think the real story of what happened here has ever been told," Kretz said. Schoolcraft declined to comment through his attorney Nathaniel Smith. Sources said his settlement with the city would exceed \$1 million when including back pay and overtime. A separate class action suit alleging a summons quota system is ongoing.

sbrown@nydailynews.com

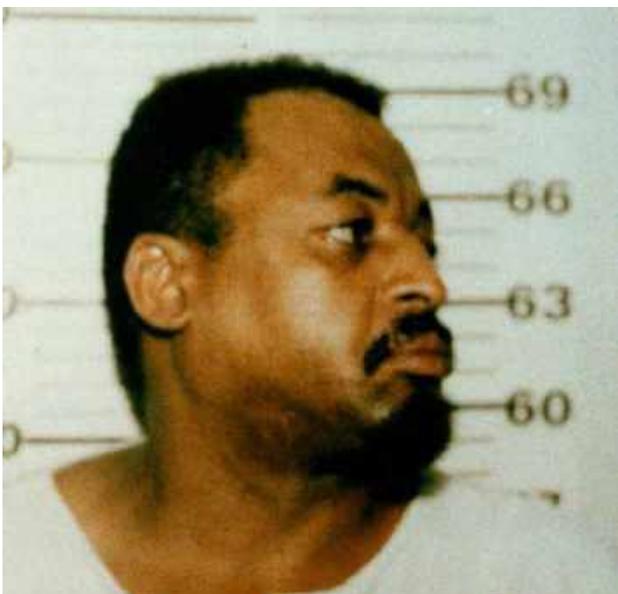
<https://gangsterreport.com/purple-reign-redux-one-time-minnesota-cocaine-kingpin-cant-wrangle-himself-free-from-life-prison-term/>



Purple Reign Redux: One-Time Minnesota Cocaine Kingpin Can't Wrangle Himself Free From Life Prison Term

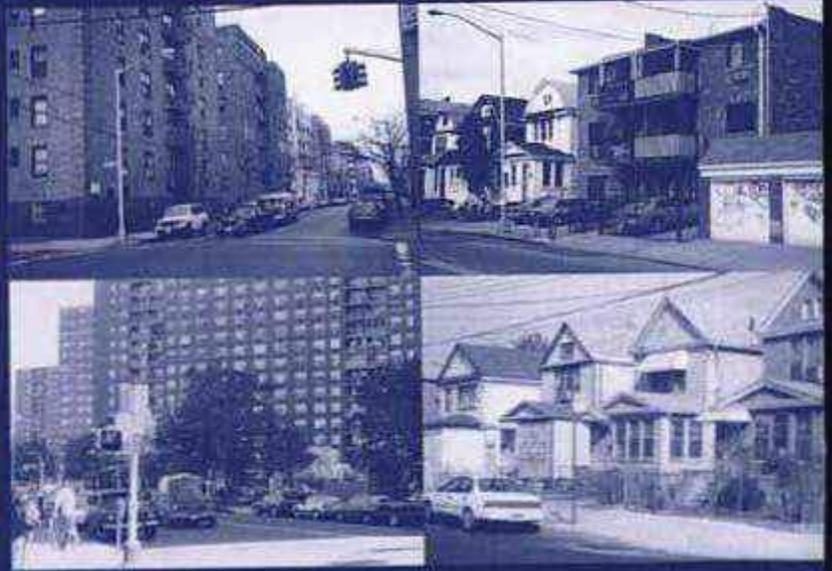
Scott Burnstein | February 13, 2018

The former king of cocaine in the Twin Cities failed to find the results he had hoped for in his bid to be resentenced. Ralph (Plookie) Duke, the Godfather of the drug trade in Minneapolis and St. Paul and the “Prince” of the Minnesota underworld at the height of the coke boom in the 1980s, didn’t get the reprieve he had hoped for from the courts, as his trial judge hit him with another life sentence for the narcotics and weapons convictions he took three decades ago. Duke was found guilty in 1990 at a month-long federal trial that grabbed headlines across the Midwest. In 2016, a federal court in Illinois (the state where Duke is incarcerated) reversed Duke’s three illegal weapons convictions, setting the stage for a resentencing in his case. With the recent trend of long-serving non-violent drug offenders getting second chances, attorneys for Duke felt they had a good shot at getting him resentenced to time served. They were wrong. Last week, U.S. District Court Judge David Doty rejected the plea for leniency and slapped Duke with another two life sentences to run concurrently for his drug business and an additional three 30-year stints for the weapons unearthed in his suburban Minneapolis estate. The 72-year old Duke has been locked up for almost 29 years. Duke ran the drug world in the Twin Cities throughout the 1980s, flooding the streets with cocaine he obtained directly from cartels in Colombia via pickups in California and Arizona. His downfall came at the hands of controversial DEA informant Andrew Chambers, who sold the Duke organization 20 kilos of blow in a deal he made with Duke’s son and right-hand man, Ralph (Monte) Nunn, in the spring of 1989. The drug transaction was in fact part of a DEA sting operation. Chambers is the highest paid snitch in DEA history, clearing almost \$5,000,000 in helping the government make close to 300 cases around the United States in the 1980s and 1990s. He was found to have perjured himself on the witness stand over a dozen times and was temporarily de-activated from use by the DEA in 2000 after 16 years of work. According to a report by the USA Today, Chambers was put back to work by DEA agents in a case out of Phoenix in 2013.



X

the future of us all



RACE AND NEIGHBORHOOD
POLITICS IN NEW YORK CITY

ROGER SANJEK

City and Neighborhood at Odds

Youth gangs were not the problem in **Elmhurst-Corona** during the 1970s that they were elsewhere in neighborhood New York, but in 1978 a 110th Precinct “youth conditions car” was assigned to monitor “disorderly kids.” In 1981 Bob Tilitz noted “complaints of after-dark unruly or disorderly behavior, of drug use and dealing in local parks and playgrounds, of destructive acts against property.” In the mid-1980s, CB4 members reported evening teenage drinking in two small Corona Heights playgrounds, and Don Mallozzi noted “forty to fifty kids” hanging out late at night in **Corona Plaza**. Teenagers “congregating” in **Lefrak City** lobbies were an annoyance to some adult residents. And **South Elmhurst** residents complained of youth smoking marijuana near the LIRR tracks and drag racing at night.

Residents of blocks near **L'Amour East**, which opened in 1983, suffered late-night and early-morning noise, and intimidation from some heavy-metal music fans leaving the club or refused admission by its bouncers. Some of the white “burnout” crowd that arrived to hear such stars as Greg Allman or former Kiss guitarist Vinnie Vincent also parked, urinated, and threw beer bottles on streets and driveways. By 1987 wooden police barriers provided some relief to residents, but three deaths and a dozen assaults, rapes, and weapons violations at the club frightened them. In 1988 residents cheered at CB4’s public hearing on a proposed school at this location; they favored it as a way to close down **L'Amour East**.⁴²

Still, the 110th’s commanding officer insisted in 1986, “We do not have a youth problem”; in his view most Elmhurst-Corona youth were orderly and law-abiding. Police opinion shifted in 1989 when the new commanding officer, Gerald McNamara, announced, “Gangs are springing up.” He explained that these “loose-knit” groups were organized on a “turf” basis, not by ethnic origin. “Some are of one group by the geographical area—82nd Street [in Baxter-Roosevelt] is predominantly Hispanic, but there are whites, blacks, and Orientals in the gang. There is not a bias or ethnic problem between the groups, but they use language to each other I wouldn’t [use] before the Human Rights Commission. They’re not violent—no guns. They use fists, but may have knives or baseball bats. They are not drug users [but] one or two may smoke marijuana.”

McNamara’s immediate objective was to establish neutral “safe corridors” at a **Jackson Heights movie theater and the Queens Center mall**, both frequented by numbers of teens. He had participated in “youth dialogue” meetings with gang leaders at **Newtown High School**, but so far the only fight there was “over a girl” and did not involve whole gangs. Problems at that school were intensified by youth milling outside. They included both some of **Newtown’s 4,300 students**, who arrived early or waited for classmates, and students from other high schools coming to meet friends. At a 1992 district cabinet meeting Rose Rothschild reported that youth outside the high school were accosting residents—a problem that still continued in 1995, according to staff of the nearby Bethany Lutheran Church day-care center.

Assaults on the Quality of Life

The new locally based “gangs” arose from the common experiences of the enormous cohort of youth who had grown up in Elmhurst-Corona and reached their midteens by the late 1980s; a man who had moved to Lefrak City as a teenager in 1984 told me in 1992, “I still feel like an outsider to Lefrak boys who grew up here; they’re very tight.” In 1987 I wondered if named youth gangs were emerging when I heard two male African American teens talk about the “the 111s”—named, I supposed, for 111th Street in Corona. By 1989 the “gang” in Elmhurst’s Broadway-Woodside section was called “the 78th Street Boys.” And that year youth in each of Lefrak City’s five sections wore bandanas of a different color, in part spurred by *Colors*, a 1988 film about Los Angeles gangs. As one young man told me, “You shouldn’t go into another section. It would be bad to wear your bandana there.”

In South Elmhurst up to forty teens convened at night in Crowley or Hoffman Park, and noise, marijuana, piles of beer bottles, and graffiti became problems. As a Parks Department worker put it in 1990, “We paint over every week, and there is graffiti again—on signs, the building, the fence. They are also ripping up the fencing. They write ‘UPS’ for United Pot Smokers, and ‘Wasted.’ These are the two graffiti groups.”

In Corona Heights by 1990 some two dozen teens had moved from playgrounds to a corner opposite William Moore Park, at the far end from the Park Side restaurant and a cafe where “the men” gathered. Their beer drinking and nightly firecrackers were upsetting local residents, said Northside Democratic Club leader Tony Caminiti. “We expect this on the Fourth of July, fine! But we’ve been putting up with it for weeks.” The problem persisted, and in 1992 Rose Rothschild observed the scene one night: “I didn’t realize we had so many white kids in the area. The leader is the son of the flower shop owner.”

Contemporaneously with the appearance of these “gangs” in CD4, youth violence was occurring elsewhere in Queens. Early in 1989 three members of DTC (Down to Crash), a fifty-member “crew” with some Elmhurst members, killed another youth in CD3. In 1990 five Chinese and Korean “good-grade guys,” including one from Elmhurst, were assaulted in a Bayside shopping mall by thirty members of TMR (The Master Race), a mainly white but racially mixed gang. Later that year one of eight FTS (Fuck That Shit, or Flushing Top Society) youths killed a twenty-two-year-old Utah tourist during a midtown Manhattan robbery. FTS members, who were also graffiti “writers,” were of diverse racial identities (the murderer, “Rocstar,” was Guatemalan) and lived in Flushing, Corona, and Woodside.⁴³

The most dangerous youth gang in CD4 between 1986 and 1990 was the Green Dragons. Like other Chinese gangs headed by an adult *dai lo* (elder brother) involved in gambling and drug distribution, the Green Dragons were immigrant teens. They were recruited by heroin importer Paul Wong to ferry drugs and cash, and received spending money. And like other Queens Chinese gangs, the Dragons—who included Taiwan, Hong Kong, Cambodian Chinese,

City and Neighborhood at Odds

Vietnamese, and Korean members—frequented the Golden Q pool hall on Queens Boulevard in Elmhurst. They also patronized Linda's Beauty Salon in the Broadway-Woodside section to have their hair permed and streaked to complement their tattoos and all-black dress. After their *dai lo* moved to China in 1989, the Dragons increased extortion activities in Elmhurst Chinese restaurants, killing two owners who refused to pay. Before the last members were arrested in 1990 at their Elmhurst safehouse, the two dozen Green Dragons had killed eight people in Elmhurst, including an Irish immigrant bystander and three members of rival Chinese and Korean gangs.⁴⁴

The violent gangs attracted non-collegebound, working-class youth. Other teens banded together in protection and affected a tough demeanor. "We have to gang up to go over the [Long Island Expressway overpass] bridge to the school playground because that is the territory of other groups of kids," some Lefrak City youth told Edna Baskin. "Gangsta" rap music and movies, as well as word-of-mouth knowledge of violent gangs, influenced the dress and language of some teens. A group of Filipino, South Asian, and Latin American girls age twelve to fifteen met during the summer of 1993 at the Queens Center mall and called themselves BGC (Bitches Going Crazy); they occasionally drank malt liquor in parks, but mainly they delighted in tough talk, low-slung jeans, striped boxer shorts, and big earrings.⁴⁵

Notwithstanding the notoriety of Elmhurst-Corona teenage "gangs," their numbers were small. Problems were worse in other neighborhoods. In 1993 the Citizens' Committee for Children ranked Elmhurst-Corona seventeenth or eighteenth among the city's fifty-nine community districts in terms of community safety, crime risk, and child health factors. It fared worse in educational risk as part of SD24, which was ranked twenty-third of the city's thirty-two school districts. Still, despite ranking thirty-fifth among the community districts in income, CD4 scored sixth in child safety as measured by reported abuse and neglect.⁴⁶ Elmhurst-Corona parents evidently cared about their children, and youth issues were central to local definitions of the quality of life.

Voices at a Mayoral Town Meeting

In May 1994 Mayor Giuliani held a town meeting in East Elmhurst, and residents from both CD3 and CD4 attended.⁴⁷ Lucy Schilero, president of the Coalition of United Residents for a Safer Community and a CB4 member, told the mayor that her organization congratulated the police for attention to drug dealing and prostitution on Roosevelt Avenue. Other issues came up—auto theft, the *Mayi* murder (see Chapter 15), and the idea of police substations (which began on Roosevelt Avenue in 1995)—but the largest number of questions were about schools and youth programs.

"There's really only one answer on schools," the mayor told his audience. "We

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- 1:07-cr-00107-FB-21 Fabian Illera (closed 10/23/2009)
- 1:07-cr-00107-ARR-22 Dino Kallenekos (closed 09/21/2009)
- 1:07-cr-00107-ARR-23 Osvaldo Rosario (closed 10/07/2009)
- 1:07-cr-00107-ARR-24 Jorge Marun (closed 10/06/2009)
- 1:07-cr-00107-ARR-25 Elvin Mata (closed 01/19/2010)
- 1:07-cr-00107-ARR-26 Emanuel Pippis (closed 02/25/2009)
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Filed Date to

Last Entry Date to

Nature of Suit

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 110 (Insurance)
 120 (Contract: Marine)

Cause of Action



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

WMN:LMN
F.# 2007RO0297

*271 Cadman Plaza East
Brooklyn, New York 11201*

December 18, 2009

By ECF and Facsimile

The Honorable Allyne R. Ross
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Kenneth Chong
Criminal Docket No. 07-107 (S-7) (ARR)

Dear Judge Ross:

The government respectfully submits this letter objecting to the above-captioned defendant's December 11, 2009 letter to the Court seeking pretrial release. For the following reasons, the defendant's bail application should be denied. No hearing date has been set.

A. The Drug Conspiracy

The defendant Kenneth Chong and 28 other co-defendants were indicted in a seven-count second superseding indictment for, inter alia, conspiracy to distribute and possession with intent to distribute five kilograms or more of cocaine, in violation of Title 21, United States Code Sections 846 and 841(b)(1)(A)(ii)(II). Of the 29 indicted defendants, 27 have been arrested and two remain fugitives.

These charges are the result of a fifteen-month coordinated investigation conducted by the Drug Enforcement Administration and the Nassau County Police Department that resulted in the seizure of approximately 242 kilograms of cocaine, 6,000 ecstasy pills and \$541,000 in drug proceeds. Agents and detectives also seized five rifles and five handguns from members of the organization. Investigation revealed that the United States-based leader of the organization was co-defendant Gabriel Acosta and that his top lieutenant was co-defendant William Mendez. Agents obtained information about the narcotics trafficking activities of Acosta, Mendez, Chong and others through numerous court-authorized wiretaps, including the

use of a bug inside Mendez's car.

The investigation revealed that the organization purchased cocaine from sources based in Colombia and then imported the cocaine to Mexico where it thereafter was smuggled into the United States in trucks. Upon arrival in the United States, the cocaine was thereafter transported to the New York City area where it was stored in several stash locations in Queens and Long Island prior to distribution to the organization's customers. A court-authorized search of one of these stash locations revealed that the organization stored cocaine and money in a secret compartment, or "trap," hidden inside a wall at that location. Specifically, the trap was located behind the wall in a closet. That particular trap contained, among other things, three kilograms of cocaine and U.S. currency in excess of \$70,000.

The defendant played a critical and substantial role in this drug trafficking conspiracy. Specifically, the defendant was a wholesale narcotics distributor, buying cocaine directly from Acosta's top lieutenant, William Mendez. The defendant was intercepted over the wiretaps negotiating the purchase of multi-kilogram quantities of cocaine with Mendez. Moreover, the defendant was responsible for the subsequent distribution of the drugs he purchased to countless others.

Based upon information from cooperators, wiretaps, and other corroborating information, Chong is responsible for the distribution of at least 500 kilograms of cocaine. He is not "safety-valve" eligible due to prior convictions, discussed *infra*, p. 4. The government therefore estimates that his sentencing range under the United States Sentencing Guidelines ("Guidelines") is 188 to 235 months, with a statutory mandatory minimum sentence of 120 months.

B. The Defendant's Bail Application Should Be Denied Without A Hearing Because He Poses a Risk of Flight

1. The Defendant's Flight From Prosecution

The defendant's bail package should be denied without a hearing because he was a fugitive for two-and-a-half years on the instant case.

The defendant was indicted on the instant narcotics charges in April 2007. Immediately thereafter, agents began looking for the defendant so as to effectuate his arrest. Agents attempted to locate Chong at his known New York area residences,

and performed countless other database searches and inquiries in an effort to locate the defendant.

Knowing that agents were looking to arrest him, Chong consciously chose to become a fugitive for over two years, fleeing the United States to South America and ultimately settling in Colombia. The government became aware that Chong had fled to Colombia sometime at the end of 2007 as records checks indicated that Chong had used his United States passport in Ecuador to enter Colombia. Indeed, Chong admitted that he had been a fugitive on this case to Pretrial Services, when he stated that he had no specific address in the New York as he had been "on the run." Chong further admitted to Pretrial Services that while "on the run" he had crossed the border into Mexico, and resided in two other countries, namely Ecuador and Colombia. (Pretrial Services Report, pp. 1-2). Moreover, although Chong claims to Pretrial Services that he is not aware of the location of his U.S. passport (Pretrial Report, pp. 1-2), that claim is belied by the fact that he used his passport to cross from Ecuador to Colombia at the end of 2007.

Chong ultimately was arrested in New York on September 29, 2009 by the U.S. Marshal's Service - the agency tasked with locating fugitives. Chong apparently had returned to New York from Colombia at some point between the end of 2007 and September of this year. Notably, Chong either entered the United States surreptitiously without passing through border inspection or entered by using a false passport, as he did not use his U.S. passport at any immigration checkpoint. Clearly, he did this so as to avoid detection by law enforcement.

As mentioned above, Chong was arrested in New York on September 29 of this year, after having been a fugitive for more than two-and-a-half years. Indeed, the defendant has been absent from this country for so long that 26 of his co-defendants have been convicted by either guilty plea or trial.¹ Upon arrest, Chong spontaneously asked the Marshal's Service how they found him, and stated that he had been planning on turning himself in within a year. Chong also admitted to the Marshal's Service that he had initially gone to Florida when his codefendants started getting arrested, and thereafter went to Mexico, Colombia and Ecuador. Chong stated that he had reentered the United States at the border by Tijuana, Mexico, pretending to be a tourist to the

¹ Codefendant Dino Kallenekos was convicted at trial in December 2008 for his role in the instant cocaine conspiracy. This Court presided over that trial.

United States.

In light of the defendant's flight from prosecution, and ability to surreptitiously cross the U.S. border into Central and South America undetected, this Court should consider him a risk of flight and his bail package should be denied.

2. The Defendant Cannot Rebut the Presumption That No Set of Conditions Will Secure His Appearance

The defendant's bail package should be denied without a hearing because he cannot rebut the presumption that no set of conditions will secure his appearance in Court.

Under the Bail Reform Act, a rebuttable presumption arises in narcotics cases that there is no set of conditions that will secure the defendant's appearance. Title 18, U.S.C., § 3142(e) provides that if a court determines that "no condition or combination of conditions will reasonably assure the appearance of the [defendant] as required," he shall be ordered detained pending trial. Where, as here, there is probable cause to believe that a defendant has committed a crime involving controlled substances that carries a maximum term of imprisonment of ten years or more, "it shall be presumed that no condition or combination of conditions will reasonably assure the appearance of [this defendant] as required and the safety of the community". Id.

Thus, in cases such as this, there is a "rebuttable presumption" that the defendant will not appear for trial. Although the government retains the burden of persuasion on this issue, "a defendant must introduce some evidence contrary to the presumed fact in order to rebut the presumption." United States v. Rodriguez, 950 F.2d 85, 88 (2d Cir. 1991) (citations omitted). Further, "[o]nce a defendant introduces rebuttal evidence, the presumption rather than disappearing altogether, continues to be weighed along with other factors to be considered when deciding whether to release a defendant." Id.

The defendant can not overcome this presumption. Indeed, the government's case against the defendant is overwhelming, in light of the wiretap interception of his telephone conversations discussing multi-kilogram quantities of narcotics with Mendez. Moreover, as discussed above, approximately 242 kilograms of cocaine have been seized during the investigation, along with more than \$500,000 in narcotics proceeds. Accordingly, this presumption is well-established, given the fact that the defendant faces a mandatory minimum

sentence of ten years' imprisonment, and a Guidelines range of 188 to 235 months' custody, and therefore has every incentive to flee. See 21 U.S.C. § 841(b)(1)(A)(vii).

Further, the defendant has a prior criminal history involving violence and weapons violations. Indeed, as noted by the Pretrial Report, the defendant was convicted in 1992 of "Battery PC-Force/ ADW Not Firearm: GBI Likely" in Los Angeles County, and sentenced to 24 months probation and three days in jail. In 1996, the defendant was convicted of Criminal Possession of a Loaded Firearm in the Third Degree, and sentenced to five years probation and three months custody. (Pretrial Services Report pp. 2-3.)

Lastly, Pretrial Services recommends detention. (Pretrial Services Report, pp. 2-3.) Pretrial Services based their recommendation upon all the factors discussed above, including the defendant's fugitive status for two-and-a-half years. Indeed, Pretrial Services notes that the defendant advised he has been unemployed for 15 years, and has no permanent address in New York. (Pretrial Services Report, pp. 1-3.)

In any event, none of the defendant's proposed sureties have been interviewed by Pretrial Services for a determination as to their financial responsibility and suitability as a surety. Indeed, the defendant does not disclose their identity in his letter. Moreover, the defendant's complaint concerning medical care for his arm is more properly addressed by a medical order from this Court than pretrial release. The defendant broke his arm at the time of arrest while being handcuffed by the Marshal's Service. The defendant was seen by a doctor at a hospital within 24 hours, who placed the arm in a sling and recommended that it heal naturally without a cast. The Metropolitan Detention Center ("MDC") has informed me that the defendant has also seen a medical professional on staff concerning his arm since his arrival at the MDC.

Consequently, the defendant cannot rebut the presumption that there is no set of circumstances that can reasonably assure his appearance.²

² Moreover, the defendant is scheduled for a guilty plea on January 5, 2010 in front of this Court. Once the guilty plea is entered, the standard the defendant must show to warrant pretrial release rises to "clear and convincing evidence that the [defendant] is not likely to flee. . .". 18 U.S.C. § 3143(a)(2)(B). The defendant cannot meet the clear and

C. Conclusion

For the foregoing reasons, the government respectfully requests that the Court deny the defendant's request for bail without a hearing.

Respectfully submitted,

BENTON J. CAMPBELL
United States Attorney
Eastern District of New York

By: _____/s/_____
Licha M. Nyiendo
Assistant U.S. Attorney
(718) 254-6350

cc: Paul McAllister, Esq. (by fax 212-941-7108)
Clerk of the Court (ARR)
U.S. Pretrial Services (by fax 718-613-2488)

convincing evidence standard here.

Newsday

Gunfire Outside Club Kills One, Injures One

By Sean Gardiner, STAFF WRITER | December 31st, 2000

NY Newsday, Edition: Queens, Section: News Page: A18

One man was fatally wounded and a bystander was shot after an argument that started inside an Astoria nightclub spilled onto the street early yesterday and fisticuffs gave way to gunfire.

Police arrested three men in connection with the slaying of **Ahmed Hasan**, 18, in the 4 a.m. shooting outside the Bora-Bora club on Steinway Street. Charged were pending as investigators continued to interview witnesses and sort through evidence.

Hasan, whose residence is unknown, was shot twice in the head and once in the leg. He died at Elmhurst Hospital Center at 11 a.m. Jason Amato, 23, a club-goer whose address also was unknown, was in stable condition at the same hospital after being hit in the hip by a stray bullet.

After the shooting, police arrested three Brooklyn men a short distance away from the club. They were identified as Louis Candelaria, 32, of 248 Lincoln Ave., Christopher Sanchez, 17, of 282 Lincoln Ave., and Roman Pichardo, 21, of 254 Lincoln Ave., all of the Cypress Hills area.

A group that included Candelaria, Sanchez and Pichardo became involved in a fight with Hasan and some of his friends inside the club, said Officer Christopher Cottingham, a Police Department spokesman. The combatants were removed from the club and the fight continued on the street, Cottingham said.

Police could not say yesterday which one of the three Brooklyn men was believed to have shot Hasan and Amato, or if there was more than one gunman.

On Friday nights, the two-level club features “underground house” music on the first level and hip-hop on the second level, according to the club’s Web site.

Officials from the club could not be reached for comment.

Newsday.com

Homicide Count in NYC Surpasses Last Year's Total

by **Sean Gardiner**

Staff Writer

December 31, 2000

A Chelsea man found wrapped in a plastic bag and stabbed to death in his apartment became the 668th homicide in the city this year, surpassing the 1999 total, police said yesterday. Police were called to the seventh-floor apartment of Guarionex De La Cruz on West 26th Street by relatives who said they had not seen the man in three weeks. After entering the apartment around 12:10 a.m. yesterday, police found De La Cruz wrapped in a plastic bag, lying face-up. The city medical examiner later determined De La Cruz, 44, had suffered fatal stab wounds to the neck and chest.

One other homicide hours later yesterday brought the year's total so far to 669. At 11 a.m., Ahmed Hasan, 18, residence unknown, died at Elmhurst Hospital Center, seven hours after he was shot outside the Bora Bora Club in Astoria during a fight.

With the slayings, 2000 became the second year in a row that homicides have increased after eight consecutive years of decreases. The count pulled even with the 1999 tally on Friday, when doctors in the medical examiner's office officially declared another case, one involving skeletal remains found in a garbage bag in Staten Island, to be homicide number 667.

On Dec. 18, contractors working for the city discovered the black plastic bag containing bones a few hundred feet into a wooded area leading into a Department of Sanitation station off Muldoon Avenue, near the West Shore Expressway in the Greenridge section of Staten Island. The medical examiner found that the person, whose gender still is unknown, had been stabbed multiple times.

Also on Friday, the body of an unidentified woman was found bound and gagged and stuffed in a garbage bag in a park near Kennedy Airport on Friday, police said. While the death was being treated as suspicious, the medical examiner was not immediately able to determine the cause of death and so it had not been classified as a homicide, awaiting toxicology test results. A passerby found the body in Springfield Park near 146th Avenue and Springfield Boulevard in Laurelton around 1 p.m. Friday and called police.

Although homicides are on the rise, the 669 slayings in 2000 are far fewer than 1990's all-time high of 2,245. Queens, however, is bucking the citywide trend, with 109 homicides in the borough through yesterday afternoon compared with 121 for all of 1999.

Published: Sunday, December 31, 2000

Killings Exceed 1999 Toll

A man found stabbed to death yesterday in his Chelsea apartment was the city's 668th homicide victim this year, pushing the toll of killings over 1999's count and marking the second straight year in which the city's murder rate climbed. Hours later, the toll rose to 669.

The first victim, Guarionex Delacruz, 44, was found in his apartment in the Elliott-Chelsea Houses at 446 West 26th Street, shortly after midnight, the police said. He had been stabbed, and a plastic cover was draped over his head.

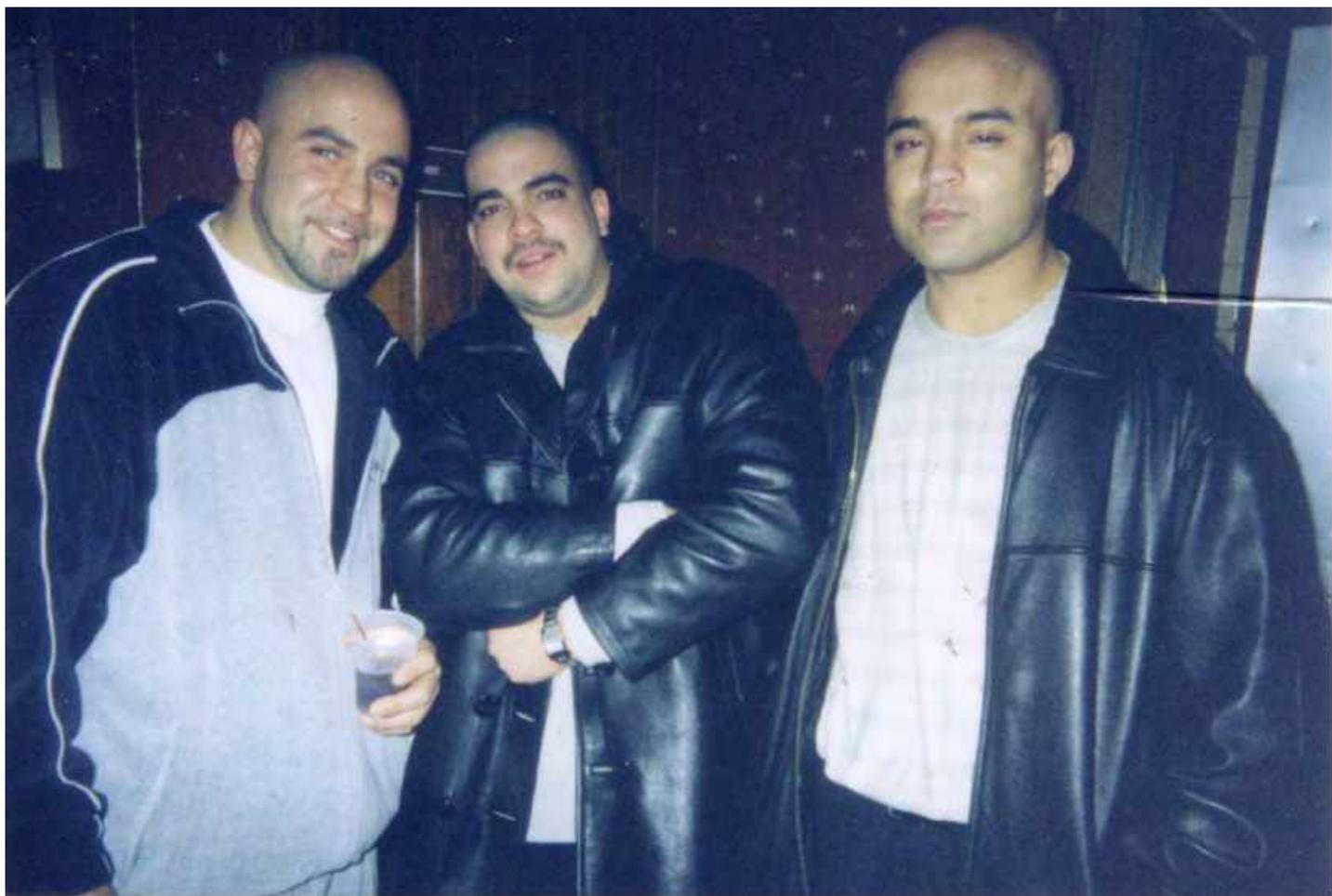
Four hours later, outside the Bora Bora club at 2370 Steinway Street in Astoria, Queens, two men were shot. One of the men, Ahmed Hasan, 18, later died, the police said.

Published: 12 - 31 - 2000 , Late Edition - Final , Section 1 , Column 6 , Page 29

Photo from the murder lineup at 114th Precinct where [REDACTED] identified one of the murderers (No. 4) yet was still blocked from testifying at the murder trial



WITNESSES TO THE MURDER OF AHMED HASAN



Left to Right: Joey G., Jason Amato and Masoud S.

██████████ was present on the scene to directly witness the murder of Ahmed Hasan as documented in the prior articles. The three individuals pictured above were also directly present on the scene and had also witnessed the murder, to include Jason Amato (middle) who was also shot during that event. ██████████ originally believed that Ahmed Hasan was killed immediately due to the severity of the injury he sustained to his head (for which ██████████ could not see any possibility that he could have survived such a significant injury to the brain), and so he focused on saving his other friend's life who was also shot. ██████████ then grabbed Jason Amato and drove him to Elmhurst hospital (along with Joey G) in his car (which was a 1995 Honda Prelude) to try and save his life. Shortly after arriving at the hospital, the police and ambulance also arrived with Ahmed Hasan (who was still alive but brain dead). The NYPD then took ██████████ and Joey G. into custody at the hospital and transported to the 114 Precinct where they were cleared with involvement in the shooting and instead confirmed to be the victims of the shooting. ██████████ immediately picked out one of the shooters from the lineup (#4 in the lineup photo provided in the previous page), and the police then took all of ██████████'s contact information after he agreed to testify against the murderers. All other main witnesses to the murder to include Jason Amato, Joey G., Masoud S. refused to testify in that case, yet ██████████ still agreed to testify. Upon information and belief, the DEA and/or FBI contacted the NYPD and State Prosecutors and instructed them not to use ██████████ as a witness because they were already trying to illegally frame ██████████ for involvement with the 911 attacks. The Prosecutors then miraculously went to trial without their star witness (██████████) and instead tried to use other witnesses (who did not even see the shooting) to obtain a conviction. The murderers were acquitted in a jury trial because ██████████ was illegally prohibited from testifying.

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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

UNITED STATES OF AMERICA .
PLAINTIFF, . Docket No. 4:12-MJ-06032-BD
VS. . (Indictment returned in case
RAMI HASAN, . number 4:12-CR-00263-JLH)
DEFENDANT. . Little Rock, Arkansas
September 17, 2012
3:28 P.M.
.

TRANSCRIPT OF
DETENTION HEARING
BEFORE THE HONORABLE J. THOMAS RAY
UNITED STATES MAGISTRATE JUDGE

ELECTRONIC COURT RECORDER-OPERATOR: Ms. Kathy Swanson

Transcription Service: Robin Warbritton
Post Office Box 262
Vilonia, AR 72173
(501) 796-6560

PROCEEDINGS RECORDED BY ELECTRONIC SOUND RECORDING.
TRANSCRIPT PRODUCED BY TRANSCRIPTION SERVICE.

1 APPEARANCES:

2 For the Government:

Mr. John Ray White
U.S. Attorney's Office - Little Rock
Eastern District of Arkansas
Post Office Box 1229
Little Rock, AR 72203-1229

5 For the Defendant:

Mr. Mark F. Hampton
Attorney at Law
1122 West Capitol Avenue
Little Rock, AR 72201

Mr. John C. Collins, II
Collins Law Firm - Little Rock
1122 West Capitol Avenue
Little Rock, AR 72206

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Kemp - Cross

29

1 situation.

2 Q Okay. How long have you been with the FBI?

3 A About three years.

4 Q Okay. Where was his Social Security -- or, I'm sorry, not
5 where -- but you've got his Social Security card, correct?

6 A Yes, sir.

7 Q And what name is it in?

8 A Rami -- Rami Saab.

9 Q Okay. Now, you had talked about the weapons charge in New
10 York. He, in fact, was not convicted of that, correct?

11 A That is correct.

12 Q And that is where the bail jumping came from, correct,
13 that charge?

14 A Yes, sir.

15 Q Okay. So the underlying charge was dismissed on the bail
16 jumping, correct?

17 A Yes, sir.

18 Q Did he ever tell you that his attorney told him that the
19 case was going to be dismissed, he didn't have to worry about
20 coming back?

21 A No, sir.

22 THE COURT: Well, you said the case was dismissed on
23 the bail jumping. Do you mean --

24 MR. COLLINS: Well, on the underlying, Your Honor.

25 THE COURT: On the underlying offense of being in

Kemp - Cross

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1 possession of a firearm?

2 MR. COLLINS: Correct, Your Honor.

3 THE COURT: Okay. Proceed.

4 BY MR. COLLINS:

5 Q And that is your understanding, correct, Agent Kemp?

6 A I'm sorry? What was the question again?

7 Q That is your understanding, that he was charged with the
8 weapons charge and that the bail jumping resulted from the
9 weapons charge?

10 A Yes, sir.

11 Q And that the weapons charge was subsequently dismissed?

12 A Yes, sir.

13 Q Okay.

14 THE COURT: And since we're talking about that
15 charge, do you know anything substantively about the facts
16 that went into the charge of being in possession and
17 discharging a handgun?

18 THE WITNESS: Yes, sir. Reading the police officer's
19 affidavit, I do know some details just from the affidavit.

20 THE COURT: And what does that affidavit recite?

21 THE WITNESS: From what -- from -- what it says is
22 that he was -- him and a brother of his were in altercation
23 with another group of people, and they were shooting at each
24 other.

25 THE COURT: And did something happen to his brother?

Kemp - Cross

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1 THE WITNESS: Yes, sir. I understand his brother was
 2 killed.

3 THE COURT: And does the affidavit recite that Mr.
 4 Hasan then took a handgun and fired multiple shots at an
 5 Infinity automobile?

6 THE WITNESS: Yes, sir.

7 THE COURT: And was that Infinity automobile later
 8 recovered?

9 THE WITNESS: I'm not sure, sir.

10 THE COURT: The version of it I got said the police
 11 later recovered the Infinity and it had bullet holes in it.

12 THE WITNESS: I don't recall reading that.

13 THE COURT: That's part of the presentence report.
 14 And at least in what Pretrial Services has given me, it says
 15 that the disposition in that case was unknown. Do you know
 16 now that those charges were dismissed against him?

17 THE WITNESS: No, sir, I do not.

18 THE COURT: So what is your basis for agreeing with
 19 him that those charges were dismissed?

20 THE WITNESS: I don't know that those are the same
 21 charges that he's -- he's speaking of. I have -- I received
 22 information from an agent, that I sent out to Queens County to
 23 get -- I don't know if it's Queens County -- to get -- to an
 24 office to get records related to his arrests and convictions.
 25 One of those pages, where it says "possession of a weapon", at

Kemp - Cross

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1 the top, in just handwriting, it says "sealed and dismissed."
 2 I don't know that that's the same charges where he's been
 3 charged with reckless endangerment for firing a weapon.

4 THE COURT: Okay. And do you know anything about a
 5 two counts of first degree robbery with a handgun and second
 6 degree menacing that were brought against Mr. Hasan back in
 7 May of 1999?

8 THE WITNESS: I -- I read the report, the same
 9 affidavit report, but I do not know the disposition or what
 10 happened or the details.

11 THE COURT: The only thing that the Pretrial Services
 12 Office could tell me about that was that the case was sealed.

13 THE WITNESS: Yes, sir.

14 THE COURT: Do you know -- he was -- Mr. Hasan would
 15 have been 19 at the time -- do you know anything about how
 16 those charges were disposed of?

17 THE WITNESS: No, sir, I do not.

18 THE COURT: Okay.

19 MR. COLLINS: May I continue, Your Honor?

20 BY MR. COLLINS:

21 Q Agent, you said that the report that you got -- the
 22 officer's report that you read, is that the investigative
 23 report?

24 A Which report are we talking about?

25 Q You said that, "Well, based on what I read from the

Kemp - Cross

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1 officer's report?"

2 THE COURT: I think what he's getting at is, are you
 3 talking about the handgun charge? Is the report you're
 4 talking about -- because we've got lots of criminal history
 5 here -- the report you're specifically referencing involves
 6 the handgun charge back on December 30th, 2000; is that the
 7 report you're talking about?

8 MR. COLLINS: Correct, Your Honor.

9 THE COURT: Okay. Now, that's the report he's
 10 referencing. Ask your question.

11 MR. COLLINS: Yes.

12 BY MR. COLLINS:

13 Q A while ago, I thought I understood your testimony to be
 14 that you read the officer's report --

15 A Yes, sir.

16 Q -- on that charge?

17 A Yes, sir.

18 Q And you said based on that report, this, this, this, and
 19 this, correct?

20 A Yes, sir.

21 Q My question is, is that the initial investigative report
 22 that the officer filled out, the affidavit that the officer
 23 filled out for a warrant or for a charge?

24 A Yes, sir.

25 Q Okay. What did the dismissal paperwork say?

Kemp - Cross

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1 A I -- I don't know, sir.

2 Q Okay. So all you have is the charging paperwork?

3 A Yes, sir.

4 Q Before all the facts came out?

5 A I have the charging paperwork.

6 Q Okay. And did you request the disposition paperwork?

7 A No, sir.

8 Q Okay. Just the charging paperwork?

9 A I requested investigative case files and certified
10 conviction reports. That's what I got.

11 Q Okay. And there was no conviction?

12 A That's correct, that I know of.

13 Q Well, you requested the paperwork. And they didn't give
14 you paperwork. You've got no proof there was a conviction,
15 correct?

16 A Correct.

17 THE COURT: I went through the same exercise with the
18 Pretrial Services Officer. They said the case was sealed and
19 they refused to give any information on what happened to those
20 charges, so I -- I don't know.

21 MR. COLLINS: Yes, Your Honor.

22 THE COURT: Don't know.

23 MR. COLLINS: And obviously, my frustration is that
24 it's -- the disposition is sealed, that paperwork is sealed --

25 THE COURT: Yeah.

Kemp - Further Recross

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1 simply states that New York City police officers picked him up
 2 in Dade County, Florida and returned him to New York for first
 3 degree bail jumping. You've testified that he was, in fact,
 4 extradited from Columbia to Dade County and then the New York
 5 police picked him up and took him back to New York; is that
 6 right?

7 THE WITNESS: That -- that was the information I got
 8 from the detective in the Queens County Prosecutor's Office.

9 THE COURT: Okay. In connection with the final
 10 disposition of that charge, the information I have in his
 11 criminal history, that he, on March the 5th of 2004, pled
 12 guilty to second degree bail jumping and was sentenced to 18
 13 -- 18 months to three years incarceration. Is that consistent
 14 with what you were told?

15 THE WITNESS: Yes, sir.

16 THE COURT: Okay. So, ultimately, he was charged
 17 with first degree bail jumping, a felony, and ultimately pled
 18 guilty to second degree bail jumping, also a felony?

19 THE WITNESS: That is the way I understand it. Yes,
 20 sir.

21 THE COURT: Okay.

22 MR. COLLINS: One more question, Your Honor.

23 FURTHER RECROSS EXAMINATION

24 BY MR. COLLINS:

25 Q You said that Mustafa went to Jordan for a period of time?

Kemp - Further Recross

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1 A I believe so, yes, sir.

2 Q Okay. And if he went to Jordan, he couldn't have carried
3 his gun with him, correct, or a gun?

4 A That is correct.

5 Q He would have had to leave it at his residence or
6 somewhere?

7 A He would have had to leave it somewhere, yes, sir.

8 Q Okay.

9 MR. COLLINS: Nothing further, Your Honor.

10 THE COURT: Mr. White?

11 MR. WHITE: Nothing further, Your Honor. Thank you.

12 THE COURT: All right. Agent Kemp, you may stand
13 down.

14 THE WITNESS: Thank you, sir.

15 (Witness stands down.)

16 MR. HAMPTON: Your Honor, if it please the Court? I
17 was unusually early today. I got here at 2:30. Is there a
18 way we could have a five minute bathroom break and let me
19 check on --

20 THE COURT: Certainly. Certainly. We'll be in
21 recess for five minutes.

22 MR. HAMPTON: Thank you, Your Honor.

23 (Recess.)

24 AFTER RECESS

25 JORDAN BUESCHER, GOVERNMENT'S WITNESS, SWORN.

M. Hasan - Cross

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1 A No, sir.

2 Q -- did he tell you?

3 A No, sir.

4 MR. WHITE: Pass the witness, Your Honor.

5 MR. HAMPTON: Go ahead, Your Honor.

6 THE COURT: I've got a few questions.

7 MR. HAMPTON: Sure.

8 THE COURT: Mr. Hasan, at the time that your brother
 9 was charged with possessing a handgun and using it to fire
 10 into an Infinity automobile, this would have been on December
 11 the 30th of 2000, you were living in New York City?

12 THE WITNESS: I was -- I was in Jordan.

13 THE COURT: You were in Jordan at that time?

14 THE WITNESS: Yes, sir.

15 THE COURT: So at what point did you return to the
 16 United States after he picked up those charges?

17 THE WITNESS: That was in 2000, right?

18 THE COURT: Right. December 30th, 2000.

19 THE WITNESS: We buried my brother back home and I
 20 came back to the states 2004.

21 THE COURT: Okay. So, basically, you were not around
 22 your brother and don't know anything that happened between
 23 December the 30th of 2000, when he picked up those charges,
 24 and your return to the United States in 2004?

25 THE WITNESS: No, sir.

M. Hasan - Presiding Official

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1 THE COURT: Okay. So anything that relates to a bail
 2 jumping charge that got filed against him, and him going to
 3 Columbia and having to be extradited back from Columbia, you
 4 don't know anything at all about any of that?

5 THE WITNESS: No, sir.

6 THE COURT: All right. When you got the .357
 7 handgun, it's my understanding that a customer drove away from
 8 your convenience store without paying for gas?

9 THE WITNESS: Yeah.

10 THE COURT: Do you remember about how much gas he put
 11 in his car?

12 THE WITNESS: 66 dollars.

13 THE COURT: That's very good. 66 dollars. You find
 14 him later -- and how did you find him; did he come back in the
 15 store or did you recognize him around town?

16 THE WITNESS: No. He came back to the store and I
 17 said, listen, man, you know, you drove off with 66 dollars.
 18 And I had a picture of him while he was driving off. And he
 19 also went in the store and he said, listen, man, I'm not
 20 trying to get in trouble, but all I've got is the gun. I said
 21 I'll hold it until you bring back my money. And he just no --

22 THE COURT: And you never saw him again?

23 THE WITNESS: -- no show. Never see him.

24 THE COURT: Before that time, had you ever owned a
 25 firearm?

M. Hasan - Presiding Official

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THE WITNESS: No.

THE COURT: Okay. So you now have a gun that you don't have any need for?

THE WITNESS: No.

THE COURT: And it basically was in your possession as collateral for the 66 bucks that he hadn't paid you?

THE WITNESS: Yeah.

THE COURT: Did you think about taking the gun and going to a pawn shop and seeing if you could get 66 bucks for it?

THE WITNESS: No.

THE COURT: Why not?

THE WITNESS: I mean, I think they have the gun, they took it. Oh, you mean at that time?

THE COURT: Yeah. At that time? If the gun is collateral for the 66 bucks he didn't pay you, sell the gun and get your money and --

THE WITNESS: I mean, well, I -- I had went to a police station, I asked them, I said I don't know the law in Arkansas, but if we have a gun in the store, is that a problem? He was like, no, if you have it in a hidden place and it's not shown to the public, there's no problem for it. Since --

THE COURT: So you went to the Jonesboro Police Department?

M. Hasan - Presiding Official

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1 THE WITNESS: -- since I -- since I'm business owner
 2 and --

3 THE COURT: Sure.

4 THE WITNESS: -- we deal with a lot of money, we're
 5 open 24 hours, so the cops said it's okay.

6 THE COURT: I completely understand why somebody
 7 might want to have a pistol behind the counter at a
 8 convenience store. How does the gun migrate from the
 9 convenience store to -- to the home?

10 THE WITNESS: I took it before I left to Jordan. I
 11 took it from the store and put it in the house.

12 THE COURT: And your brother -- was there a specific
 13 reason for that?

14 THE WITNESS: I didn't want to leave it at the store
 15 because he was not supposed to be around guns.

16 THE COURT: Because you knew he had prior felony
 17 conviction?

18 THE WITNESS: Yeah, he was not supposed to be around.

19 THE COURT: Okay. And you put it in the bedroom in
 20 your home?

21 THE WITNESS: Yeah.

22 THE COURT: And you knew your brother was going to be
 23 living in that house?

24 THE WITNESS: Well, his wife and children was living
 25 there. He had another house where he had left, and came live

M. Hasan - Redirect

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1 at my own house.

2 THE COURT: Which is where you left the gun?

3 THE WITNESS: Yeah.

4 THE COURT: So you know he was going to be in the
5 house where you left the gun?

6 THE WITNESS: Yeah. It was my mistake leaving it.

7 THE COURT: Okay. All right. That's all I've got.

8 Any other questions?

9 REDIRECT EXAMINATION

10 BY MR. HAMPTON:

11 Q Mustafa, did you find out at some point that another
12 brother had been killed during the shooting involving Rami?

13 A Yes, sir.

14 Q It was your brother that was dead in this shooting while
15 you were in Jordan, right?

16 A Yes, sir.

17 Q Because you just got through telling the Court that you
18 all brought his body back to Jordan, correct?

19 A Yes, sir.

20 Q So you later found out that your brother was involved in a
21 shooting --

22 A They called us -- they call --

23 Q -- just -- you found out it was your brother that was the
24 --

25 A Yeah.

1 Q -- the homicide victim?

2 A Yes.

3 Q And you also found out later -- on later, that the case
4 was dismissed against your brother?

5 A Yes.

6 THE COURT: Well, he's got two brothers. He's got
7 one brother that's the homicide victim.

8 MR. HAMPTON: Right.

9 THE COURT: And the other brother who is charged with
10 firing shots at an automobile in the incident.

11 MR. HAMPTON: Oh, well, the Court has got more
12 information than I've got at this point then. I'm sorry.

13 THE COURT: Well, and I'm happy -- I referred to it
14 earlier, Mr. Buescher provided the Court, as part of his
15 pretrial, with his report that he gave me of the incident
16 report, which I'm happy for you to look at, that describes Mr.
17 Hasan firing a pistol into an Infinity automobile, which the
18 police discovered the following day, that had bullet holes in
19 it.

20 MR. HAMPTON: Okay.

21 THE COURT: Now, I -- there's nothing in the record
22 -- I asked for the documents, I badly wanted to know how those
23 charges were disposed of. The report Mr. Buescher got was the
24 case is sealed and they won't tell us --

25 MR. HAMPTON: Right.

M. Hasan - Redirect

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1 THE COURT: -- what happened with regard to the
2 disposition of those charges. Mr. Kemp has -- Agent Kemp has
3 testified that when he talked to the police up there, they
4 suggested those charges had been dismissed. That's where the
5 record stands on that.

6 MR. HAMPTON: Well, I believe that we've only got one
7 brother who is dead. And I think there was only one brother
8 in the shooting, he gets charged separately for shooting into
9 another car. But this is following the death of his brother,
10 that same event, Your Honor.

11 THE COURT: Absolutely. That's how I understand it.
12 In other words, there's an altercation between Rami and his
13 brother and another group of people, shots are fired, his
14 brother is mortally wounded, and at least the incident report
15 suggests Rami had possession of a gun that he then fired into
16 the Infinity that may have contained the other people, no one
17 is injured, but bullet holes are later found to be in that car
18 when it's recovered.

19 MR. HAMPTON: Okay. We're on the same page.

20 THE COURT: All right.

21 MR. HAMPTON: Yeah. And that is 2000.

22 THE COURT: That's December 30th of 2000.

23 MR. HAMPTON: And my client would have been 19 years
24 old, I believe.

25 THE COURT: 22.

<https://www.theguardian.com/world/2005/jul/27/gayrights.iran>

The Guardian

A fatwa for freedom

Maryam Molkara was a woman trapped in a man's body. She was also living under Islamic law in the Iran of Ayatollah Khomeini. Yet, as Robert Tait reports, her determination to confront the hallowed leader has made Tehran the unlikely sex-change capital of the world

[Robert Tait](#) | Wed 27 Jul 2005 18.59 EDT First published on Wed 27 Jul 2005 18.59 EDT

It could take something extraordinary to move the late Ayatollah Ruhollah Khomeini to issue a fatwa. The novelist Salman Rushdie did it by challenging the sanctity of the Prophet Mohammed in the Satanic Verses, provoking Iran's austere revolutionary leader into pronouncing the death sentence. For Maryam Khatoon Molkara it required the equally dramatic step of confronting Khomeini in person and proving, in graphic terms, that she was a woman trapped inside a man's body. To do so, she had to endure a ferocious beating from bodyguards before coming face-to-face with the Ayatollah in his living room, covered in blood, dressed in a man's suit and, thanks to a course of hormone treatment, sporting fully-formed female breasts. "It was behesht [paradise]," Molkara, 55, says of the meeting 22 years ago. "The atmosphere, the moment and the person were paradise for me. I had the feeling that from then on there would be a sort of light." Light or not, the encounter produced, in turn, a religious judgment which - unlike the unfulfilled edict on Rushdie - has had an enduring effect that still resonates. Because today, the Islamic Republic of Iran occupies the unlikely role of global leader for sex changes. In contrast to almost everywhere else in the Muslim world, sex change operations are legal in Iran for anyone who can afford the minimum £2,000 cost and satisfy interviewers that they meet necessary psychological criteria. As a result, women who endured agonising childhood and adolescent experiences as boys, and - albeit in fewer numbers - young men who reached sexual maturity as girls, are easy to find in Tehran. Iran has even become a magnet for patients from eastern European and Arab countries seeking to change their genders. Every Tuesday and Wednesday morning in Dr Bahram Mir-Jalali's Tehran clinic, young men and women gather in preparation for a new start on the opposite side of the gender divide. Many are desperate, seeing the operation as an escape from a confused sexual identity that has led to parental rejection and persecution by police and religious vigilantes. Ali-Reza, 24, wearing thick make-up, has livid red burn marks on his arm after his father poured boiling water over him in a rage over his "sexual deviancy". "I have attempted suicide three times," he says. "The interpretation of my family was that having a child like me was a punishment from God. My parents were religious and traditional and they called me trash under the name of Islam." Others voice feelings of spiritual renewal after the surgery. "It's like a rebirth," says Hasti, formerly Hassan, now reinvented as a svelte, leggy 20-year-old who is planning to marry her German fiance. "I've even forgotten my male birthday. I only remember my female birthday, the day when I received the operation. It was very painful but I feel happy whereas before I was always crying." Dr Mir-Jalali, 66, a Paris-trained surgeon, has performed 320 gender operations in the past 12 years. Around 250 have involved the complex and physically painful process of transforming men into women by creating female genitals through a skin graft from the intestines. In a European country, he says, he would have carried out fewer than 40 such procedures over the same period. The reason for the discrepancy, he says, is Iran's strict ban on homosexuality, as required by the Qur'an. "In Iran, homosexuality is treated as a crime carrying the death penalty," he says. "In Europe and north America, it is accepted. Transsexuals aren't homosexuals. Unlike homosexuals, they suffer from a separation of body and soul where they believe their own body doesn't belong to them. But in Europe they can have a free life. They aren't under the same pressure to change their sex. In Iran, transsexuals suffer from a lack of awareness, within their own family and in wider society. That increases the psychological pressure and contributes to the higher number of operations here." Nevertheless, the surgery's availability has provided deliverance to a community which was once cowed and confined to a secret underground existence. Bringing it about has required a theological re-think from Iran's Shia Islamic rulers, accustomed to rigidly traditional stances on sexual matters. Indeed, Islamic scholars are still trying to reconcile the fatwa with religious thinking. Hojatolislam Muhammad Mehdi Kariminia, a cleric based in the holy city of Qom, is writing a PhD thesis on transsexuality. "The basic humanity of the person is preserved," is his conclusion. "The change is simply of characteristics." This situation would have been unthinkable were it not for the bravery and persistence of Molkara, who embarked on a personal odyssey that brought persecution and abuse in her quest for Khomeini's official blessing. Khomeini had pronounced on gender problems in a book written in 1963, when he indicated there was no religious proscription against corrective surgery. However, says Molkara, the statement applied only to hermaphrodites, defined as those bearing both male and female genital

characteristics. It provided no remedy for those - such as Molkara - who physically belonged to one gender but were convinced that they were members of the opposite sex. In 1975, Molkara - then working with Iranian television and going by her male name of Fereydoon - wrote the first of several letters to the Ayatollah, then exiled in Iraq in opposition to the shah. "I told him I had always had the feeling that I was a woman," she says. "I wrote that my mother had told me that even at the age of two, she had found me in front of the mirror putting chalk on my face the same way a woman puts on her make-up. He wrote back, saying that I should follow the Islamic obligations of being a woman." In 1978 Molkara travelled to Paris, where Khomeini was by then based, to lobby him in person. She was unsuccessful and the subsequent Islamic revolution, far from easing the transsexuals' path, cast them into darkness. Some were locked up in Tehran's notorious Evin prison while others were stoned to death. Molkara, meanwhile, was fired from her job, forcibly injected with male hormones and confined to a psychiatric institution. Thanks to her contacts with influential clerics, Molkara was released and resolved to keep fighting. She lobbied several leading figures in the regime, including Akbar Hashemi Rafsanjani, who later became president. All urged her to write once again to Khomeini. "I couldn't continue like this," she says. "I knew I could get the operation easily enough in London, but I wanted the documentation so I could live." Desperate for the religious blessing that would confer legal protection in staunchly Islamic Iran, Molkara decided on a fateful step. Donning a man's suit, she walked to Khomeini's heavily protected compound in north Tehran, carrying a copy of the Qur'an. In an additional piece of religious symbolism, she had tied shoes around her neck. The gesture - redolent of Ashura, the Shia festival depicting the heroism of the third imam Hossein - was meant to convey that she was seeking shelter. At first, it failed to provide her with any. As she approached the compound, armed security guards pounced and began beating her. They stopped only when Khomeini's brother, Hassan Pasandide, witnessing the scene, intervened and took Molkara into his house. There, Molkara - then bearded, tall and powerfully built - hysterically tried to explain her predicament. "I was screaming, 'I'm a woman, I'm a woman'," she says. The security guards, fearing Molkara was carrying explosives, were anxious about the band wrapped around her chest. She removed it to reveal the female breasts underneath. The women in the room rushed to cover her with a chador. By then, Khomeini's son, Ahmad, had arrived and was moved to tears by Molkara's story. Amidst the emotion, it was decided to take Molkara to the supreme leader himself. On meeting the near-mythic figure in whom she had invested such hope, Molkara fainted. "I was taken into a corridor," Molkara says. "I could hear Khomeini raising his voice. He was blaming those around him, asking how they could mistreat someone who had come for shelter. He was saying, 'This person is God's servant.' He had three of his trusted doctors in the room and he asked what the difference was between hermaphrodites and transsexuals. What are these 'difficult-neutrals', he was saying. Khomeini didn't know about the condition until then. From that moment on, everything changed for me." Molkara left the Khomeini compound with a letter addressed to the chief prosecutor and the head of medical ethics giving religious authorisation for her - and, by implication, others like her - to surgically change their gender. It was the fatwa she had sought. Subsequently, Molkara struggled to convince fellow transsexuals of their rights and to introduce the requisite medical standards for sex change operations to Iran. She only completed her gender change four years ago, ironically undergoing the surgery in Thailand because of unhappiness with procedures in her native country. Today she runs Iran's leading transsexual campaign group and has become the community's spokesperson. But two security monitors in her living room attest to her vulnerability in a society still intolerant of sexual unorthodoxy. "It is hard to live with constant fear," she says. "I hope things are easier for the next generation of transsexuals. Every time a transsexual is arrested by the police I am called to bail them out. Outside the police station there will be a crowd of vigilantes waiting to beat me or stone my car." A brief encounter with Iran's hallowed religious leader may have brought light. But for many Iranians, enlightenment has yet to dawn.



(Pic) Mr Fereydoon Molkara aka Maryam Khatoon Molkara

https://www.nytimes.com/2015/09/21/world/asia/us-soldiers-told-to-ignore-afghan-allies-abuse-of-boys.html

The New York Times

U.S. Soldiers Told to Ignore Sexual Abuse of Boys by Afghan Allies

By [Joseph Goldstein](#) | Sept. 20, 2015

KABUL, Afghanistan — In his last phone call home, Lance Cpl. Gregory Buckley Jr. told his father what was troubling him: From his bunk in southern [Afghanistan](#), he could hear Afghan police officers sexually abusing boys they had brought to the base. “At night we can hear them screaming, but we’re not allowed to do anything about it,” the Marine’s father, Gregory Buckley Sr., recalled his son telling him before he was shot to death at the base in 2012. He urged his son to tell his superiors. “My son said that his officers told him to look the other way because it’s their culture.” Rampant sexual abuse of children has long been a problem in Afghanistan, [particularly among armed commanders](#) who dominate much of the rural landscape and can bully the population. The practice is called [bacha bazi](#), literally “boy play,” and American soldiers and Marines have been instructed not to intervene — in some cases, not even when their Afghan allies have abused boys on military bases, according to interviews and court records. The policy has endured as American forces have recruited and organized Afghan militias to help hold territory against the Taliban. But soldiers and Marines have been increasingly troubled that instead of weeding out pedophiles, the American military was arming them in some cases and placing them as the commanders of villages — and doing little when they began abusing children. “The reason we were here is because we heard the terrible things the Taliban were doing to people, how they were taking away human rights,” said Dan Quinn, a former Special Forces captain who beat up an American-backed militia commander for keeping a boy chained to his bed as a sex slave. “But we were putting people into power who would do things that were worse than the Taliban did — that was something village elders voiced to me.” The policy of instructing soldiers to ignore child sexual abuse by their Afghan allies is coming under new scrutiny, particularly as it emerges that service members like Captain Quinn have faced discipline, even career ruin, for disobeying it. After the beating, the Army relieved Captain Quinn of his command and pulled him from Afghanistan. He has since left the military. Four years later, the Army is also trying to forcibly retire Sgt. First Class Charles Martland, a Special Forces member who joined Captain Quinn in beating up the commander. “The Army contends that Martland and others should have looked the other way (a contention that I believe is nonsense),” Representative Duncan Hunter, a California Republican who hopes to save Sergeant Martland’s career, wrote last week to the Pentagon’s inspector general. In Sergeant Martland’s case, the Army said it could not comment because of the Privacy Act. When asked about American military policy, the spokesman for the American command in Afghanistan, Col. Brian Tribus, wrote in an email: “Generally, allegations of child sexual abuse by Afghan military or police personnel would be a matter of domestic Afghan criminal law.” He added that

“there would be no express requirement that U.S. military personnel in Afghanistan report it.” An exception, he said, is when rape is being used as a weapon of war. The American policy of nonintervention is intended to maintain good relations with the Afghan police and militia units the United States has trained to fight the Taliban. It also reflects a reluctance to impose cultural values in a country where pederasty is rife, particularly among powerful men, for whom being surrounded by young teenagers can be a mark of social status. Some soldiers believed that the policy made sense, even if they were personally distressed at the sexual predation they witnessed or heard about. “The bigger picture was fighting the Taliban,” a former Marine lance corporal reflected. “It wasn’t to stop molestation.” Still, the former lance corporal, who spoke on the condition of anonymity to avoid offending fellow Marines, recalled feeling sickened the day he entered a room on a base and saw three or four men lying on the floor with children between them. “I’m not a hundred percent sure what was happening under the sheet, but I have a pretty good idea of what was going on,” he said. But the American policy of treating child sexual abuse as a cultural issue has often alienated the villages whose children are being preyed upon. The pitfalls of the policy emerged clearly as American Special Forces soldiers began to form [Afghan Local Police militias](#) to hold villages that American forces had retaken from the Taliban in 2010 and 2011. By the summer of 2011, Captain Quinn and Sergeant Martland, both Green Berets on their second tour in northern Kunduz Province, began to receive dire complaints about the Afghan Local Police units they were training and supporting. First, they were told, one of the militia commanders raped a 14- or 15-year-old girl whom he had spotted working in the fields. Captain Quinn informed the provincial police chief, who soon levied punishment. “He got one day in jail, and then she was forced to marry him,” Mr. Quinn said. When he asked a superior officer what more he could do, he was told that he had done well to bring it up with local officials but that there was nothing else to be done. “We’re being praised for doing the right thing, and a guy just got away with raping a 14-year-old girl,” Mr. Quinn said. Village elders grew more upset at the predatory behavior of American-backed commanders. After each case, Captain Quinn would gather the Afghan commanders and lecture them on human rights. Soon another commander absconded with his men’s wages. Mr. Quinn said he later heard that the commander had spent the money on dancing boys. Another commander murdered his 12-year-old daughter in a so-called honor killing for having kissed a boy. “There were no repercussions,” Mr. Quinn recalled. In September 2011, an Afghan woman, visibly bruised, showed up at an American base with her son, who was limping. One of the Afghan police commanders in the area, Abdul Rahman, had abducted the boy and forced him to become a sex slave, chained to his bed, the woman explained. When she sought her son’s return, she herself was beaten. Her son had eventually been released, but she was afraid it would happen again, she told the Americans on the base. She explained that because “her son was such a good-looking kid, he was a status symbol” coveted by local commanders, recalled Mr. Quinn, who did not speak to the woman directly but was told about her visit when he returned to the base from a mission later that day. So Captain Quinn summoned Abdul Rahman and confronted him about what he had done. The police commander acknowledged that it was true, but brushed it off. When the American officer began to lecture about “how you are held to a higher standard if you are working with U.S. forces, and people expect more of you,” the commander began to laugh. “I picked him up and threw him onto the ground,” Mr. Quinn said. Sergeant Martland joined in, he said. “I did this to make

sure the message was understood that if he went back to the boy, that it was not going to be tolerated,” Mr. Quinn recalled. There is disagreement over the extent of the commander’s injuries. Mr. Quinn said they were not serious, which was corroborated by an Afghan official who saw the commander afterward. (The commander, Abdul Rahman, was killed two years ago in a Taliban ambush. His brother said in an interview that his brother had never raped the boy, but was the victim of a false accusation engineered by his enemies.) Sergeant Martland, who received a Bronze Star for valor for his actions during a Taliban ambush, wrote in a letter to the Army this year that he and Mr. Quinn “felt that morally we could no longer stand by and allow our A.L.P. to commit atrocities,” referring to the Afghan Local Police. The father of Lance Corporal Buckley believes the policy of looking away from sexual abuse was a factor in his son’s death, and he has filed a lawsuit to press the Marine Corps for more information about it. Lance Corporal Buckley and two other Marines were killed in 2012 by one of a large entourage of boys living at their base with an Afghan police commander named Sarwar Jan. Mr. Jan had long had a bad reputation; in 2010, two Marine officers managed to persuade the Afghan authorities to arrest him following a litany of abuses, including corruption, support for the Taliban and child abduction. But just two years later, the police commander was back with a different unit, working at Lance Corporal Buckley’s post, Forward Operating Base Delhi, in Helmand Province. Lance Corporal Buckley had noticed that a large entourage of “tea boys” — domestic servants who are sometimes pressed into sexual slavery — had arrived with Mr. Jan and moved into the same barracks, one floor below the Marines. He told his father about it during his final call home. Word of Mr. Jan’s new position also reached the Marine officers who had gotten him arrested in 2010. One of them, Maj. Jason Brezler, dashed out an email to Marine officers at F.O.B. Delhi, warning them about Mr. Jan and attaching a dossier about him. The warning was never heeded. About two weeks later, one of the older boys with Mr. Jan — around 17 years old — grabbed a rifle and killed Lance Corporal Buckley and the other Marines. Lance Corporal Buckley’s father still agonizes about whether the killing occurred because of the sexual abuse by an American ally. “As far as the young boys are concerned, the Marines are allowing it to happen and so they’re guilty by association,” Mr. Buckley said. “They don’t know our Marines are sick to their stomachs.” The one American service member who was punished in the investigation that followed was Major Brezler, who had sent the email warning about Mr. Jan, his lawyers said. In one of Major Brezler’s hearings, Marine Corps lawyers warned that information about the police commander’s penchant for abusing boys might be classified. The Marine Corps has initiated proceedings to discharge Major Brezler. Mr. Jan appears to have moved on, to a higher-ranking police command in the same province. In an interview, he denied keeping boys as sex slaves or having any relationship with the boy who killed the three Marines. “No, it’s all untrue,” Mr. Jan said. But people who know him say he still suffers from “a toothache problem,” a euphemism here for child sexual abuse.

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Indians, Pakistanis Clash at Parade

By Shankar Vedantam. STAFF WRITER | Aug 16, 1993

NY Newsday – Long Island, N.Y. | Combined editions | Section: News | Page: 19 | Text Word Count: 484

One man was shot and at least one other injured at the city's Indian Day parade yesterday, when those celebrating the country's Independence Day clashed with youths waving the Pakistani flag. Police chased and arrested Mohammed Ashraf, 19, of Brooklyn, who a police source said is Pakistani. The victim, Gurmukh Singh, 23, was in critical but stable condition last night in St. Vincent's Hospital with wounds to the head, mouth and back. Singh is Indian, according to the source. "The victim was there to pick up girls, not harass the men," the source said. Thousands of brightly costumed men and women had sung and danced their way down Lexington Avenue to Madison Square on East 25th Street. About 4:30 p.m. a small group of youths waving a Pakistani flag arrived shouting pro-Pakistani slogans. There have been decades of political tensions between India and Pakistan. The Pakistani group exchanged angry words with Indian men in the crowd. The parade-goers, many of whom were women and small children, began to get restless and move away. Shots were fired and a man fell. Some witnesses counted three shots, others four. "Just like that - one, two, three," Tejas Bhatt said. Enraged, a band of Indian youths chased the Pakistani group. "We beat them up two blocks from here," Manish Amin said. "We ran after them and finished them up."

Newsday

Shooting Angers Indians, Pakistanis

By Shankar Vedantam. STAFF WRITER | Aug 17, 1993

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As 23-year-old Gurmukh Singh fought for his life yesterday at St. Vincent's Hospital and Medical Center of New York after Sunday's shooting at the India Day Parade, both Indian and Pakistani leaders condemned the incident. Tempers continued to run high yesterday, at least among some leaders in the Indian community, but both sides agreed that the shooting was sparked by a group of youths waving the Pakistani flag after the parade. "No mature person will ever do such a stupid thing," said Faiz Babar, a Pakistani community leader and the president of Third World Broadcasting Television Network, of the Pakistani youths waving their flag last Sunday. "They were showing off. It's like going to the 50th floor and wanting to jump - you know what's going to happen to you," he said. Police say that Mohammed Ashraf, 19, a Pakistani national living in Brooklyn, shot Queens resident Singh, an Indian, after Singh had earlier tried to prevent him from harassing women at the parade. Singh suffered gunshot wounds to the head, mouth and back and is in critical condition. Indian leaders dismissed the notion that the youths waving the flag were exercising their freedom of expression. "It's like if there's a Jewish congregation and somebody raises the swastika," said Dr. Pravin Pandhi, vice president of the National Federation of Indian Associations. The trouble erupted at a cultural festival on Madison and East 25th Street shortly after the parade, which celebrated India's independence day, when a group of youths waved the Pakistani flag and shouted slogans. Local Indian leaders criticized police for failing to "drive away" the Pakistani flag-wavers, as Ramesh Patel, president of the National Federation of Indian Associations put it. Patel also charged that the disturbance was premeditated by politically motivated groups. "Indians are mad as hell," he said. "The community is not ready to tolerate this nonsense any more." Pir Zada, founder of the Pakistan Federation of America, said that the Pakistan community felt very sorry the events took place and that it could not have been planned. There has been political tension between the two neighboring countries since their common independence from Britain in 1947. A bloody partition and three border wars later, simmering tensions often erupt into border clashes. The repercussions echo here. Some Indians and Pakistanis here said that their relationships are influenced by events halfway around the world.

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India Abroad

Thousands Watch a Colorful Event

India Abroad | August 25, 1995

Several thousand Indians lined the streets on a warm afternoon on Aug. 20 to watch a procession of gaily decorated floats, some with youngsters jumping to the beat of raucous Hindi film music, to celebrate India's Independence Day. Led by the Blue Jays of Long Island, a pipes-and-drums band, and a phalanx of luminaries, including actress Rakhee Gulzar, former tennis star Vijay Amritraj, New York City Mayor Rudolph Giuliani, Ambassador Siddhartha Shanker Ray, Rep. Benjamin Gillman, and Peter Mathews, who ran unsuccessfully for election to the U. S. Congress, the parade marched down a fenced off Madison Avenue from 46th street to 26th street, where it dispersed for a cultural program. Some 200 participants from an array of tristate Indian organizations and business, represented by 16 floats, took part in the parade, said to be the largest and most colorful in any American city and the strongest cultural statement by the Indian community in the United States. Young girls dressed in traditional Indian clothes representing a number of Indian states performed dances on the floats. The parade, the 15th such event in New York City to be organized by the Federation of Indian Associations, was said to be as well attended as last year's even though it had a smaller number of floats and fewer important personalities. As policemen on foot and on horseback cleared the road, pushing away press photographers and reporters, the Mayor and other luminaries, accompanied by H.R. Shahm a prominent businessman, the FIA president Nitin Vora, and his wife, marched along holding Indian and American flags, and waving to the crowd. The processionists represented various facets of Indian American life - from the achievements of talented schoolchildren to the entrepreneurial success of the King of Spices, Inc. to the flavors of Indian cooking to the vigor of the Gujarati Samaj, Brahman Samaj and the Hare Krishan movement. Also sought to be depicted was India's secular character. The music, however, was a mixture of Indian pop culture (foot-tapping songs such as "Tere Angeney Mein" and more recent hits that had even Ambassador Ray swaying to their tune), patriotic songs (from old Raj Kapoor movies) and devotional hymns (a lilting Hare Rama, Hare Krishna chant). The dignitaries marched to the review stand on 29th Street, where the Mayor read out his proclamation declaring Aug. 20 India Day in the city. A similar proclamation by the Mayor of Jersey City, Bret Schundler, was also read out on his behalf by a representative. **After a succession of speeches by Giuliani, Ambassador Ray, Congressman Gillman, Rakhee, Vijay Amritraj, and Consul General Gajanan Wakankar, the crowd heard a brief speech by Gurmukh Singh, the young Indian who was shot by a Pakistani during an earlier India Day parade. Thanking everyone for their help during his days in hospital, Singh said: "If need be, I will stand up for India again." The crowd cheered, A thousand colorful balloons were released in the air.** "What is difficult to do in India is being done here," exclaimed a wide-eyed Rakhee, the grand marshal of the parade, as she stepped off the review stand after a round of speeches by the dignitaries. In a press conference on the Indian Day parade earlier, she had referred to the security threat that hampered Independence Day celebrations in India. Asked what she thought of her admirers, the actress replied: "That isn't important. What's important is that so many Indian have gathered here on a happy occasion." Speaking with India Abroad, Ambassador Ray said that an Indian student was once asked "why, after being in the U. S. for so many years, you continue to be so passionately fond of India? Her reply was `You can take me away from India but you can never take India away from me.'" He explained that the parade was an expression of this sentiment. Peter Mathews said he found the parade "exhilarating," adding that "India has another 500 years to go. This is only its 48th year. And as people like me are running for the U.S. Congress, we can help our motherland even more." The event ended with song-and-dance performances at 23rd Street and Madison Avenue.

<https://www.nytimes.com/1996/06/30/nyregion/to-be-young-indian-and-hip.html>

The New York Times

To Be Young, Indian and Hip

By [SOMINI SENGUPTA](#) | June 30, 1996

JAY DABHI, 20, steps out of the dim red deejay booth, lights a Newport and scans his territory, the main floor of Planet 28 in Chelsea. It is just after midnight on a warm spring Friday, and the discotheque is thick with smoke and attitude. Over to the right, in front of the mirrored wall, an ex-girlfriend of Jay's in a retro halter, puckering her red lips around a red straw, tries not to gaze at herself. On the sidelines, young men sporting carefully pruned goatees stand in crescent-shaped clusters. The house is packed with young Indians and Pakistanis in satin mini-skirts and perfectly slack blue jeans that hang just-so over their sneakers. This is a strictly "desi" crowd, desi being the Hindi word for "homeboy" or "homegirl." It seems as if everybody at Planet 28 is checking out everybody else. There is a crisp post-adolescent tension in the air. A bad-boy bravado. Jay, known in this scene as deejay Lil Jay, can taste it. "Gonna be a fight," he says from his perch. "Too many guys." He turns around, climbs over a man in dark glasses who seems to have passed out on a worn couch and returns to his booth. He scratches for a few bars, throws in the Fugees and then, some Junior Mafia, its "get muh-ney" chorus punctuated by a mystery voice that cries "India" on the downbeat, over and over like a mantra. The dancing masses nod in unison. Later, Lil Jay tosses a few surprises -- a Hindi song from the popular Bombay movie, "Disco Dancer" or a perennial "bhangra" favorite, a folk song from the wheat fields of Punjab, laid over a frenzied house track. A distinctly South Asian youth culture, rooted in hip-hop and Hindi pop, is flourishing in New York City, as children of the growing numbers of immigrants from the Indian subcontinent come of age. Lil Jay, along with the dozens of deejays and party promoters, is one of its creators and caretakers. The fruits of their subculture can be found this night at Planet 28 -- one of several clubs and restaurants rented out by party promoters and packed by crowds of South Asian teen-agers and college students. It can be found in the hip-hop groove Lil Jay mixes with a classic Hindi ballad, in the rumble that breaks out at Planet 28 between young boys in informal cliques, in the tapes and CD's produced in local studios and basements and sold in **Jackson Heights music shops**, in the culture clash between young South Asians looking to loosen the strictures of their subcontinental parents. Although this group is neither old enough nor has been around long enough to make an impact on the city's cultural mainstream, Jay and his friends offer a window into a new generation's acculturation. And an important part of this is the music and club scene that many people would write off as frivolous. Lil Jay's musical specialty is Hindi remix, a melange of pop songs from Bombay movie musicals and house, rap, reggae, tribal -- whatever gets the crowd dancing. Grounded on the principle of sampling and syncretism and spawned by the British-Asian musical brew "bhangra," Hindi remix is a fitting sound for Jay's generation -- South Asian youths nourished by two worlds, trying to create their American style. The task requires delicate balance, says Madhulika Khandelwal, the acting director of the Queens College Asian-American Center. "They're struggling with both parts -- how to package the Indian part and how to find their place in American society," she says. "I see in them a big confusion in where they fit in the racial schema in the United States." In recent years, a number of academic books and articles have wrestled with the way in which the children of today's immigrants are assimilating into American culture. Will the second generation, the scholars ask, follow many of their European predecessors and gradually assume American cultural norms and climb the economic ladder? Or as members of racial minority groups, will their experience be different? Whatever. So far, one thing is certain: this generation of South Asians wants to have fun.

'Hoody Down

Jay and his friends don't see themselves as white. Nor do they describe themselves as Asian, except when it is to their advantage, as when they have a hard time renting clubs. Indian parties have acquired a reputation for rowdiness -- partly as a result of frequent fights between cliques -- so "when we want a space, we don't say it's an Indian party, we say it's an Asian party," Jay says. **At Planet 28, Jay correctly predicts a rumble.** By 1 A.M., the line outside has grown long and impatient. On the main floor, the crowd moves to Jay's mix. Vodka tonics are poured, joints lighted up in the ladies bathroom. Downstairs, DJ Red, named after his naturally reddish locks, spins his specialty reggae. In a flash, two young men start pushing and shoving. **One belongs to Punjabi by Nature, or PBN, a clique for those whose parents come from the northern Indian state of Punjab. The other is Afghani and hangs with Madina, a crew of Pakistani and Indian Muslims. Jay rushes downstairs to mediate, but the brawl quickly spills out into the street. A friend of Jay's grabs a beer bottle and shatters it over the head of a PBN member before the police arrive to break it up. Later that night a PBN carload cruises through his neighborhood. The PBN crew spots another teen-ager who was in the fight outside Planet 28. Shots are fired. A bullet grazes the back of the young man's head.** Jay describes the night the next afternoon. He has called the PBN guys, urged them to chill. But he says he is tired of mediating, tired of watching the same thuggery every weekend. If it wasn't for the music and money, he would find something else to do. "They're boring," he says of the clubs. "Same people. Same fights. Same gossip." Gang rivalries have quieted down in the last year, Jay and his friends say. Some boys have matured. Others have gone to jail. Some cliques have disbanded and the activities of others are limited to occasional brawling and gunfights along with credit-card and illegal phone scams. "They're not real gangsters," Jay says. At Planet 28, Jalak Patel, 19, a frequent clubgoer, attributes the violence to machismo. "It's like an ego thing," she says. "They can't even say sorry if they bump into you. They have no class. They come all, like, 'hoody down. They don't care. They just want to fight.'" Hoody means tough. Its traces can be detected in a swagger, an accent, a hairdo, the rolling of an eye, a weapon. But it's hard to break the club habit. Jalak and a friend, Sonal Patel, 18, have been doing the scene since they were 15. Just about every weekend there's a new party to check out, a new promoter renting some new nightclub in Manhattan and charging \$10 to \$15 a head to get in. At Planet 28, the dance floor is bumping with 'hoodies. Tommy Hilfiger's red, white and blue gear -- the sartorial rage of the hip-hop nation -- dominates. Near the bar, a lanky young man has corn-rowed his hair in a style reminiscent of an earlier Snoop Doggy Dogg. But as in many nightspots popular among the desi crowd, the only black people are security guards. "Indian people are secluded," Jay observes. "They like to hang out only with themselves."

Knowing the Culture, and the Guys

Hetal Patel (no relation to Jalak or Sonal) hangs only in the desi scene. In the summertime, much of her time is spent in her Jackson Heights home watching Hindi movies on ITV, the local Indian cable station, or waiting for her favorite Bollywood stars (Bollywood is Bombay's Hollywood) to lip-sync their latest hits or dipping into an Indian chat room on the Internet. Hetal, 17, who is headed for York College in the fall, does not go to hip-hop shows or rock concerts. She rarely watches a Hollywood movie and buys non-Hindi pop music only occasionally. "I'm not interested," she says. She is interested in scenes like the one at the Nassau Coliseum one recent evening. A main attraction of the five-hour marathon performance by the Bollywood heartthrob Shahrukh Khan and other entertainers was the cruising that went on in the lobby before, during and after. "Oh my God," Hetal whispers to her sister, Krupa, "All my exes are here." Hetal is busy meeting and greeting tonight, coy with the boys who seem interesting or interested, short with girls she doesn't particularly like. "These are my own people," she gushes. "I feel we share something. We're all Indian. We all know our heritage. We all know our culture." Onstage, Mr. Khan prances about in snug black leather pants, lip-syncing to a hit from a recent film. Hetal and Krupa mouth the words, grooving in their seats. Later, Mr. Khan offers a shout-out to "the Gujaratis in the house." Hetal and Krupa scream and cheer for their parents' home state. Then, he offers a shout-out to "the Pakistanis in the house." The sisters whisper "Boo."

Outside Desiland

Far from Hetal's desi universe, Mike Khahera of Floral Park, Queens is steeped in the world of the hip-hop kingpin Afrika Bambaataa's Universal Zulu Nation. Nation members call themselves a youth organization, but its detractors, including Mayor Rudolph W. Giuliani, call it a dangerous gang. Mike is 18 and burly, the youngest son of Punjabi immigrants. Fresh out of Martin Van Buren High School, he works at the local Taco Bell. He and his brother Mac, a student at St. John's, are waiting for Jay on their parents' front lawn one afternoon. Mike clutches a pair of Zulu Nation amulets. He waits until Lil Jay drives up before slipping them on. His parents are fiercely disapproving of his involvement in Shaka Zulu, the Nation's security squad, he says, so he doesn't wear the amulets around the house. Afrika Bambaataa, Mike announces, is interested in the sounds of bhangra and Hindi remix. Mike led him on a tour of Jackson Heights record stores last weekend and today, he wants to hook him up with Lil Jay. "Be cool," Mike's older brother, Mac, instructs Jay. "Say 'whassup, whassup!' He's real cool. He's got a lotta juice." It's an exciting prospect. Jay is itching to venture beyond the Indian scene, to have a broader, more diverse following. He asks Mike how to join the Nation, if they have a chapter for deejays. Mike, who was turned onto Zulu Nation by some non-Indian friends in Queens Village, has been asked to recruit some Indians to start a chapter in Jackson Heights, but he is a bit skeptical. Mike prefers his black and Hispanic friends over the Indian scene. "I just don't like chillin' with them," he says. "See, a lot of Indian people, they see me wearing Zulu stuff. They don't know nothing about Zulu Nation. But they'll be, like, 'Oh, he's trying to be black.' They don't ask. A lot of Indian people think they're better than blacks."

New Worlds? No Thanks

A few years ago, Jay wasn't hanging in the Indian scene either. Most of his friends were Hispanic. They lived in the same neighborhood. They looked alike and dressed the same: hair slicked back, jeans hanging perfectly over sneakers, fixed to the ankles by carefully concealed rubber bands. They liked the same kind of music: free style and house, KRS-One and Tribe Called Quest. "Back then," he said, "it was, like, the Indians didn't party." Then in October 1990, Jay reluctantly checked out a party at the Gujarati Samaj, a community center in Flushing frequented by his father and his uncle. That's where he heard Hindi remix for the first time. The next year, he heard the British deejay Bally Sagoo's seminal album, "Star Crazy." "After 'Star Crazy,' it all blew up," he says. "I was, like, wow! I had never heard Indian music mixed before. So I started doing it." He was barely 14, a scrawny kid who had to perch on top of a milk crate to reach the turntables. (The nickname Lil Jay has stuck ever since.) The Gujarati Samaj party scene exploded in the next couple of years. But the gang fights got so heated that no one wanted to party there anymore. Lil Jay slipped deeper into the desi scene. There were India Day parades to attend. Shows at the Nassau Coliseum to check out, if you wanted to pick up girls. Clubs to be at. Clubs to spin at. Albums to produce. The first was two years ago for a Queens rapper who calls himself Style Bhai. (Bhai is the Hindi word for brother.) The second, Jay's own remix collection, is due out later this summer. These days, he occasionally runs into his Hispanic friends from the neighborhood, gets a quick update under the rumble of the el along Roosevelt Avenue. But Jay's closest friends are Indian. He sees them on the Indian party circuit. They all have Indian girlfriends. And they won't say a word about the non-Indian women they have dated. Only one of Jay's friends dates a non-Indian, a young woman from Puerto Rico. Jay's girlfriend, Vicky Sheth, 19, is not only Indian; her family, like his, is from the Gujarat province. While dating a non-Indian woman would open up new worlds, the thought is also scary. "You would learn a lot, I guess," Jay says. "But you also couldn't share a lot. Like, I can talk to my girl in my language. We have a lot in common. If her parents say 'You can't go nowhere,' I understand. She's Indian."

A Defining Difference

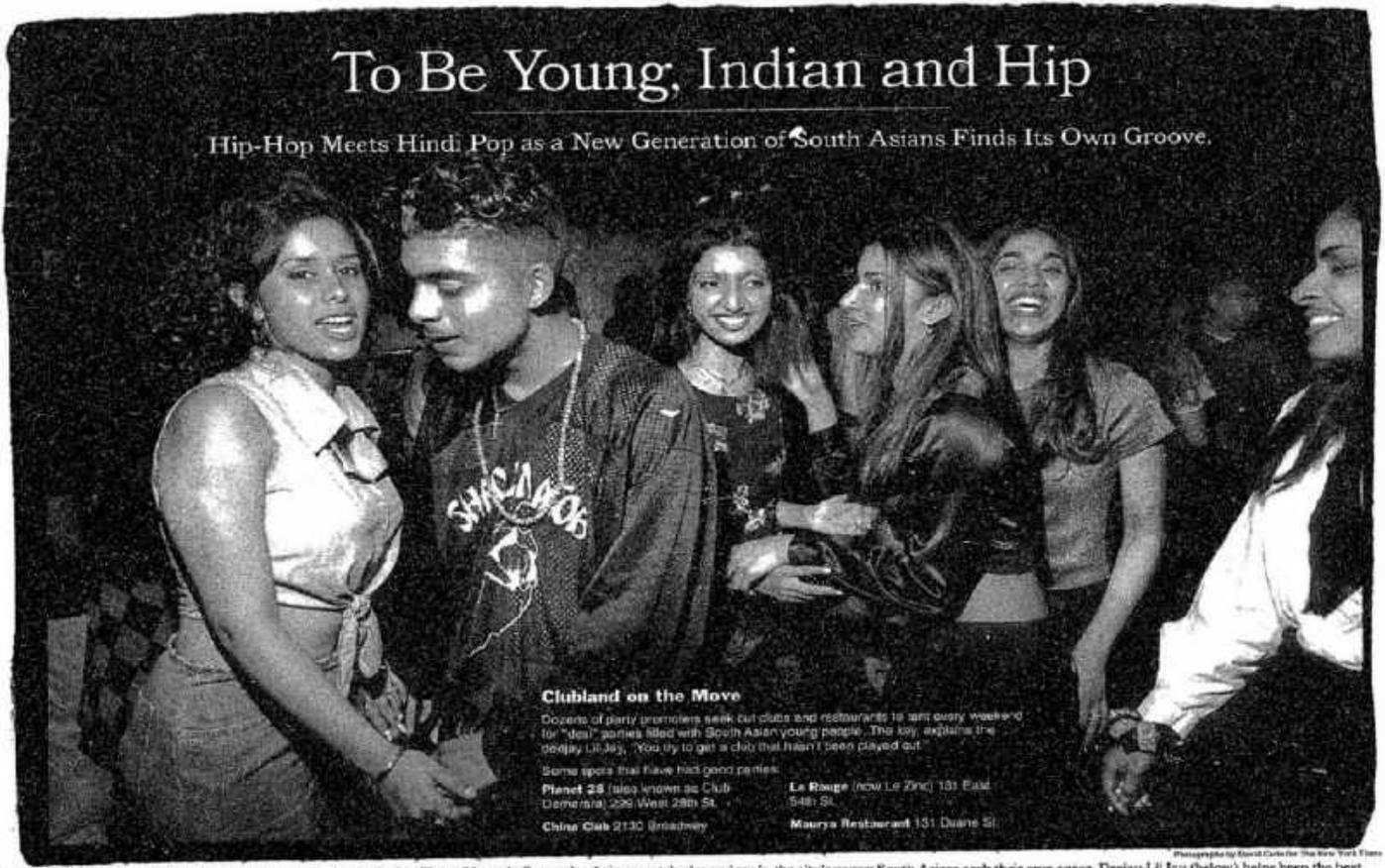
In most Indian families there is a decided difference between how boys and girls are raised. Jay's sister, Binita, 28, scowls when she compares her teen-age years with her younger brother's. Binita was held to curfews. Jay gets to come home at any hour. "He gets away with more than I ever did in my whole lifetime," she says. Sulabhi Dabhi stirs the Saturday afternoon tea for her husband, Pravin, in silence, wordlessly affirming her daughter's pronouncement. Jay is the Dabhis' only boy, the baby. He was born under a bright morning sun, she says, "so the nighttime is his time." Still, she frets and fusses over his safety. Will he get caught up in a rumble? Will he get shot? Her concern has dampened her initial enthusiasm for her son's immersion in the Indian scene. "Until he is here," she says pointing to the couch, "I am right here." Jay is his mother's boy. She, his advocate. He has inherited her delicate skin, her quick, dancing eyes and her passion for music. Occasionally, she brings home Hindi tapes for him to sample. She knows which voice belongs to whom, which song belongs to which film, its plot, its stars, the year it was made. "Who is that, Ma?" Jay says looking up from his tape deck. It's a melodramatic Hindi ballad jammed into a middle of a boisterous 11-minute house mix, one of nine tracks on Lil Jay's coming album. She holds up her right index finger, squints up at the ceiling. "Disco Dancer, na?" she guesses. "Must be Amit Kumar or Kishore. Yes, Kishore. 1982." She hands her husband his milky tea. Mr. Dabhi, an accountant at Atlantic Records, doesn't pay much attention to the goings-on in the music industry (except, he is fond of recounting, the time Donna Summer came into his office in search of a phone). And he cautions Jay against

a career in music. "He wants me to own a candy store," Jay says. Mr. Dabhi demurs. "It's up to him," he says. "My main goal is that he gets a degree, at least one degree. I always tell him, 'No one can take that away.'" Jay groans as his father recalls his earlier years of toil in America -- first earning his business degree and now working at Atlantic and running his candy store on Roosevelt Avenue on weekends. "C'mon, we're Indian," Jay pipes up. Jay is anything but certain about his future. He cannot see himself behind a candy store counter, or poring over accounting ledgers. He tells his father he will graduate with a business degree from St. John's University, where he is a sophomore, but he cannot drum up the least bit of enthusiasm for a business degree, or the career it might lead to. Jay is deep into his music. And he makes a good living at it, as much as \$300 a party. Still he is dead-set against pursuing it professionally. Too unstable, he says. He'd like a salaried job. A paycheck every week. A wife and some babies. A house in Queens, maybe on Long Island. Preferably a mixing studio in the basement. With a summer job at a capital management company in Manhattan, his girlfriend, also a sophomore at St. John's, seems well on her way into corporate America. "You know what's the biggest influence on me and my friends?" he says later. "Parents, but also girlfriends. Girlfriends nag. They're always like 'Go to school. Go to school.'" For Jay, the reopening of school in September will mean the start of the serious party season. Passing out fliers. Searching out new clubs. Making money. He hopes that by then, his own remix album will be out. He'll take it himself to Indo-Pak music shops around town, and maybe hire a distributor to take it to South Asian groceries and record shops around the country. Marketing Hindi remix beyond the desi circuit is beyond his wildest imagination. "They won't buy it. Will they?" he wonders. "Even white people?" His album will feature one original track: his friend Dee Rock rapping over Alisha's high soprano hit, "Made in In-di-aah." There's a Caribbean lilt in Dee Rock's rhymes, offering homage to the deejay. "Lil Jay dropping bombs like the U.S. on Hiroshima." The rest are remixes of American and Indian pop. "All illegal," Jay says gleefully. Underground remix tapes are a risky business. Indian music producers have recently begun suing Indian-American remix artists for lifting their songs without permission, and deejays, Jay says, have lifted each other's remixes and packaged them as new music. Sitting in his living room, Jay plays his demo tape. One track weaves the delicate voice of Bombay singer Asha Bhosle with the booming refrain, "Shake what your mama gave 'ya." Jay doesn't understand much more than a few stray words. He furrows his brows and tries to translate. "Come dance? Come dance hard? Or something like that," he says tentatively. "So that's why it goes with 'shake what your mama gave ya.'" Then he giggles and peers into the kitchen to make sure his Mama doesn't hear him.

A version of this article appears in print on June 30, 1996, on Page 13013001 of the National edition with the headline: To Be Young, Indian and Hip.

Photos: Dancing to a melange of Bombay pop, house, reggae and tribal at Planet 28, or chafing under their parents' rules and roofs, the city's young South Asians seek their own space. Deejay Lil Jay (below) helps keep the beat. (pg. 1); Many people write off the Hindi music and club scene (top) as frivolous, but for Jay Dabhi, a.k.a. Deejay Lil Jay, (right), and his South Asian friends, it is a big part of fitting into the city. (Photographs by David Corio for The New York Times) (pg. 11)

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Dancing to a melange of Bombay pop, house, reggae and tribal at Planet 28, or chafing under their parents' rules and roofs, the city's young South Asians seek their own space. Deejay Lil Jay (below) helps keep the beat. (Photography by David Corio for The New York Times)

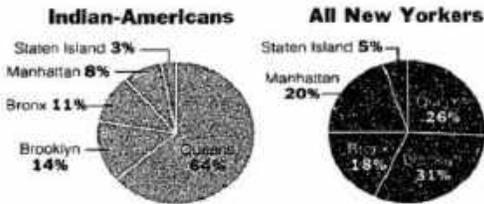


A CLOSER LOOK

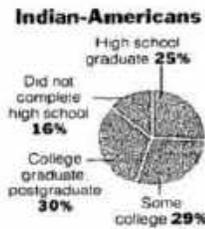
Indian-American Twentysomethings

A statistical snapshot of the 11,986 Indian-Americans between the ages of 18 and 25 living in New York City compared to all New Yorkers 18 to 25.

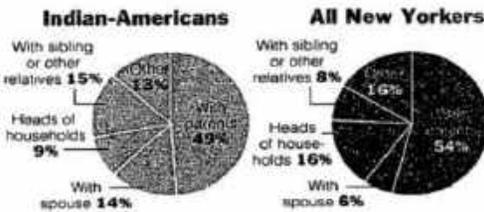
WHERE THEY LIVE



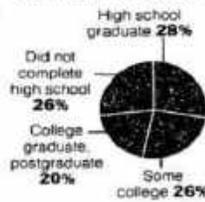
EDUCATION



WHOM THEY LIVE WITH



All New Yorkers



Source: 1990 Census

The New York Times



Photographs by David LaChapelle for The New York Times

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A new crowd in the city

INDIAN, PAKISTANI KIDS THREATEN COMMUNITY'S 'PERFECT' IMAGE

By Ana Arana | The Village Voice | November 25, 1997

They wear baggy pants, favor hairstyles called fades, play loud hip-hop music, and fight with other youngsters. That's all familiar, but look again: these are new players in inner-city life. These are Indian and Pakistani kids mimicking the tough street hustlers of other locales. In New York and New Jersey's Indian and Pakistani neighborhoods, they are the tough guys, the homeboys, the members of wannabe gangs made up of high school kids and young adults. Even as the weather turns colder they're out every night-but especially on weekends congregating on street corners near the ethnic shopping areas throughout the region, where thousands of families flock to the shops to buy their weekly specialty foods. In the midst of the weekend bustle, these youngsters revel in challenging everything that's culturally Indian and Pakistani-or South Asian, a term that includes all the different communities from the Indian subcontinent. They smoke marijuana and drink beer - a serious offense in their sober and religious communities. They harass the girls who come shopping with their parents, violating strict rules on how to treat women. They exasperate the local merchants at nearby stores, who fear their presence will scare off customers. They're in Jersey City and Edison, in Jackson Heights and Elmhurst, and in Brooklyn's Midwood. The groups adopt symbols and names that define their religion or locality. One group that police claim is now disbanded was known as the Punjabi-by-Nature-Boys and wore Sikh symbols - two swords in semicircle; they used to hang out in Flushing, Queens. **The Medina Boys, named after the Muslim holy city, is made up of Pakistanis who mostly reside in the Jackson Heights area.** The Malayalee Hit Squad is named for the North Indian area where most of its members' families come from. The 74th Street Boys got their name from the Jackson Heights street lined with Indian and Pakistani bazaars. The gangs are loosely organized and do not engage in heavy criminal activities as other ethnic gangs do, according to community organizers. **Police in New York declined to talk about the groups, although community activists say the department monitors them closely.** For the South Asian community-which includes Indians, Pakistanis, and Bangladeshis-these gangs are scary, in their own way. "Until very recently, the community was a perfect success story-it was a model community," explained Madhulika Khandalukal, an Indian American sociologist. But there's a revolution in music, dress, and behavior of young people, she said, and the gangs-a tiny fraction of the community at large-need to be dealt with by the community. There's a possible downside to talking about these problems, though, Khandalukal said. It could result in the creation of new stereotypes. And that's what most South Asians fear the most: damage to their reputation as a well-mannered, hardworking, and high-achieving ethnic group. Because of that disturbing prospect, few experts in the community are willing to talk openly about youth problems and alienation. Yet the problems of disaffection and youth unhappiness transcend community boundaries. An unsigned letter circulated on the Internet a while ago in which two American-born Indian youths questioned their parents' demands on them and talked about their inability to feel totally Indian or totally American. The angst was more soul-searching than that of the gangs, and less destructive, but a handful of community organizers who have begun to work with South Asian youth say there are deeper issues of alienation and identity crisis. "They're an American reflection of what's going on," pointed out Rekha Malhotra, a 25-year-old American of Indian descent who grew up in Flushing and

Long Island. "They're defining a new sense of self," Malhotra said. "They're not white, they're not black. They're picked on by everyone. They have conflicts with their parents, who still behave as if they don't belong here." She remembers being called a "smelly Indian by other kids when she was among the first Indian kids in Flushing. It wasn't until she enrolled at Queens College and met other Indian Americans that Malhotra found that she wasn't alone in feeling invisible in this society, where ethnicity is well defined and Indians and Pakistanis don't fit within the available definitions. Malhotra sees the kids at South Asian parties, which have become popular in New York and New Jersey, and where she works as a disc jockey. Some come to dance to Bhangra, Indian music from the state of Punjab. But others want to hear hip hop music, and dance to it with people like themselves. At New York's SOB's recently, Wall Street types mixed in with homeboys dancing alone, as videos with Indian and religious icons flashed on a background screen. There were middle-class girls who danced with other girls, and college boys. But by the end of the night, the homeboys were in the majority, and hip hop was the music of choice. "This thing of identity crisis and feeling different is not new in America," Malhotra said. "But for Indians and other South Asians it is." She added: "The parents want the gangs to go away and want to say they're only poor kids. But [the groups] also include the sons of doctors and other professionals. They're only an expression of the difficulties youth are facing. The formulation of the gangs is to be together. It includes second-generation kids who want to belong and are reacting to the idea that Indians and other South Asians are nerds or Gandhi types." Malhotra and others trace the origin of South Asian gangs to the late 1980s and early 1990s, when gangs of white youths beat unsuspecting South Asians and vandalized shops in Jersey City. The so-called Dot Buster Gang attacks opened the eyes of the young South Asian population and led to the creation of consciousness raising groups in colleges. In the streets, and at the high school level, it led kids to the realization that they would have to fight back so they did not get beaten up in school. Meanwhile, in the Midwood section of Brooklyn, an 18-year-old Pakistani youth, who came to this country 10 years ago, said he quickly learned his tenuous place in the culture. (He did not want his name used, and is apparently not a gang member himself.) Few in his neighborhood can find his country on a map, but they all seem to hate him, he said. Until he learned to fight back, he was chased, robbed, and harassed. Blacks, Hispanics, and whites pick on us. We don't walk the streets alone, he said. He and about 20 other Pakistani youth attending James Madison High School have complained about the harassment to school officials, but he said they haven't responded. The area where he lives is a bustling, tightknit community that's run like a small village. Concentrated along Coney Island Avenue and defined by Avenue H and 18th Avenue, it is the largest Pakistani community in New York. It's primarily a working-class community of cabdrivers, restaurant workers, and service industry employees. Women walk the streets in traditional dress; squeezed between aging Victorian homes and stucco apartments, there is a small mosque. The 1990 census determined there were about a million South Asians in the United States. But community leaders estimate there are about 2 million more who have entered the country illegally. The census figure included the bulk of professionals and upper-class Indians, Pakistanis, and Bangladeshis who immigrated to the U.S. in the early '60s, and their American-born children. In the tristate area, the various communities live side by side in neighborhoods such as Elmhurst, Flushing, and Astoria-the first stop for the new arrivals or less affluent residents; Jersey City, Edison, and Union City, where new arrivals and old-time residents live; and Long Island, where the more affluent families have settled down. The Midwood section of Brooklyn is the largest Pakistani neighborhood in the city. The various communities do not socialize. Class and ethnic and religious lines that are important at home dominate social interaction here. Those differences are sometimes acted out by the youth gangs-which use names and tags delineating their ethnic or religious differences. One major dividing line is between U.S.born youth and those who came to this country as immigrant children. "Our problems are not single-issue," pointed out Sayu Bhojwani, a 29-year-old Indian who runs the South Asian Youth Action center in Elmhurst, Queens. Petite and bespectacled, Bhojwani looks like a high school senior herself. Through SAYA, she has visited most New York schools with large South Asian populations. "We're running up against our own good stereotypes," she said, adding that the group had a hard time getting funding sources to help them get started. The reaction, she said, often is, "Indians? But Indians and South Asian kids don't have problems." South Asian parents can also be clueless. Bhojwani, who has a master's in English education from Columbia University Teacher's College, said

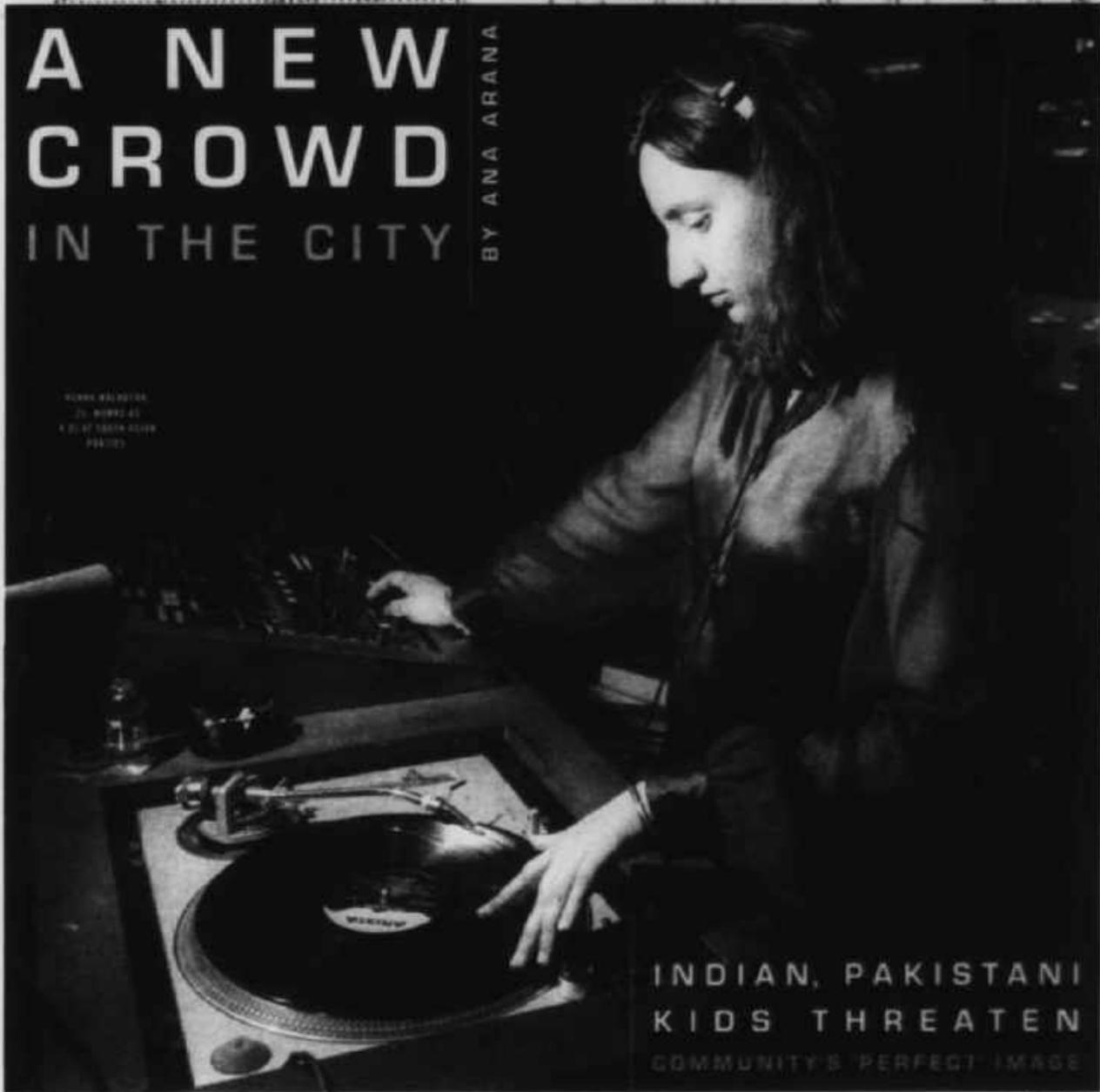
simple issues like dating, or feeling displaced because nobody in television looks like you, are issues parents don't get. "In India, there's no teenager culture." Sandhya Sassi and Prachi Modi are two spunky girls who are board members of SAYA. Born in New York, both are 17. They are the type of offspring every South Asian parent is proud to have. Straight A students, they attended the Bronx High School of Science, where there are 200 other American-born Indian students. Asked to describe the social scene at the school, Sandhya said that she and other Indian girls stayed together, and dated other Indian boys. "Most of the school is like that," she said. Both girls said they feel Indian, but their parents want them to be more Indian. But there is a gulf between the problems these two girls have and the youngsters who came to this country 10 years ago. U.S.-born South Asians and recent immigrants don't necessarily mix. American-born Indians call recent immigrants "FOBs," or Fresh Off the Boat. And foreign-born Indians refer disdainfully to American-born Indians as "ABCD," or American-Born Confused Desi (Desi means hick or a country boy). The Nav Nirmaan Foundation is a South Asian social service group based in Elmhurst, Queens, that deals with immigrant children who have gotten in trouble. The agency gets its referrals from local schools or social service agencies. Many of the children have behavioral problems, or are alcohol or drug abusers. Nav Nirmaan often tries to treat the entire family when it gets a youth referral. Many of the troubled children live with parents who abuse alcohol or in a home where there is domestic violence. The group holds free weekly alcohol and substance-abuse counseling sessions. Some of the behavioral problems are connected to youth's feelings of inadequacy in their new country. A lot of the kids who join gangs just want to become Americans quickly. Also, in many cases involving recent immigrants the parents are overwhelmed with their new reality, and have relinquished their parental roles. Children often speak better English and serve as translators for their parents. This role reversal, according to therapists and youth activists, alters the balance of power in the family structure—a dangerous result within South Asian traditional families. Two hundred Bangladeshi students at Long Island City High School are lucky to have found Abul Azad, a Bangladeshi teacher who's taken over the fatherly role that parents can't fulfill. Azad's been a teacher for four years, and his students respect and obey him. Himself an immigrant who first arrived in the United States in 1980, he understands their needs. "Bangladeshi kids are very respectful. If you teach them the right things, they are wonderful," he said one afternoon as he tested students on Bengali language. His close involvement with the children brings good results. All Bangladeshi graduating seniors went to college last year, although they had enrolled with limited English skills in their freshman year. Azad explained: "These are the children of the cabdrivers, the restaurant workers, who came to America alone and only in the last 10 years have been able to bring their wives and kids to this country. The youth are not expected to have problems adjusting to their new lives, because they are being taken care of. But it's hard on the kids. That's why the school is so important."

Copyright Village Voice Nov 25, 1997.

A NEW CROWD IN THE CITY

BY ANA ARANA

PHOTO: MICHAEL
2010/02/01
A 2010/02/01
PHOTO



INDIAN, PAKISTANI KIDS THREATEN COMMUNITY'S 'PERFECT' IMAGE

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In New York and New Jersey's Indian and Pakistani neighborhoods, they are the tough guys—the homeboys, the members of wannabe gangs made up of high school kids and young adults.

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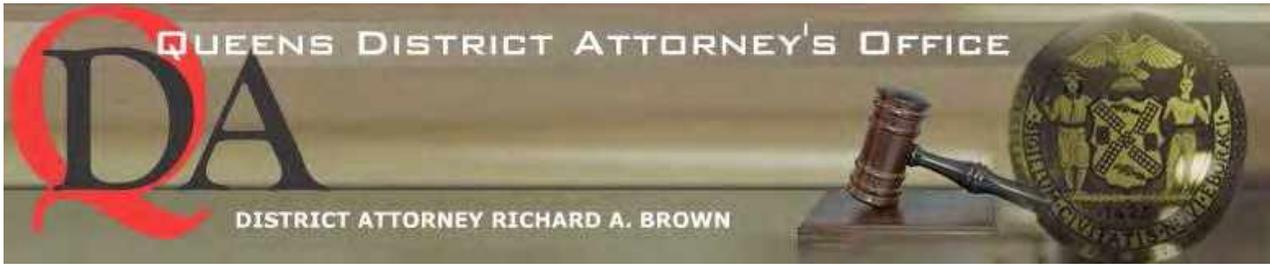
American Born, British Born, Canadian Born but still Desi

[Hassan I. Ahmed](#) | Feb 28, 2000

The author explores the new, improved Desi culture in foreign lands...

I consider myself a bit of a wanderer. Having lived in London, England for three years and living in New York for the last three, I consider myself fairly well versed in Western culture. But as the article title might suggest, I really don't want to discuss the pros and cons of western culture. What has really fascinated me over these last six years has been the evolution of "Desis" and the "Desi culture" in Western countries. I always firmly believed that when two rich cultures were brought together, you would get synergies whereby the best qualities of both cultures would be seen in the person. Why is it so then that when you meet an average deshi, born and brought up in America, you see a dress sense, taste in music, and general appearance inspired by Afro Americans and regional hatred and arrogance, crookery, and deceit inspired seeking inspiration from the deshi culture. Thus making my initial hypothesis fall flat on its face. What always intrigues me is to see a mass of deshis in New York's infamous deshi parties. You meet all sorts of personalities. Let me just talk about a few of them and highlight a few typical conversations..... First this guy walks up to me, wearing extremely baggy jeans, earrings in both ears, a big glass of scotch in hand and of course wearing a big gold Allah chain. "Yo where are you from bro?" I turn around and tell him that I am from Pakistan. He then asks me whether I am a FOB (Fresh off the boat) or born and raised in America. Having just been given these two illustrious categories, I tell him that I am a FOB. He then starts blurting out how he is getting older now and wants to give up his ways and go to Pakistan and get an arranged marriage with someone from his father's village. He then sees a friend of his, who walks up to us and he introduces her to me. She happens to be from India, Bengal to be more precise. She starts talking to me and tells me that even though she is from Bengal, she can not speak a word of Bengali. She seems to be extremely proud of that. "All Bengali guys are ugly, I want to go out with a good looking Punjabi guy", she tells me. Now, a comment like that has always surprised me, specially coming from a person who claims to have no links to India. What does she know about Punjab, let alone Punjabi men. While I stand listening to her, a fight breaks out right behind me. I see three guys throwing punches at this fairly large deshi guy. I ask the girl what is going on. **She tells me that two rival gangs, the Medina Boys and Punjabi By Nature, are fighting it out. Two big bouncers walk in and the fight gets broken up.** The Bengali girl keeps talking to me. She then spots a friend and tells me that she must introduce me to her. She whispers that her friend is originally from Pakistan, and is a permanent fixture at deshi parties, but happens to be a Maulana's daughter who does hijab during day. By now I feel like I have seen enough, say good bye and leave. I always thought that leaving Pakistan and heading out West I had left hypocrisy behind me. I thought that the deshi's living abroad would have the best of both worlds. Unfortunately, as I said earlier, they have acquired the worst!!!

Footnote: I am a Columbia University Graduate, working in New York city for a Management Consulting firm.



DNA EVIDENCE PLAYS KEY ROLE IN CONVICTION OF SERIAL RAPIST WHO ATTACKED YOUNG WOMAN IN QUEENS IN EARLY 90S; DEFENDANT FACES UP TO 25 YEARS IN PRISON

QUEENS DISTRICT ATTORNEY PRESS RELEASE – Wednesday, June 8th, 2005

Queens District Attorney Richard A. Brown announced today that a Queens man has been convicted after trial of the 1994 rape of a 22-year-old woman in Queens as the result of a New York City Police Department initiative involving DNA evidence in unsolved rape cases. District Attorney Brown said, “The defendant was convicted when his DNA was scientifically linked to the young female victim who was violently attacked in the early 1990s in Queens. In 2002 the medical examiner linked the 22-year-old victim’s rape kit to the defendant’s DNA which had been placed into the State’s DNA Databank after his 1998 conviction for the rape of a 23-year-old woman. The case underscores yet again the crucial importance of DNA evidence which is irrefutable proof of guilt or innocence.” The District Attorney identified the defendant as Mohammad Karimzada, 32, formerly of 68-03 Maurice Avenue in Woodside, Queens, who was a used car dealership employee. The defendant was found guilty on Monday, June 6, 2005 of Rape in the First Degree, Assault in the Second Degree, Sexual Abuse in the First Degree and Unlawful Imprisonment in the First Degree after a four-week bench trial before Queens Supreme Court Justice Michael B. Aloise who set a return date of June 28, 2005. The defendant, who is serving 16 years in prison for a previous Queens rape, faces eight and one-third to 25 years in prison. District Attorney Brown said that the defendant previously pled guilty on October 30, 1997 to Rape in the First Degree before Queens Supreme Court Justice John B. Latella Jr. after being accused of raping two young women in two separate incidents in Queens County and was sentenced to eight to 16 years in prison. The District Attorney said that according to trial testimony early on August 12, 1994 outside Webster Hall, a Manhattan club, the victim accepted from the defendant an offer of a ride to the Staten Island Ferry. The defendant then drove to a dark and secluded area on 53rd Street in Queens near the Brooklyn Queens Expressway and attacked the victim. He punched her in the face, pulled off her pants and underwear, choked her and then raped her. The victim also sustained a swollen lip, scratches to her back and shoulder and head pain. District Attorney Brown said that the victim was able to break free, get out of the vehicle and run to a nearby deli where she phoned a friend and then took a cab to the friend’s home. The victim’s parents took her to Saint Vincent’s Hospital in Staten Island where a rape evidence kit was prepared. The semen recovered was later matched to the defendant. The investigation was conducted by Detectives Linda Hardy and Brian Kenzik of the New York City Police Department’s Queens Special Victims Squad, now retired. Assistant District Attorney Dianna L. Megias of the District Attorney’s Special Victims Bureau is prosecuting the case under the supervision of Assistant District Attorneys Marjory D. Fisher, Bureau Chief, Kenneth M. Appelbaum and Lucinda C. Suarez, Deputy Bureau Chiefs, and Eric C. Rosenbaum, Chief, DNA Prosecutions Unit and the overall supervision of Executive Assistant District Attorney for Major Crimes Charles A. Testagrossa and Deputy Executive Assistant District Attorney for Major Crimes Daniel A. Saunders.

<http://query.nytimes.com/gst/fullpage.html?res=9D06E0D91038F93AA35755C0A9639C8B63>

The New York Times

Rapist Convicted Of 1994 Attack

Metro Briefing | New York: Queens | June 9th, 2005

A Queens man was convicted this week of a 1994 rape after investigators matched DNA from the crime with a DNA sample the man gave after another rape conviction. Mohammad Karimzada, 32, was convicted on Monday and faces up to 25 years in state prison, said the Queens district attorney, Richard A. Brown. Mr. Karimzada was convicted of raping a 22-year-old woman in a car in a secluded area of 53rd Street near the Brooklyn-Queens Expressway. Prosecutors said he was identified through DNA evidence obtained after his 1997 rape conviction, for which he has been serving a sentence of 8 to 16 years in prison.

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**SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: SECOND DEPARTMENT**

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THE PEOPLE OF THE STATE OF NEW YORK, :

Respondent, :

-against- : **Dkt. No. 2005-7867**

MOHAMMED KARIMZADA, :

Defendant-Appellant. :

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PRELIMINARY STATEMENT

Appellant Mohammed Karimzada appeals from a judgment of the Supreme Court, Queens County (Aloise, J.), rendered July 27, 2005, convicting him at a bench trial of Rape in the First Degree (P.L. §130.35(1)), Assault in the Second Degree (P.L. §120.05(6)), Sexual Abuse in the First Degree (P.L. §130.65(1)), and Unlawful Imprisonment in the First Degree (P.L. §135.10). Appellant was sentenced to an indeterminate term of 8 and 1/3 to 25 years imprisonment on the Rape count, concurrent to lesser sentences on the remaining counts and consecutive to a sentence of 8 to 16 years which the defendant was already serving.

No application for a stay of execution of judgment has been sought.

Appellant is currently incarcerated. There was no co-defendant on this case.

QUESTIONS PRESENTED

1. Did the prosecution prove beyond a reasonable doubt that law enforcement acted with reasonable diligence in attempting to locate appellant so as to toll the five year Statute of Limitations and extend it an additional five years? Was the verdict against the weight of the evidence? (C.P.L. §§30.10(2)(b), 30.10(4)(a)(ii); C.P.L. §§470.15(2)(a), 470.40(1), 470.15(5); U.S. Const., Amend. XIV; N.Y. Const., Art. I, §6)
2. Did Mr. Karimzada knowingly and intelligently waive his right to a jury trial? (U.S. Const., Amends. XIV and VI; N.Y. Const., Art. I, §2; C.P.L §320.10)
3. Did the trial court unlawfully increase Mr. Karimzada’s sentence because he exercised his right to go to trial? (U.S. Const., Amends. XIV and VI; N.Y. Const., Art. I, §2)
4. Was Mr. Karimzada’s sentence excessive? (C.P.L. §470.15[6][b])

STATEMENT OF FACTS

A. The Police Stopped Investigating Ms. Casella’s Rape After Eighteen Days and Did Nothing For Eight Years Despite Overwhelming Evidence That Mr. Karimzada Was the Rapist

Pamela Casella waited ten years for closure. From the date she was raped on August 11, 1994 until the trial in April, 2005, Ms. Casella was haunted by the specter of her rapist. She was haunted when she learned what her rapist did to the

four other women. Ms. Casella “[did not have] one day of peace or one day of sleep since [the rape]” (S. 8, 10).¹

Ms. Casella knew that one man raped them all. Any one could see that, even without the DNA. Every victim described the rapist’s skin as olive toned, an Arab or Hispanic, between 5’8” and 6’, and stocky (TT. 434-5, 522; DD-5, dated August 12, 1994, of Pamela Casella, hereinafter “Casella DD-5”).² The rapist always worked the same way. Almost every victim said that he drove a red car (TT. 32, 433, 439-40). He picked up his victim at a dance club in Chelsea or Greenwich Village (TT. 28, 433, 439-40; DD-5, dated January 5, 1995, of Samantha White, hereinafter “White DD-5”). He picked up one of the other victims at Webster Hall, the very same dance club at which he picked up Ms. Casella. The rapist always offered his victim a ride home and had her sit in the front passenger seat. There was always another man in the back to make the victim feel safe. The rapist would drop off the other man and drive the victim to a deserted area near the Long Island Expressway (TT. 32, 34, 387-88, 439-40, 509; White DD-5, and DD-5, dated July 27, 1994, of Yolanda Alas, hereinafter

¹“T” references refer to the trial minutes. “V” references refer to the verdict minutes. “S” references refer to the sentencing minutes.

²All original 61’s and the DD-5 dealing with the interview of the complaint were submitted as exhibits, on consent of the parties (TT. 387-88).

“Alas DD-5”).³ He would then punch her in the head, choke and rape her (T. 36, 38-9, 434-5; Casella DD-5). When the rape was over, the rapist became polite. He either apologized to the victim or offered to drive her home (TT. 38-9; Casella DD-5, and DD-5, dated December 8, 1996, of Sagrario Margaret Perez, hereinafter “Perez DD-5”).

From Ms. Casella’s perspective, the police did nothing. Det. Linda Hardy closed the investigation on September 1, 1994, only eighteen days after the rape (T. 114, 118). The detective paid so little attention to the case that she didn’t even know that her own partner in the Queens Special Victims Squad was simultaneously handling the case of another woman, Yolanda Alas, who was raped under virtually identical circumstances a few weeks earlier (*See*, pp. 4-6, *infra*). Even after Mr. Karimzada was taken into custody at her own precinct and admitted to the Alas attack, Det. Hardy simply closed the case. Even when Mr. Karmizada pled guilty to the Alas attack three weeks later, on September 21st, Det. Hardy didn’t reopen the case. She never showed Mr. Karimzada’s picture to Ms. Casella, never followed up the leads which Ms. Casella gave her. Ms. Casella provided the detective with the name and telephone number of a witness who saw the rapist

³ See also District Attorney’s Response to Motion to Dismiss on Statute of Limitation grounds, dated October 14, 2003, hereinafter “District Attorney’s Response to Motion to Dismiss.”

pick-up her up at the Webster Hall dance club. The witness confirmed in a telephone interview that he had seen the rapist at the club on prior occasions. But Det. Hardy never visited the dance club, never spoke to the witness in person, and never showed him Mr. Karimzada's picture (TT. 100-01; Casella DD-5). The police never circulated Mr. Karimzada's picture in the dance clubs where they knew he operated. The police never questioned Mr. Karimzada in connection with the unsolved Casella rape.

Ms. Casella wanted to do everything possible to catch the rapist. She called Det. Hardy several times after September 1, 1994. But Det. Hardy never returned her calls.

Almost three years later, in 1997, Mr. Karimzada pled guilty to raping two more women whom he picked up at dance clubs near Greenwich Village and drove to Queens. The descriptions given by the victims of Mr. Karimzada's *modus operandi*, including the male passenger in back of the car and the choking, were virtually identical to what Ms. Casella had reported. Mr. Karimzada's physical description also matched that which appeared in Ms. Casella's report.

But even in 1997, the police never contacted Ms. Casella, never showed her a photo spread with Mr. Karimzada's picture, never requested that Mr. Karimzada's DNA be compared to that in Ms. Casella's "rape kit," and did not

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even interrogate him about the Casella rape. In short, despite overwhelming evidence that Mr. Karimzada raped Ms. Casella, the police, who did nothing for three years, continued to do nothing for another five years. The police did nothing until a computer matched Mr. Karimzada's DNA to Ms. Casella's rape kit in 2002.

B. Competent Police Work Would Have Identified Mr. Karimzada as the Casella Rapist in 1994

When Ms. Casella was raped in August, 1994, the Queens Specials Victims Squad and the 112th Precinct already had detailed information about an olive skinned rapist, in his 20's, who picked up women at dance clubs near Greenwich Village, drove them to Queens, and then raped them – the precise description and *modus operandi* reported by Ms. Casella. By September 21, 1994, the police knew that those details were the signature of a serial rapist, Mohammed Karimzada.

B-1. The Police Knew the Identity of Yolanda Alas' Rapist in August, 1994

On July 19, 1994, Yolanda Alas reported being raped by a man who picked her up in a dance club near Greenwich Village. Ms. Alas, who is Hispanic, initially spoke to the man in Spanish, thinking he was Puerto Rican. It was only when he did not respond that she learned that he was Arabic. Ms. Alas described

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the rapist as in his 20's, about 5'9", and 150 lbs and driving a red car (T. 433-34; Alas DD-5). She stated that the rapist had a friend in the back seat when she entered his car, but that he was dropped off the man drove her to Astoria and raped her in his car at about 3:00 a.m. (District Attorney's Response to Motion to Dismiss, ¶10). The Alas case was handled by Det. Maria Silva, Det. Hardy's partner in the Queens Special Victims Squad (T. 153).

Det. Hardy learned of the Casella rape on August 12, 1994, the day after it occurred. One week before, on August 4, 1994, Ms. Alas had identified Mr. Karimzada from a mug shot book. But the photo book with pictures of potential suspects that Det. Hardy showed to Ms. Casella did not, apparently, include Mr. Karimzada's picture, and, not surprisingly, Ms. Casella made no identification. Det. Hardy knew that a "rape kit" had been collected from Ms. Casella, had worked on other cases involving rape kits, and understood their significance (TT. 132-33, 157). Her partner, Det. Silva, had collected a "rape kit" from Ms. Alas, and Det. Hardy admitted that she knew that her supervisor had the power to order a comparison of DNA samples (T. 132). Det. Hardy testified that she asked Ms. Casella to view additional photos, but could not explain why Ms. Casella never did (T. 134-35).

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Det. Hardy last spoke to Ms. Casella on August 28th and did nothing further before closing the case on September 1st. She denied that Ms. Casella called her or left any messages after August 28 (T. 151). Det. Hardy testified that before closing the case, she told a Det. Johnson of Manhattan Sex Crimes, that she was looking for a 5'9" Hispanic who drove a red car, picked up women in Manhattan dance clubs, and raped them in Queens. Det. Johnson responded that there was no complaint in his precinct which matched this description (TT. 112, 144). Det. Hardy could not explain why she never discussed the case with her own partner or any other detective in Queens or why Det. Johnson never linked the Casella and Alas cases (T. 153). Neither Dets. Silva nor Johnson testified at trial. Det. Hardy could not explain why a DD-5 report which she completed stated that the police department closed the case because Ms. Casella was "uncooperative." Det. Hardy conceded that this was untrue, and testified that she closed the case because, in her opinion, her leads were "exhausted" (T. 139-140).

On September 21, 1994, Mr. Karimzada pled guilty in Queens Criminal Court to sexually abusing Ms. Alas (District Attorney's Response to Motion to Dismiss, ¶11). Det. Hardy did not reopen the Casella case.

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B-2. The Police Knew that Mr. Karimzada Pled Guilty in 1997 to Picking up Two Additional Women at Dance Clubs Near Greenwich Village and Raping Them in His Car in Queens

On October 30, 1997, Mr. Karimzada pled guilty to picking up two more women at dance clubs near Greenwich Village and raping them in his car in Queens. The victims were Sagrario Margaret Perez (Queens County Ind. No. 822/97) and Joanne Hidalgo (Queens County Ind. No. 1739/97). Mr. Karimzada received an indeterminate sentence of eight to sixteen years imprisonment for those rapes. The arresting detectives were members of the same Queens Special Victims Squad as Dets. Hardy and Silva, both of whom were still working there (T. 98). At the time of his December, 1996 arrest for the rape of Ms. Perez, Mr. Karimzada was described in police reports as 24 years old, 5'11" and 185 lbs, Arabic, with an olive complexion (Detective Borough of Queens Criminal Identification Squad Form, dated January 2, 1997).⁴ Three years earlier, Ms. Casella described her rapist as 19 to 20 years old, 5'8", 170 lbs, Hispanic, with an olive complexion (Casella DD-5). Ms. Perez and Ms. Hidalgo each identified Mr. Karimzada's arrest photograph from his rape of Yolanda Alas (T. 439), the victim who believed Mr. Karimzada was Hispanic before learning he was Arabic. The police, recognizing that Mr. Karimzada could easily be mistaken for a Hispanic,

⁴ This document was admitted with the 61's and DD-5's (TT. 387-88).

used Hispanic fillers in the line up from which Ms. Perez identified Mr. Karimzada (Queens Special Victims Squad Line-Up Form, January 2, 1997).⁵

The district attorney, in the Spring of 1997, moved to consolidate the Perez and Hidalgo indictments, noting that Mr. Karimzada committed these rapes with a distinct *modus operandi*. The motion to consolidate was promptly granted (Giaccio, J., July 23, 1997). The prosecutor's description of the *modus operandi* applies with equal force to Ms. Casella's rape.

Because the facts underlying the two indictments are substantially identical, proof of either offense would be admissible at the trial of the other under the classic *Molineux* exception allowing for proof of crimes where there is a common scheme. *People v. Molineux*, 168 N.Y. 264 (1901) . . . In each indictment a defendant met a young woman in a club in Manhattan and offered to give them a ride home. In each case the defendant drove the complainant to a remote location where there would be no witnesses. In each case the defendant pushed back the front passenger seat where the complainant was sitting and climbed on top of the complainant. In each case the defendant then proceeded to choke the complainant into submission before raping her. In each case the defendant subsequently to forcibly raping the victim apologized to the victim before driving her home (*District Attorney's Motion to Consolidate, People v.*

⁵ This document was admitted with the 61's and DD-5's (TT. 387-88).

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Ms. Perez and Ms. Hidalgo both provided additional details which matched Ms. Casella's account of her rapist's *modus operandi*. Like Ms. Casella, Ms. Perez and Hidalgo reported that the rapist drove a red car and had a male passenger in the back seat of his car when he first offered them ride home (T. 508-509).

Despite overwhelming evidence pointing to Mr. Karimzada as Ms. Casella's rapist, law enforcement did nothing to investigate until the computer made a DNA match in 2002. None of the leads were followed. No one showed Ms. Casella an array containing Mr. Karimzada's photo. No one showed Mr. Karimzada's photo to any of the witnesses or regulars at the dance club. No one interrogated Mr. Karimzada. No one asked that Mr. Karimzada's DNA be compared to that in Ms. Casella's rape kit. All of the scientific experts presented by the People testified that had such a request been made in 1997, the test would have been performed, and available DNA technology would have immediately proven beyond any doubt that Mr. Karimzada was the rapist (T. 369-70). The tests were finally performed in 2002. Nothing was done before.

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B-3. The Queens Special Victims' "Pattern Team" Failed to Link Ms. Casella's Rape to Mr. Karimzada's Four Other Rapes in 1997

Recognizing that rapists can have unique "signatures," the New York City Police Department maintained special "pattern teams" to investigate sex crimes. Det. Phillip Giardina was a member of the pattern team in the Queens Special Victims Squad from 1991 to 1997. The purpose of the team was to identify sex crime suspects by comparing and analyzing the perpetrator's *modus operandi*. The team reviews *every* report of a sex crime which occurs in Queens or its neighboring counties (T. 394). The team has computer access to all reports filed with the New York City Police Department concerning robberies and sex offenses (TT. 398, 455). The team regularly reviews closed as well as open cases (TT. 147, 170).

Det. Giardina detailed the various factors that the pattern squad was supposed to take into account in determining whether there was a pattern: the location where the parties met, the location of the rape, whether a car was involved, the description of the rapist, the description of his car, the means by which the rapist controlled the victim, etc. (TT. 185-86, 406, 427-28, 431, 460). Not all factors need be present for the pattern squad to find a pattern. According to Det. Giardina, investigators do not place much credence, for example, on the

name which the attacker gives to his victim (T. 461). Det. Giardina confirmed that in 1997 the police would occasionally send rape kits to the FBI for testing (T. 395).

Det. Giardina testified that he learned of another Webster Dance Hall rape shortly after it occurred on December 16, 1994 in the early morning hours. The victim, Samantha White, described her rapist as Arabic, 28 years old, 5"7", 180 lbs, with olive skin (T. 435; White DD-5). She reported that she only knew that he was Arabic because he told her so while they were dancing (White DD-5). When Ms. White first entered the rapist's car, there was another man inside who soon left. The rapist then drove Ms. White over the 59th Street bridge into Queens where he raped her.

Det Giardina testified that he quickly realized that Ms. White's description of the rapist and the manner in which he committed the crime was similar to that of Alas' rapist (T. 407). He testified that he did not pursue the White investigation or Mr. Karimzada as a suspect, despite the fact that he knew Mr. Karimzada had already pled guilty to the Alas rape, because Ms. White was uncooperative (T. 407-8).

Det. Giardina explained that he was aware of the Casella rape at the time of the White rape, but did not link the two together, despite the similarity in

description, *modus operandi* and the fact that both women were picked up at Webster Hall, because Ms. Casella described her attacker as Hispanic, not Arabic (TT. 406, 408). According to Det. Giardina, Arabs and Hispanics are on “opposite ends of the spectrum” (T.406).

Det. Brian Kenzik, a member of the pattern team since the mid-1990's, largely contradicted Det. Giardina's testimony concerning the White and Casella investigations. Det. Kenzik testified that the pattern team never “picked up on any of the five or six complaints for which [Mr. Karimzada] has been arrested” prior to the 2002 computerized DNA match (T. 170).

Although the police knew in December, 1994 that the rapist had struck twice at Webster Hall and that the description of the Webster Hall rapist and his *modus operandi* matched perfectly with that of Mr. Karimzada, they did nothing to re-open the Casella investigation. The detectives never bothered to visit the dance club, never showed Mr. Karimzada's picture to any of the witnesses at Webster Hall, or to Ms. Casella, and never bothered to interrogate Mr. Karmizada. Similarly, the police did nothing in 1997 despite the fact that Mr. Karimzada pled guilty to two additional virtually identical rapes.

B-4. Mr. Karimzada's Arrest in 2003

In 1999, the New York City Police Department set up its "Backlog Project." This project consisted of creating DNA profiles from rape kits in both solved and unsolved cases, creating DNA profiles from samples taken from convicted felons, and entering both into a computer. The computer then looked for matches. By the end of 1997, law enforcement already had multiple DNA samples from Mr. Karimzada as a result of his 1997 guilty pleas to the Perez and Hidalgo rapes, his guilty plea to the 1994 Alas sexual abuse, and his incarceration in state prison.

In 2001, the computer matched Mr. Karimzada's DNA profile to that in the Perez rape kit. In 2002, the computer matched his DNA to that found in the Casella, White, and Alas rape kits. Mr. Karimzada was arrested for the Casella rape on July 1, 2003 (TT. 165-66). At the time he was already in prison serving a sentence of eight to sixteen years.

C. The Trial Court Accepted the Jury Waiver Without Asking Mr. Karimzada or His Attorney a Single Question about What Mr. Karimzada Understood about the Waiver

As far as Justice Michael Aloise was concerned everything about the case was a waste of time. The defendant, who was born in Afghanistan, was a known serial rapist. The DNA evidence was dispositive. Nothing needed to be proven. The defendant's guilt was obvious, and he was ready to plead if the court would

give him concurrent time to the eight to sixteen years he was already doing, but the prosecutor would not agree (S. 12). The case was more than nine years old when the arrest warrant was issued in July, 2003. The defendant had no trial defense. All his attorney planned to argue, as he had in his pre-trial motions,⁶ was that the police did not act with sufficient diligence to extend the statute of limitations beyond the ordinary five year period. C.P.L. §30.10(4)(a)(ii).⁷

As far as Judge Aloise was concerned, the only good thing about the case was the defense attorney's decision to waive a jury. Bench trials are faster, more efficient, and make it less likely that the defense attorney would engage in histrionics, such as calling police officers liars.

Justice Aloise accepted the waiver without hesitation. He did not even address Mr. Karimzada. In fact, Mr. Karimzada did not say anything during the entire "colloquy." The judge did not ask Mr. Karimzada whether he had discussed

⁶Mr. Karimzada's pre-trial motion to dismiss the indictment based on the statute of limitations was denied by the Supreme Court, Queens County (Spire, J.) on October 20, 2003.

⁷Prosecution for a felony must ordinarily be commenced within 5 years of the commission of the crime. C.P.L. §30.10(2)(b). C.P.L. §30.10(4)(a)(ii) excludes from this calculation any period during which the "whereabouts of the defendant were continuously unknown and continuously unascertainable by the exercise of reasonable diligence. However, in no event shall the period of limitation be extended by more than five years beyond the period otherwise applicable under subdivision two."

the waiver with his attorney. He did not even ask the attorney what he had explained, if anything, to his client.

THE COURT: I want to clarify an issue before we do that. There's an understanding of your client wants to go non-jury, correct?

MR. KORNBERG: That's correct.

THE COURT: We have given him a waiver. Let the record reflect the defendant has signed the waiver. . . (T. 3).

The "waiver" which Mr. Karimzada signed was as sparse as the colloquy (TT. 3). The waiver states, "I waive jury trial on this indictment . . . in consultation with my attorney . . . with full understanding of my rights." It contains no acknowledgment that Mr. Karimzada understood that a jury trial is a Constitutional right, that the jury consists of twelve persons whose verdict must be unanimous, or any of the other consequences of a waiver.

D. The Summations

During summations, defense counsel noted how difficult it was for the judge to assess the case "independently and fairly" because of his background in the district attorney's office and "because there are certain issues in this case that the Court must determine with respect to the operation of the police department at the time and [will] have to say, if the Court were to acquit this defendant, that the Po-

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lice Department's investigation in this case stunk" (T. 498). Counsel's concerns were borne out. When counsel characterized the key police witness, Det. Hardy, as a "stone cold liar," and the district attorney objected, the court overruled the objection, but announced, "I wouldn't let him say that in front of a jury" (T. 503).

The district attorney argued that Det. Hardy "did everything she could" to catch Ms. Casella's rapist. She conceded that the Alas, White, Perez, and Hidalgo rapes bore many similarities ["the descriptions were almost identical" (T. 523)], but contended that the Casella rape did not fit the pattern because Ms. Casella described her rapist as an Hispanic using the name Eddie, while the others described the attacker as an Arab using the name Jeff (TT. 520, 525). The district attorney did not explain Det. Giardina's testimony that the difference in names was irrelevant. Neither did she explain the repeated testimony that Mr. Karimzada could easily be mistaken for a Hispanic.

E. The Verdict

The trial court convicted the defendant of all counts, finding beyond a reasonable doubt that the police had exercised reasonable diligence in attempting to identify Mr. Karimzada as the perpetrator of the crime, thus extending the statute of limitations as per C.P.L. §30.10(4)(a)(ii) beyond the ordinary five year period (V. 5). The court gave no explanation of its reasoning.

F. The Sentencing

At sentencing, defense counsel asked the Court to impose a sentence concurrent to the eight to sixteen years which the defendant was already serving on his 1997 convictions. Counsel noted that Mr. Karimzada did not deny his factual guilt of the Casella rape, that he certainly would have pled to guilty to it had he been charged in 1994 or 1997, and that a fair sentence would reflect any incremental increase Mr. Karimzada would have received had he been charged with the Casella rape in 1997 along with the Perez and Hidalgo rapes. Counsel noted Mr. Karimzada's good prison record (S. 12, 16). A psychological report submitted to the Court at the 1997 sentencings showed that Mr. Karimzada was an alcohol abuser (S. 7-8).

In response, the court denigrated the statute of limitations as a defense designed to sanitize the horror of the defendant's conduct and to unfairly shift the court's focus from the defendant to the performance of the police.

I think that one of the consequences of being engaged in an extended and, at times, disjointed trial, where the primary issue was, as Mr. Kornberg says, is legal in nature, is that the act itself, the crime of it, entails the psychological harming and the physical harm and the emotional harm which are somewhat minimized since they are not in dispute, somewhat sanitized.

What is the defense? The defense is that I, the defendant, have done this so often and so blatantly that the focus is on the law enforcement authorities for not apprehending me sooner, not preventing me from victimizing more women (S. 20).

The court criticized the defendant for going to trial and forcing the complainant to relive an experience that she wanted to forget.

You're right Mr. Kornberg, this defendant did not place Ms. Casella on the stand. He almost stipulated to his culpability in this matter, but he did place her in a position that she did not want to be in, that she could not forget that she was in (S. 21).

The court imposed the maximum sentence of eight and one-third to twenty five years consecutive to the sentence the defendant was already serving.

ARGUMENT

POINT I

THE PEOPLE FAILED TO PROVE THAT LAW ENFORCEMENT EXERCISED REASONABLE DILIGENCE IN ATTEMPTING TO IDENTIFY MR. KARIMZADA AS THE CASELLA RAPIST (C.P.L. §§30.10(2)(b), 30.10(4)(a)(ii), §§470.15(2)(a), 470.40(1), 470.15(5); U.S. Const., Amend. XIV; N.Y. Const., Art. I, §6))

Prosecution for a felony must be commenced within five years of its commission. C.P.L. §30.10(2)(b). C.P.L. §30.10(4)(a)(ii) excludes from the five year calculation, "Any period following the commission of the offense during

which . . . the whereabouts of the defendant were continuously unknown and continuously unascertainable by the exercise of reasonable diligence. However, in no event shall the period of limitation be extended by more than five years beyond the period otherwise applicable . . .” Once the defense asserts the statute of limitations as a trial defense, the People must prove beyond a reasonable doubt that law enforcement exercised “reasonable diligence” in attempting to locate the defendant to establish the statutory exclusion. *People v. Kohut*, 30 N.Y.2d 183, 331 N.Y.S.2d 416 (1972); *People v. Weaver*, 177 A.D.2d 809, 576 N.Y.S.2d 424 (3rd Dept. 1991); *People v. Lennertz*, 156 Misc.2d 88, 591 N.Y.S.2d 955 (1992); Preiser, Peter, Practice Commentary, *McKinney’s Consolidated Laws of New York*, Vol. 11A, 170-171. If law enforcement is unable to identify the perpetrator of a crime, the perpetrator’s whereabouts are considered “unknown” for the purpose of the statute of limitations. *People v. Seda*, 93 N.Y.2d 307, 690 N.Y.S.2d 517 (1999).

The People failed to prove that law enforcement exercised “reasonable diligence.” The Casella rape took place in August, 1994. Mr. Karimzada was not arrested and no accusatory instrument was filed against him until July, 2003, nearly nine years later. When Ms. Casella reported the rape, the Queens Special Victims Squad knew that Yolanda Alas had reported a virtually identical rape

several days earlier. By September, 1994, both the police department and the Queens District Attorney knew that Mr. Karmizada was the Alas attacker based on his guilty plea. Yet the police never showed Mr. Karimzada's picture to Ms. Casella or to the witness who observed him pick her up at the dance club. When Mr. Karimzada pled guilty to the Perez and Hidalgo rapes three years later, law enforcement knew that Mr. Karimzada had committed multiple rapes using precisely the same *modus operandi* as those that were used by the Casella rapist. All of these cases were prosecuted by the Queens District Attorney's Office. All of these cases were investigated by the Queens Special Victims Squad, the same unit that had handled Ms. Casella's case. The Alas case was even handled by the partner of the detective who was supposedly investigating Ms. Casella's case. But law enforcement did nothing to pursue Mr. Karimzada. The police never bothered even to interrogate him. Only a random computer search in 2002 made the link that any reasonable investigation would have made.

By November, 1997, when Mr. Karimzada pled guilty to the Hidalgo and Perez rapes, it was obvious to anyone who bothered to look that Mr. Karimzada had to be the primary suspect in the Casella rape. Mr. Karimzada matched the Casella rapist in height, weight, color, car color, and *modus operandi*. The location of the Casella rape and Mr. Karimzada's other rapes were virtually the same.

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Law enforcement had at its disposal multiple basic investigatory techniques which almost certainly would have confirmed that Mr. Karimzada indeed had committed the rape. But law enforcement did nothing. The detectives did not even question Mr. Karimzada about the Casella rape.

At trial, the prosecution conceded that Mr. Karimzada's attacks on Mss. Alas, White, Perez and Hidalgo formed a unique pattern. In an attempt to justify why law enforcement did nothing to investigate Mr. Karimzada as the primary suspect in the Casella rape, the prosecution insisted that the Casella attack did not fit this pattern so that there was no reason to pursue the investigation. This contention is absurd and inconsistent with common sense and the law, as the charts on the following pages will illustrate.

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The chart below shows how the description given by Ms. Casella of the rap-
 ist conforms with the descriptions given by the other victims and matches that of
 Mr. Karimzada in terms of height, weight, coloring, and type of car.

<u>Victim</u>	<u>Date of Rape</u>	<u>Time of Rape</u>	<u>Car</u>	<u>Description of Perp</u>	<u>Description of Perp</u>	<u>Date 1st Identified or pled guilty</u>
Yolanda Alas	7/19/1994	3:00 AM	red /2 door	Arab; but initially thought Puerto Rican	20s; 5'9" 150 lbs	8/12/94 ID;
Pamela Cassela	8/11/1994	3:15 AM	red /2 door	Hispanic/ olive skin	19-20 years old; 5'8", 170 lbs	n/a
Samantha White	12/16/1994	3:30 AM	2 door/ white	Arab/ olive skin	28 5"7"; 180 lbs	n/a
Margaret SAGRARIO Perez	12/6/1996	5:00 AM	red	Arab	6'0, 200 lbs	12/16/96 ID; plea 10/30/97
Joann Hidalgo	5/11/1997	5:45 AM	red	Arab	Police Report Lost	ID 5/13/97; pg 10/30/97

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The second chart shows how the *modus operandi* described by Ms. Casella matches that described by the other victims.

<u>Victim</u>	<u>Initially has friend in the backseat</u>	<u>Drops friend off before the rape</u>	<u>Meets Victim In Club</u>	<u>Rape location</u>	<u>Hits in face or head</u>	<u>Choke Victim</u>	<u>After the Rape</u>
Yolanda Alas	YES	YES	YES (20 West Club, 14th Street and 5th Avenue)	Drives to Astoria	YES	YES	Victim jumps out of the car
Pamela Cassela	YES	YES	YES (Webster Hall, 11th Street and 3rd Avenue)	Drives over 59th Street bridge to deserted area in Queens	YES	YES	Asks if she is okay and offers her a ride to the ferry
Samantha White	YES	YES	YES (Webster Hall, 11th street and 3rd avenue)	Drives over 59th Street bridge and Queens Boulevard	YES	YES	Allows her to run away
Margaret Sagrario Perez	YES	YES	YES (Lespoulet Dance Club, 18 West 22nd Street)	Got off the LIE at 108th Street	YES	YES	Cries with her and drives her home
Joann Hidalgo	YES	YES	YES (Club Expo in Manhattan)	Queens/ 47th and 33rd street (vicinity of Queens Boulevard)	No	YES	Not reported

The Casella rape shared at least eight elements with those of Mss. Alas, White, Perez, and Hidalgo rapes. The Casella rapist like the others: 1) picked up his victim at a dance club in Chelsea or Greenwich Village, 2) offered her a ride

home, 3) had another male in the car when the victim entered, 4) drove to Queens where he dropped off the other male, 5) then drove to a remote location in Queens usually near the Long Island Expressway, 6) punched and choked the victim, 7) raped her, 8) and apologized or offered to take her home. All of the victims described the rapist as approximately 5'8" to 6', medium to stocky build, and as either Arabic or Hispanic with olive skin.

There was no legitimate excuse for the investigators not to link the Casella rape to the other four rapes, especially since the investigations of all five rapes, to the extent that they can be called investigations, were conducted by a single police unit, the Queens Special Victims Squad. Since by 1997, Mr. Karimzada had pled guilty to three of these rapes, there was no excuse for why the police made absolutely no effort to investigate him further and attempt to link him to the remaining rapes.

In *People v. Beam*, 57 N.Y.2d 241, 455 N.Y.S.2d 575 (1982), the Court of Appeals had little difficulty in finding a unique *modus operandi* where the pattern was far less obvious. In *Beam*, the five victims were young men in their late teens who were separately approached by a man in the same general area in Binghamton whom they described, by and large although not uniformly, as being approximately 19 or 20, approximately 5'11", 160 lbs, with long blonde hair and

glasses. The man offered to share some marihuana with each victim and lured him to an isolated location, either near the football stadium or the river. At some point the defendant told three of the young men that he was from out of town and on his way elsewhere. When they reached the location chosen by the defendant, he assaulted them, and forced them to partially disrobe and perform homosexual acts.

The Court of Appeals found:

The pattern of the assault itself was . . . sufficiently unique to indicate that one person was responsible. It is not necessary that the pattern be ritualistic for it to be considered unique; it is sufficient that it be a pattern which is distinctive. This is not to say each element of the pattern must be in and of itself unusual; rather the pattern, when viewed as a whole, must be unique. Thus, even though other homosexual attacks might, by chance, follow the same pattern, the pattern used by the defendant in these cases was sufficiently unusual to establish a specific *modus operandi*, making the evidence of the other attacks highly probative of the assailant's identity. *Id.* at 581.

The *Beam* court found the pattern sufficient to establish the defendant's identity at trial, a far more restrictive threshold than any which might be employed by a reasonable investigator. This underscores the absurdity of the prosecution's claim that there was no reason for a reasonable investigator to focus on Mr. Karimzada in 1994 or 1997. Ms. Casella's physical description of her assailant, including his skin color, height, weight, and the color of his car, as well as her

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description of his *modus operandi* and location of the crime was identical to those of the other victims.

There was simply excuse for the investigators not to show Mr. Karimzada's photo to Ms. Casella or to the witness who saw the rapist pick her up at the dance club, or to post Mr. Karimzada's photo at any of the dance clubs where the victims were picked up. *Daniel v. Compass*, ___ F.3d ___, 2006 WL 3627141 (5th Cir. 2006)(similarities in pattern should cause reasonably diligent officer to conduct an array with the suspect's photo). There was no excuse for the police not to have Ms. Casella view the same line-ups as Mss. Perez and Hidalgo. *People v. Sainsbury*, 231 A.D.2d 746, 647 N.Y.S.2d 823 (2nd Dept. 1996); *People v. Matthews*, 222 A.D.2d 703, 636 N.Y.S.2d (2d Dept. 1995)(investigators may place suspect in a line-up where the suspect is known to have committed one crime and the police are investigating second similar crime). The pattern evidence was even sufficient to create probable cause to arrest Mr. Karimzada. *People v. Brown*, 169 A.D.2d 528, 564 N.Y.S.2d 176 (1st Dept. 1991); *United States v. Martin*, 426 F.3d 68 (2d Cir. 2005). There was no excuse for the police not to interrogate Mr. Karimzada or compare his DNA to that in the Casella rape kit.

At trial, the prosecutor repeatedly argued that law enforcement did not have the means to conduct DNA testing during the 1990's. This is mere obfuscation.

C.P.L. §30.10(4)(a)(ii) requires law enforcement to exercise “reasonable diligence” in locating a suspect. The supposed lack availability or expense of DNA technology at the time provides no excuse for law enforcement’s failure to use *any* of the more traditional investigatory techniques to investigate Mr. Karmizada.

Moreover, the claim that law enforcement did not have the means to identify Mr. Karimzada by a DNA match until 2002 is belied by the testimony. Det. Hardy testified that as early as 1994 she knew why rape kits were collected and understood the role of DNA in sex crime investigations. By the early and mid-1990's, police departments were using DNA technology to solve cases where pattern evidence pointed to a particular suspect. *See, People v. Greco*, 230 A.D.2d 23, 654 N.Y.S.2d 890 (4th Dept.1997); *State v. Pearson*, 356 N.C. 22, 566 S.E.2d 50 (2002); Francis Gibb, *The DNA Scientists Who Made Individuals of Us All*, The London Times, Dec. 6, 2005.

This is not like those cases where the courts extended the five year statute of limitations because the police had *no* basis for investigating the defendant until the advent of computerized DNA matching. *People v. Parilla*, 33 A.D.3d 363, 821 N.Y.S.2d 599 (1st Dept. 2006); *People v. Grogan*, 28 A.D.3d 579, 816 N.Y.S.2d 93 (2d Dept. 2006)(statute of limitations extended where “police had no additional

investigative steps to take, and defendant does not suggest any on appeal”). Law enforcement had every reason to focus on Mr. Karimzada and still did nothing.

The prosecution presented only one excuse for closing the Casella investigation after eighteen days and not linking it to the Alas/Perez/Hidalgo pattern: that Ms. Casella described her attacker as Hispanic while Mr. Karimzada is Arabic. This excuse is transparently false and disingenuous. Law enforcement knew as early as September, 1994, when Mr. Karimzada pled guilty to the Alas attack, that he could easily be mistaken for a Hispanic. Ms. Alas, who is herself Hispanic, initially spoke to Mr. Karimzada in Spanish thinking that he was a Puerto Rican. She learned that he was Arabic only when he did not respond and she spoke to him in English. Ms. White also told the police that she only knew that the olive skinned Mr. Karimzada was Arabic because he told her so. The Queens Special Victims Squad’s use of Hispanic fillers in conducting the 1997 line-ups is a tacit admission that Mr. Karimzada looked Hispanic and that the police knew it.

It should not be surprising that the prosecution’s *post-hoc* rationales for closing the Casella investigation before it began are rife with contradictions and absurdities. Det. Hardy testified that Ms. Casella was cooperative. Her DD-5 states that the case was closed because Ms. Casella was “uncooperative.” Det. Hardy testified that Ms. Casella never called back after August 28, 1994. Ms. Casella

testified that she called several times, but the police never returned her calls. Det. Hardy said that she never heard of the Alas case. The Alas case was handled by Det. Hardy's partner in the Queens Special Victims Squad. Det. Giardina testified that the pattern squad saw no reason to link the Casella case with the other four rapes. Det. Brian Kenzik, testified that the pattern squad never even reviewed these cases.

The People failed to prove beyond a reasonable doubt that law enforcement exercised due diligence in investigating the leads pointing to Mr. Karimzada. On these facts, any finding that the police exercised "reasonable diligence" in investigating the case would also be against the weight of the evidence. *People v. Romero*, 7 N.Y.3d 633, 826 N.Y.S.2d 163 (2006).

POINT II

**MR. KARIMZADA DID NOT KNOWINGLY AND
VOLUNTARILY WAIVE HIS RIGHT TO A JURY TRIAL
(U.S. Const., Amends. XIV and VI; N.Y. Const., Art. I, §2;
C.P.L §320.10)**

This a case in which the trial judge accepted a pre-written bare bones jury waiver from a foreign-born defendant without asking a single question of either the defendant or his attorney. The trial judge did nothing to ensure that the defendant understood the right he was waiving. The judge simply wanted to move

(Left) and MOHAMMED KARIMZADA (Right)



POWER ON EARTH

"They have poisoned me!"

With those words on his lips, Michele Sindona died in March 1986, two days after sipping a cup of cyanide-laced coffee in his cell at the maximum-security prison in Voghera, Italy. One of the most mysterious and, for years, one of the most powerful figures in international high finance, Sindona had lived a life of glamour, intrigue, and wheeling and dealing on the grandest scale. In *Power on Earth*, Nick Tosches draws on hundreds of hours of interviews with Sindona – the only such interviews Sindona ever granted – to tell the story of the ambitious young lawyer from Sicily who lifted himself to the stature of a business giant, only to see his vast empire collapse amid charges of fraud and murder. Filled with revelations that are bound to spark new headlines in both America and Europe, *Power on Earth* provides startling new answers to a series of explosive questions, among them:

- Who murdered Roberto Calvi, the financier found hanging from Blackfriars Bridge, London, in June 1982? And what were the contents of Calvi's missing briefcase?

- How exactly does the Mafia launder its money? And why has no government ever been able to do anything about it?

- What illegal financial service did the Vatican routinely offer its favored sons?

- Who was the Svengali behind which recent pope's momentous church reforms?

(continued on back flap)

- What really happened when Sindona vanished in 1979 just before his New York trial on bank fraud charges?

A confidante of popes and politicians, Michele Sindona amassed a personal fortune estimated at half a *billion* dollars. He was also a central figure in some of the biggest financial manipulations of the last 25 years, including the billion-dollar collapse of the Franklin National Bank and the shocking money-laundering scandal that rocked the Vatican.

When he died, Sindona's enemies may have thought the inside story of these and other scandals would be buried along with him. If so, they were wrong. The fact is, for nearly two years before his death, Sindona had been meeting and corresponding with Nick Tosches, one of America's top journalists, recounting his side of a life that reads like riveting fiction but is indeed fact – an astonishing account of enormous wealth, power, and corruption.

"They are afraid that I could reveal some very delicate information that they don't want divulged." Sindona said a few days before his mysterious death. In *Power on Earth*, Nick Tosches shows just how well founded "their" fears were.

NICK TOSCHES is the author of *Hellfire* and other books. He has written for *The New York Times*, *Rolling Stone*, *Esquire*, *The Village Voice*, and many other publications.

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Sharing the courtroom cage with Sindona this time was Robert Venetucci, a Long Island man whom Sindona had come to know after his fall. Venetucci, who had a previous conviction, on drug charges, was a few years younger than Sindona. Their relationship, Venetucci said, was limited to a loan to two small businesses, a real estate firm and Mini Mart Film on Staten Island. Venetucci had been extradited to Italy on charges of aggravated extortion: His voice had been identified on one of the taped telephone threats to Enrico Cuccia.

“After he was extradited,” Venetucci’s lawyer, Paul Goldberger, said, “we got hold of a voiceprint expert who was willing to testify for us. Then, all of a sudden, once Venetucci was over there, they slapped him with a murder rap, charging him with being the middleman between Sindona and Arico, the killer. To do this, the Italian authorities had to move for what’s called a waiver of the rule of speciality. This means that they needed permission from our government to try him on charges other than those he’d been extradited for. It was obvious that this had been their scheme all along. On September 1, 1985, I filed a complaint with the U.S. State Department, charging that the waiver was requested on the basis of preexisting plans. October came and went, November came and went, December came and went. Here it is February 1986, the trial is almost over, and the State Department still hasn’t gotten back to me.”

Venetucci, all the while, before and after the change of charges, remained silent. He sat in the cage, and he watched. Since he did not understand Italian very well, every once in a while he would ask Sindona what was going on.

In his attempt to establish Sindona’s guilt by association, Guido Viola summoned the Spatola brothers to testify. “I have nothing to say,” the younger one, Vincenzo, declared. “I know only my brother.” Rosario was not so taciturn that June day.

“I have served the state. I have won contracts for public works.” He glowered at the bearded communist prosecutor. “I came from nothing. I sweated seven shirts.”

NICK TOSCHES

were a number of questions still pending, including the production of documents which, while not precisely called for by the Letters Rogatory, were within the substance of the request. It was also the custom of Judge Galati, after hearing discussion on the need for additional questions for clarification, to allow such questions to be put to the witness. Therefore, I anticipated being able to put further questions to Dr. Ambrosoli before the completion of the Rogatory to him and so advised by Mr. Sindona.

“The following morning, I was advised that Dr. Ambrosoli had been murdered on the night of July 11. Together with the other attorneys, I appeared before Judge Galati and agreed that the record of the testimony of Dr. Ambrosoli rendered on July 9, 10, and 11, pursuant to Letters Rogatory of the American Judicial Authority, were accurate. It was my opinion then as it is now that the inability of Dr. Ambrosoli to sign the record of his interrogation would have no effect on the question of the admissibility of that interrogation in the United States proceedings.

“The primary purpose of addressing Letters Rogatory to Dr. Ambrosoli was to secure access to the entire files of Banca Privata Italiana. It was anticipated that only with such access could the defense of Mr. Sindona be prepared properly in the United States proceedings. Only a portion of the BPI file was made available in connection with the Rogatory to Dr. Ambrosoli.”

William Joseph Arico, the man who shot Giorgio Ambrosoli, had met a man named Henry Hill in 1974, at the federal penitentiary in Lewisburg, Pennsylvania. Arico, then thirty-seven years old, was serving time for manslaughter and bank robbery. Hill, who was seven years younger than Arico, had been sent to Lewisburg for selling dope. The two men got along. Arico introduced Hill to another Lewisburg inmate, Robert Venetucci, a friend of his from Long Island who, like Hill, had been convicted on drug charges. In 1978, on the

outside, the three of them became neighbors on Long Island. Arico worked with Hill, delivering drugs and committing armed robberies in the New York area. Venetucci, after his release, was introduced to Sindona in a Manhattan office by an important Italian manufacturer of mopeds.

On December 8, 1979, five months after he killed Ambrosoli, Billy Arico robbed a jewelry store in Brooklyn, got caught, and was sent to the penitentiary on Riker's Island in New York. On May 22, 1980, Henry Hill, once again under federal indictment, decided to strike a bargain with the government and join the Witness Protection Program.

It was Henry Hill who told the government that Billy Arico had murdered Giorgio Ambrosoli. According to Hill's story, Arico had told him, in the autumn of 1978, that he needed some weapons. Hill later sold him five handguns and an Ingram M-11 submachine gun equipped with a silencer. Arico then told Hill—or so Hill claimed—that he had been hired to do a job for Michele Sindona, whom he had met through Robert Venetucci. The following summer, after the killing, Arico had visited Hill at his home in Rockville Centre, Long Island. "This is the guy I whacked out over there," he said, showing him an Italian clipping about the Ambrosoli murder.

It was Hill's testimony upon which the Italian authorities based their July 1981 indictment of Sindona. On June 28, 1980, five weeks after Henry Hill joined the Witness Protection Program, Billy Arico escaped from the Riker's Island penitentiary, swimming across the East River to Hunts Point in the Bronx. On June 16, 1982, he was arrested by the FBI at his stepson's home near Philadelphia. A month later, on July 16, he was interrogated at the Metropolitan Correctional Center by the FBI agent Michael Mott and the assistant U.S. attorney Charles Rose.

"The first thing we asked Arico was whether he killed Giorgio Ambrosoli," Charles Rose later recounted. "He asked his lawyer if it was all right to respond. The lawyer told him

to go ahead, and he said, 'Yes.' We then asked him if he had been following the orders of Michele Sindona. He looked to his lawyer again, and then he said, 'Yes.' ”

According to Rose, Arico stated that he had been introduced to Sindona by Robert Venetucci in the dining room of the Conca d'Oro Motel on Staten Island. Robert Venetucci, later questioned, said that, yes, he knew Arico and, yes, he had known Sindona, but he had never introduced them, and had known nothing about the murder of Giorgio Ambrosoli.

“So,” Costello was saying, “there they were on the third floor of the MCC: Carlo Bordoni, Luigi Ronsisvalle, and then Henry Hill. And the one thing we know for a fact is that Carlo Bordoni was Sindona’s enemy.

“I have wondered, and I have not been able to understand, why William Arico would, for no apparent reason, admit to a murder to a fellow like Henry Hill, who has been described as a well-known liar who would say anything to get out of trouble. And I have wondered why Carlo Bordoni, who has so conveniently disappeared, has been the object of so little speculation in this case.”

Six months after Arico was questioned by Mott and Rose, Costello talked with Louis Freeman, the Federal Defenders Service Unit attorney who had been assigned by the court to represent Arico. In January 1985, Costello prepared an affidavit concerning that discussion and the events that followed:

“On February 10, 1983, I spoke to Mr. Freeman, who informed me that William Arico was not cooperating with the United States Attorney’s Office; that Arico had not accused Michele Sindona of any complicity in the death of Giorgio Ambrosoli but that Arico had received pressure from the prosecutors to make accusations against Michele Sindona. Mr. Freeman told me that Mr. Arico was informed that unless he agreed to cooperate and to make accusations against Mr. Sindona, he would be extradited to Italy. Mr. Freeman told me

mortuary table”), Viola asked that Sindona be sentenced to prison for the rest of his days on earth.

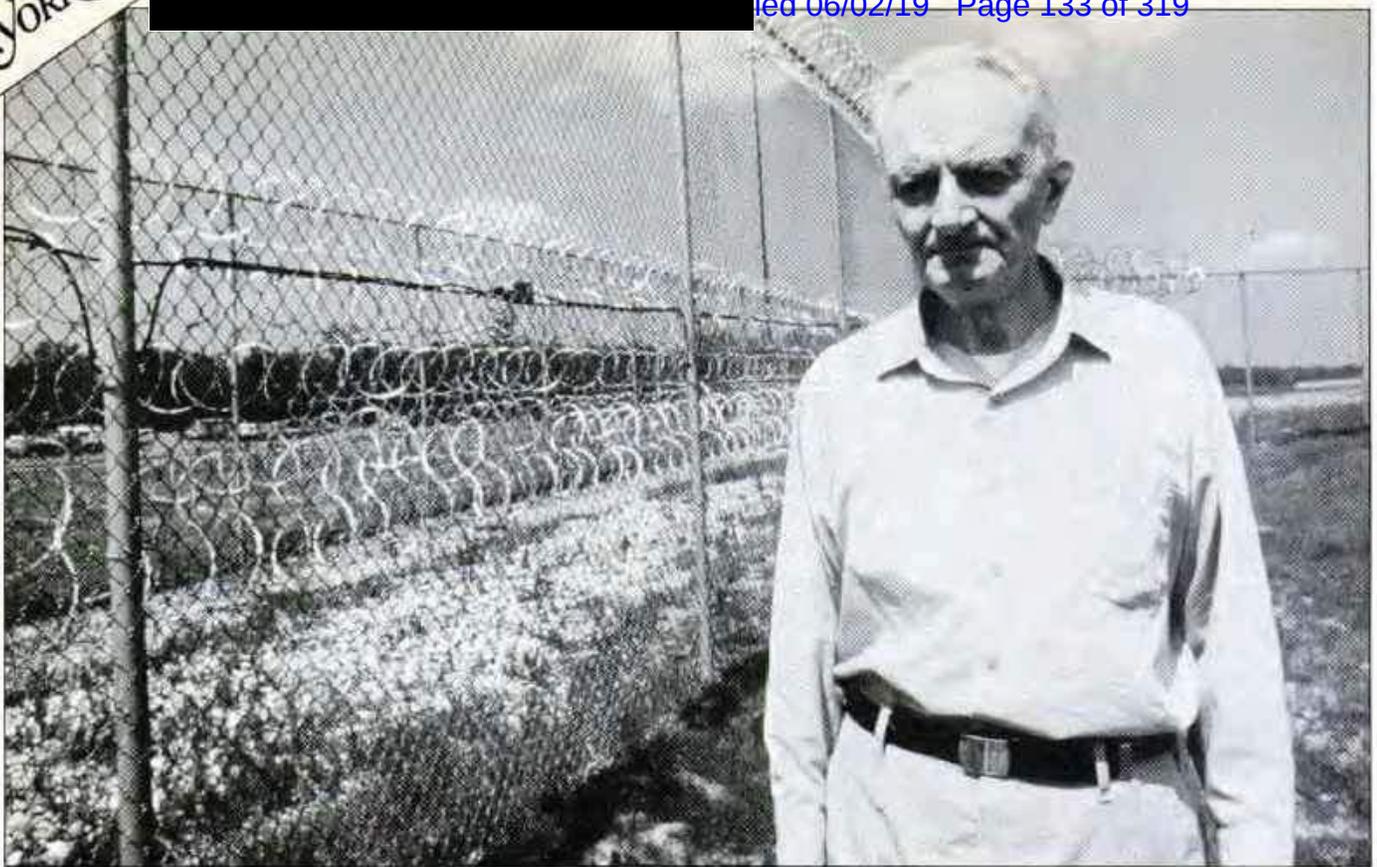
Viola asked the same for Robert Venetucci, then he cast his wrath further in the name of the state. Rodolfo Guzzi, Sindona’s lawyer in Rome, should be sentenced to ten years; John Gambino, to nine. Eight each should be given to Rosario Spatola and Joseph Macaluso; seven to Rosario’s brother, Vincenzo; six to Joseph Miceli Crimi and Sindona’s son-in-law, Piersandro Magnoni. Sindona’s daughter should be given five, for she had stood by her father in his opprobrium. And there were more.

Meanwhile, the first snowfall of the season had blanketed Milan. In a letter dated December 12, two days after the prosecution’s summation, Sindona rendered a summation of his own. It was the last Latin lesson, his gloss on the words in the rock: “Big illusion.”

Christmas passed, and the winds of another year rode down through the Po valley. Sindona sat in his cell, awaiting the inevitable, final dooming: the end of the journey that had begun forty years ago, when he crossed the straits of Scylla and Charybdis, heading north, toward fortune. This was the north, this his fortune.

“Carlo Bordoni and his friends in that land of the free arranged the murder of Giorgio Ambrosoli. Today Bordoni, freed with the aid and approval of two governments, is off somewhere with the money that I am supposed to have stolen. Tommaso Buscetta, death’s merchant and a *picciotto* of the nameless few at the end of the world, was extradited under the same treaty as I. He has been made an American citizen and given a home and a lavish income at the taxpayers’ expense. All my accusers have been rewarded. Luigi Ronsisvalle, who has admitted to thirteen murders, has now been paroled and provided for. And here I am,” he smiled, “the Devil. Don’t ever believe, as I did, that there is no such thing as forbidden knowledge.”

* * *



Fathers: Michele Sindona, the onetime Vatican banker, is now serving time for fraud in the federal penitentiary in Otisville, New York.

'Justifiable Homicide'

By Luigi DiFonzo

“. . . A lawyer investigating Michele Sindona was shot down in 1979. Now Sindona's son ties his father to that unsolved murder. . . .”

IN THE EARLY EVENING OF JULY 12, 1979, a soft-spoken, 41-year-old lawyer named Giorgio Ambrosoli parked his car in the usual spot just outside the door of his Milan apartment. He was exhausted. He had spent the day giving evidence damaging to Michele Sindona, the Italian financier who'd recently been indicted for fraud in the collapse of the Franklin National Bank, in New York. Ambrosoli locked his car, looked up at the window of his apartment, and waved to his wife. She smiled. As he walked toward his building, he heard footsteps racing toward him across the cobblestoned street. He turned and saw three men.

"Are you Giorgio Ambrosoli?" one asked.

"Yes."

Then one of the men pulled out a pistol and shot him five times in the

chest. Before he died, Ambrosoli told the Italian authorities that the men had Italian-American accents.

That murder remains one of the unsolved mysteries of the troubling, Byzantine case of Michele Sindona. Convicted in 1980 for his role in the Franklin National scandal, Sindona, 62, is serving a 25-year sentence at the Federal Correctional Institution in Otisville, New York. But authorities have long suspected that he was more than a white-collar criminal—that he was an international godfather involved with the Mafia, narcotics, and murder. Making a case against him has been complicated by his eminent position in the European banking community and by the fact that he is a man with important connections. He had been the banker for the Vatican, a major contributor to Italy's anti-Communist Christian Democratic party, an intimate

of ambassadors and C.I.A. agents, and a business associate of David M. Kennedy, treasury secretary in the Nixon administration.

Law-enforcement officials believe that the key to unraveling Sindona's dark world is to solve the murder of Ambrosoli. Working on assignment from the Italian government, Ambrosoli had peeled away the layers of secrecy that Sindona had constructed around his activities. He persisted even after receiving death threats. He knew his life was at risk and yet he also believed he was uncovering evidence of how Sindona circumvented laws, laundered Mafia heroin profits, and infiltrated legitimate businesses in Europe and America. Until a fortnight ago, however, no one had been able to link Sindona conclusively to the Ambrosoli murder.

I have spent more than four years



Son: Chicago businessman Nino Sindona claims his father's orders to frighten Giorgio Ambrosoli got out of hand.

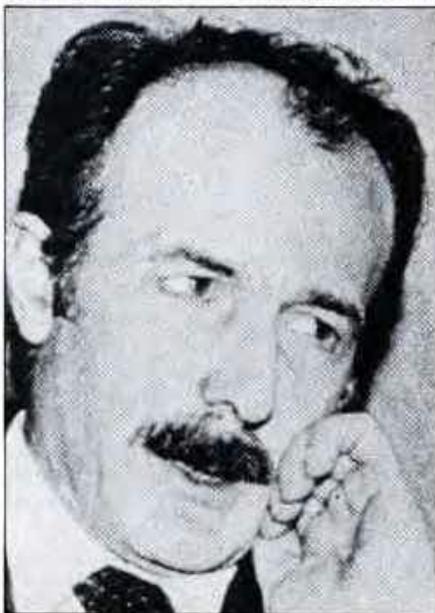
researching the life of Michele Sindona for my new book on the case, *St. Peter's Banker*. During that time, I conducted hundreds of interviews with Michele Sindona and his son Nino, a 35-year-old businessman who lives in Chicago. The Sindonas discussed, among other things, Michele's relationship with the Vatican and with the Gambino crime family, and his role in the disappearance of \$1.4-billion from Milan's Banco Ambrosiano. But they were never willing to talk to me about the death of Giorgio Ambrosoli, except to proclaim their innocence. That is, not until Friday, March 18. On that day, Nino Sindona gave me his account of the murder.

During a 28-hour interview, Nino admitted knowing of his father's role in the assassination and claimed that he and his family had been blackmailed after the killing for more than \$300,000. He said that Michele had paid William "Billy the Exterminator" Arico, an American who has been charged in Italy with the murder, \$100,000 to threaten Ambrosoli—but that Arico had gotten mad at Ambrosoli's courage and killed him. When asked how he felt about this development, Nino said that Ambrosoli's family "doesn't deserve any pity."

"I have no compassion for the f----- guy," Nino said. "A man like Ambrosoli deserves to die—and this is not enough for a son-of-a-bitch like him. I'm sorry he died without suffering. Let's make sure on this point: I'm never going to condemn my father because Am-

brosoli doesn't deserve to be on this earth."

I have given a copy of Nino's tape-recorded statements to the U.S. Attorney's office in the Eastern District of New York, which has been investigating Michele Sindona. If Nino is telling the truth, his account not only solves the mystery of Ambrosoli's murder, but may expand the case dramatically. Justice Department officials think they can persuade Michele Sindona to turn informer to save Nino from a long prison term.



The victim: Giorgio Ambrosoli.

And they believe that Sindona's testimony might give them the weapon they need to crush the largest, most powerful Mafia organization in the world—New York's Gambino crime family.

UNTIL A FEW YEARS AGO, Michele Sindona's life seemed to be following a far different course. He was born May 8, 1920, in a small, religiously oriented, Sicilian village. A sickly child in an impoverished family, he grew up to be a brilliant student in economics and law at the University of Messina, graduating with honors in 1942. During World War II, Sindona smuggled food supplies from Palermo to Messina and distributed the food among the poverty-stricken peasants of his village. To do this, he needed the help of the Mafia; only it could supply him with the forged documents needed to clear border checks between cities.

After the war, the bishop of Messina introduced Sindona to the Vatican, and, later, Sindona became Pope Paul VI's confidant and banker. He was soon the most powerful banker in Europe. This, however, was not enough to satisfy Sindona. He dreamed of one day becoming as famous as Amadeo Giannini, founder of Bank of America. In 1972, Sindona stunned the international banking community by purchasing controlling interest in Franklin National Bank. But that turned out to be the beginning of his end. For although Franklin National was

the eighteenth largest U.S. bank, the Office of the Comptroller of the Currency had already placed it on the list of problem banks. Two years later, the discovery of a vast number of fraudulent currency transactions directed by Sindona destroyed the public's confidence in Franklin National—and brought about the largest bank failure in American history.

The collapse of Franklin National created a panic in the banking community that quickly spread to Europe, causing Sindona's empire to crumble. His Italian and Swiss banks were forced into liquidation. In the aftermath of the crisis, the Italian government appointed Giorgio Ambrosoli liquidator of Sindona's holdings. Ambrosoli's findings provided the U.S. Justice Department with evidence to convict Michele Sindona for his role in the Franklin National catastrophe. In the course of his investigation, however, Ambrosoli also discovered evidence that, at a 1957 Mafia summit meeting in Palermo, Sindona had been picked by the Gambino family to manage the syndicate's reinvestment of drug profits into legitimate businesses. U.S.-government sources say that Ambrosoli's testimony might have led to the prosecution of high-ranking members of the Mafia. It might also have provided the U.S. Customs Service with information to enable it to confiscate billions of dollars Michele Sindona allegedly had secreted in Swiss bank accounts for organized crime. Those enforcement actions seemed to have been shot down with the murder of Giorgio Ambrosoli.

THOUGH BOTH AMERICAN AND Italian police investigated the murder, they made little headway at first. Then they got a break: Henry Hill, a convicted extortionist, was arrested for dealing narcotics, and in exchange for his freedom, he agreed to turn informer. Hill told the U.S. and Italian authorities that a former associate of his, Billy Arico, had killed Ambrosoli on orders from Michele Sindona.

Hill said that Billy Arico had been introduced to Sindona by Robert Venetucci, a convicted heroin dealer and an alleged associate of the Gambino crime family. Hill had met Arico and Venetucci at the Lewisburg federal penitentiary in 1974. By July 1978, all three men had been released and were living on Long Island. Hill told authorities that Arico went to work for him committing armed robberies, distributing cocaine, and making heroin drops for a fee of \$2,000 a shipment.

That fall, Hill said, he sold Billy Arico five handguns and an M-11 machine gun with a silencer. When asked why he needed the weapons, Arico allegedly boasted that he had been hired by

Michele Sindona to execute contract murders in Italy. Then, in July 1979, Hill said, Arico returned from Italy and told him that he had just committed a murder for Sindona. Sitting in Hill's Rockville Centre house, Arico waved an Italian-newspaper clipping at Hill, saying, "This is the fellow I whacked out over there, Mr. Ambrosoli."

Arico also claimed, according to Hill, that Michele and Nino Sindona were



Conspirators? Robert Venetucci, William "Billy the Exterminator" Arico.

going to set him up in a food-import business that was a front for heroin smuggling.

On July 7, 1981, based largely on Hill's statements, the Italian government charged Michele Sindona with ordering the murder of Giorgio Ambrosoli and named William Arico as one of the three killers. (The other two men were not identified.) Nino Sindona was charged with complicity in the murder for allegedly helping to introduce Arico to his father. Italian extradition requests for Michele, Nino, and Arico are in process.

Meanwhile, the Justice Department was limited in what it could do. Because the murder had occurred in Italy, U.S. authorities could only move against elements of the crime that had taken place in the United States—such as conspiracy to commit murder or obstruction of justice. Moreover, U.S. rules of evidence are stricter than Italian. Hill's hearsay testimony wouldn't be allowed in a U.S. court. Within a year, Arico was back in prison on assorted charges, but he wasn't talking. So without any hard evidence, American authorities were stalled.

DURING AN INTERVIEW WITH Nino in June 1982 at his sister's Park Avenue apartment, I asked him if he knew Robert Venetucci. Nino insisted that he'd never heard the name. By last October, however, I had acquired a

copy of the 1979 long-distance toll records for Asipco, Inc., a Manhattan-based investment company owned and controlled by Michele Sindona and his daughter, Maria Elisa Magnoni. Between May and June of 1979 someone at Asipco had placed six calls to the home of Robert Venetucci. When asked who had access to the Asipco office, Nino Sindona said, "My father, Maria Elisa, and myself—but I only rented space

from my father." This time when I asked Nino if he was sure he had never heard of Robert Venetucci, he said, "I told you, the name sounds familiar. Perhaps I met this Venetucci, but I'm not sure."

I continued to trace financial transactions between Michele Sindona and several companies with ties to Robert Venetucci, including Ace Pizza Corporation. On November 3, 1982, Nino called me to say that Michele and some of his associates were unhappy with my investigation into their financial affairs. He warned that if I did not stop, he would not be able to protect me from his father's friends. Nino went on to excoriate Federal Judge Thomas Griesa, who'd presided over his father's trial, and the prosecutor in the case, John Kenney.

"My father has gone through enough," Nino said. "Now it's time our enemies go through something. Griesa, Kenney, it's their turn to suffer. Not my father again, not us. We have done nothing."

Later, he said, "Before I told you that, in my opinion, in order to solve [my father's] case, to obtain justice in the overall picture ... there would be no crime that I would be afraid of committing. ... People like Kenney, Griesa—they could die of the worst pain, and for me it would only be a case for a big champagne celebration."

"I believe in justifiable homicide," Nino said.

“... ‘My father has gone through enough,’ Nino Sindona told me last November. ‘It’s time our enemies go through something’...”

Asked how he could justify murder, he answered, “I could justify it in about a second and a half. Like I could justify political murder in a second and a half. . . . Let’s assume that I want to kill Judge Griesa. For me it’s self-defense . . . because he committed the enormous crime of . . . putting my father in jail for life. And there is no chance for a retrial [as long as] he is alive. So by killing him [we] will obtain a chance for a retrial. So—self-defense.”

IN THE COURSE OF RESEARCHING MY book, I’d discovered evidence indicating that Michele Sindona had been robbed of \$52 million by Carlo Bordoni, the government’s chief witness against Sindona in the Franklin National Bank trial. This finding was published in the March 7, 1983, issue of *New York*. Within days, Michele Sindona’s attorneys, Robert J. Costello, of New York, and Professor Alan Dershowitz, of the Harvard Law School, requested a meeting.

We met on Friday morning, March 18, at Dershowitz’s Harvard office. Nino Sindona was there. Dershowitz and Costello said that, in their opinion, Michele Sindona had not received a fair trial. To correct this injustice, they wanted an advance copy of my book, support material regarding the Bordoni theft, and anything else that could help reverse Sindona’s conviction. I promised them a copy of the book, but made no other agreements.

Sensing that, with my book completed, Nino might finally open up to me about Robert Venetucci, I convinced him to stay in Boston that night. Nino, who attended college in Canada, speaks English well. In his room at the Logan Airport Hilton, we sat at a medium-size white table. On my lap was a leather folder stuffed with documents linking Nino and Michele Sindona to Venetucci and to the murder of Giorgio Ambrosoli. Producing a copy of Henry Hill’s deposition, I read the sections most damaging to the Sindonas. Then I set the transcript on the table and repeated Hill’s story.

Nino was obviously uncomfortable, yet he never attempted to end the session. I withdrew another file from the folder. It contained copies of the papers Billy Arico had with him the day he was arrested. The papers included a photocopy of a business card with Robert Venetucci’s name on it, the name and telephone number of Marvin E. Frankel, Sindona’s attorney in the Franklin-bank case, and travel records indicating that Arico might have been near Milan when Ambrosoli was killed.

Next, I handed Nino a copy of the

Asipco toll records, along with proof that the telephone number in question belonged to Robert Venetucci. Nino took off his tie and wrapped it around his fist, pulling it so tight that the tips of his fingers were white. I handed him a picture of Robert Venetucci.

“Yes, yes, I know this man,” he finally admitted, his face drained of color.

“Now I am going to tell you something really fantastic,” Nino whispered.

NINO ADMITTED THAT HE AND his father had been partners with Venetucci in a company that imported pasta, wine, cheese, and olive oil from Italy. Sometime in 1978, Nino said, Venetucci introduced Michele Sindona to Billy Arico. Nino, however, claimed he didn’t meet Arico at that time. He insisted he’d known nothing about the Ambrosoli murder until the warrants were issued by the Italian government. With that development, Nino said, he’d decided to get in touch with Venetucci to find out what was going on. Worried about a possible wiretap that would disclose his voice, Nino paid a prostitute to call Venetucci from a mid-Manhattan pay phone and arrange a meeting. Later that same day, July 9, 1981, he and Venetucci met at the Vince Lombardi Service Area, on the New Jersey Turnpike. Nino quickly asked if Venetucci knew “a guy named Arico.” According to Nino, Venetucci admitted that “Billy Arico” was a very good friend of his.

Nino said that Venetucci then told him he had sent Arico to Milan, at Michele Sindona’s request, “to scare Ambrosoli.” But when Arico phoned Ambrosoli and threatened to kill him if he didn’t leave Michele Sindona alone, Ambrosoli told Arico to get lost. This angered Arico. “Billy went back to Venetucci,” Nino said, “and complained, saying, ‘This guy, this son-of-a-bitch, who does he think he is? He thinks I’m kidding. I’m going to show him I’m not kidding.’” So on July 12, 1979, according to Nino Sindona, Arico, accompanied by two men, shot Giorgio Ambrosoli.

After hearing Venetucci’s story, Nino visited his father at the Metropolitan Correctional Center in Manhattan. “My father,” Nino said, “admitted to me that it was Arico . . . who committed the murder. They were threatening Ambrosoli and it was effective for a while. Billy was sent [to Milan] by Venetucci, at my father’s request,” and was supposed to shoot at Ambrosoli, but not kill him. “Instead, Arico committed the murder.”

With me, Nino argued at first that his father was not really guilty of murder

because Michele Sindona had wanted Arico only to shoot at Ambrosoli, not kill him. Later that night, however, Nino said, “I was just thinking that there has been a major murder in which I now know that my father is not innocent. Sooner or later, my father is going to pay for it.”

Nino claimed that after Arico was arrested, Venetucci started making demands for money. “People have to survive,” Venetucci explained, according to Nino. “People get caught and then they confess. But if we take care of [Arico’s] family, he’s never going to do it.”

So, Nino said, he and his father paid Venetucci and Arico between \$5,000 and \$40,000 a month to keep their mouths shut. He claimed he’d made the most recent payment on January 15, 1983, when he wire-transferred \$40,000 from Union Bank of Switzerland, Lugano, to the account of Ace Pizza Corporation at Bank Leumi in New York.

WHY DID NINO TELL ME all this? I suspect he placed too much significance on the fact that I also am of Sicilian heritage and therefore assumed that my sense of honor was firmly entrenched in the distorted and sinister morality of *omertà*, a pagan ritual that promotes silence to protect the criminal acts of a few people.

U.S. government sources say they expect that Nino Sindona will be arrested and charged with obstruction of justice and being an accessory after the fact. Federal agents also plan to visit Michele Sindona at the federal penitentiary in Otisville. They are betting that Michele will help his son get out of this jam by giving them detailed information about the Gambino family’s heroin dealing, murder, infiltration of legitimate businesses, and the location of billions of dollars the Mafia has hidden away in secret Swiss bank accounts. Italian authorities would also like to talk to Sindona. With the government there swinging to the left, officials want to question him about his connections with the notoriously right-wing Masonic lodge known as Propaganda Due, and about the Vatican’s mysterious involvement in the \$1.4 billion missing from Milan’s Banco Ambrosiano.

Thus, Giorgio Ambrosoli’s courageous investigation could lead in even more directions. The sad paradox is that the quiet little lawyer may be more effective in his death than he could have been alive.

NEW YORK TIMES BESTSELLER

“An extraordinarily intricate tale of intrigue, corruption, and organized criminality.”
—*The New York Times*
Book Review



GOD'S BANKERS

A HISTORY OF
MONEY AND POWER
AT THE VATICAN

GERALD POSNER

Marcinkus was a more important Vatican power broker than the Secretary of State. "So I arranged a meeting with Marcinkus," Paziienza revealed to the author. "I knew he loved power. He would not want to lose it."⁹⁵

"I have been hired to fuck you," Paziienza told the IOR chief. Marcinkus did not show any visible sign of surprise.

"What do you intend to do?" Marcinkus asked.

"Nothing."⁹⁶

Paziienza got what he wanted: a bond of loyalty.

While Marcinkus had dodged a possible bullet with Paziienza, Casaroli had demonstrated his power by prevailing in the standoff over the Sindona character testimony. In withdrawing Marcinkus and the cardinals from the witness list, Frankel informed Judge Griesa that his trip to the Vatican was a "catastrophe."⁹⁷

The day before the trial got under way, on February 6, the U.S. Attorney's office asked for a closed hearing in the judge's chambers. There the FBI presented the evidence that instead of being ferried around blindfolded by kidnapers in New York and New Jersey, Sindona had engineered his own disappearance and spent it in Europe, mostly Sicily.⁹⁸ The fake abduction was intended to generate sympathy, but it had turned into a tragi-comedy. The Sicilian mobsters who afforded him safe haven decided they could make more money by extorting information from him and threatening his family.⁹⁹ The bullet wound was the result of a deliberate shot from an Italian doctor, Joseph Miceli Crimi, who knew where to aim the gun so it inflicted the least damage.¹⁰⁰ When the gangsters had released Sindona, they swore him to silence lest his wife and children became targets.¹⁰¹

The judge later called it "the blackest day of my life in a courthouse." He revoked the \$3 million bail. A dozen federal marshals descended on the courtroom and hustled Sindona to jail.¹⁰²

The trial started on February 7, 1980. Sindona's ex-friend and Franklin colleague, Carlo Bordoni, was the prosecution's star witness.¹⁰³ And the government used evidence of the fake kidnapping to demonstrate to the jury a "consciousness of guilt."¹⁰⁴ Much of the testimony and legal arguments centered on financial minutiae. Although no one from the Vatican was on trial, and the indictment did not list the IOR as an unindicted co-conspirator, the lead prosecutor, John Kenney, repeatedly linked the Vatican Bank to the case. He told the court that the IOR had worked with Sindona to help "prominent

Italian depositors” engage in financial dealings “which would not comply with the religious tenets of the Vatican or the Roman Catholic Church.”¹⁰⁵

The end of the trial could not come quickly enough for Marcinkus. It took seven weeks for the case to go to the sequestered jury. The six men and six women deliberated for six days before reaching a verdict: guilty on sixty-five counts of fraud, misappropriation of bank funds, and perjury.¹⁰⁶

In June, two days before he was to be sentenced, Sindona—who said later that the verdict made him “believe only in injustice . . . the government is the real Mafia”—slashed one wrist and took a pharmaceutical cocktail he had somehow smuggled into prison (a mixture of digitalis, a heart stimulant; Darvon, a painkiller; and Librium, an antianxiety medication).¹⁰⁷ But he was quickly resuscitated, and after a few days in the hospital the judge ordered him to appear for his sentencing.¹⁰⁸ Griesa meted out the maximum to the unrepentant defendant, four twenty-five-year sentences to be served concurrently.¹⁰⁹

Sindona soon got more bad news. The FBI was hunting for a low-level American hoodlum, forty-five-year-old William Arico. The charge: being the hit man in the 1979 execution-style murder of Giorgio Ambrosoli, the Milanese magistrate who had been investigating Sindona. The break came through an unlikely source, Henry Hill. He was a convicted extortionist later made famous in Nicholas Pileggi’s book *Wiseguy*, and played by Ray Liotta in Martin Scorsese’s 1990 film *Goodfellas*.¹¹⁰ At the time of Ambrosoli’s murder, Hill and his family were only months away from entering the U.S. witness protection program.¹¹¹ The gangster told the FBI that during the mid-1970s he had served time at a federal prison with two New York Gambino-connected hoodlums, Billy “The Exterminator” Arico, and a convicted heroin trafficker, Robert Venetucci. In the fall of 1978, according to Hill, after all three were released and living near one another on Long Island, Hill sold Arico five pistols and a machine gun with a silencer. “The Exterminator” bragged that Sindona hired him for a contract murder in Italy. Hill next ran into Arico in 1979, just after Ambrosoli was killed in Milan. Arico pointed to an Italian newspaper clipping about the murder and bragged: “This is the fellow I whacked out over there.”¹¹²

The FBI did not then know that since 1978 Sindona had been Venetucci’s silent partner in Ace Pizza, a cheese and olive oil importing company in Queens.¹¹³ Venetucci had hired Arico after Sindona asked him to handle his problem with Ambrosoli. At Sindona’s direction, his son was wiring money

from the Union Bank of Switzerland to Ace Pizza’s account at New York’s Bank Leumi (some investigators suspected that was how Venetucci got the \$40,000 he paid Arico).^{114*}

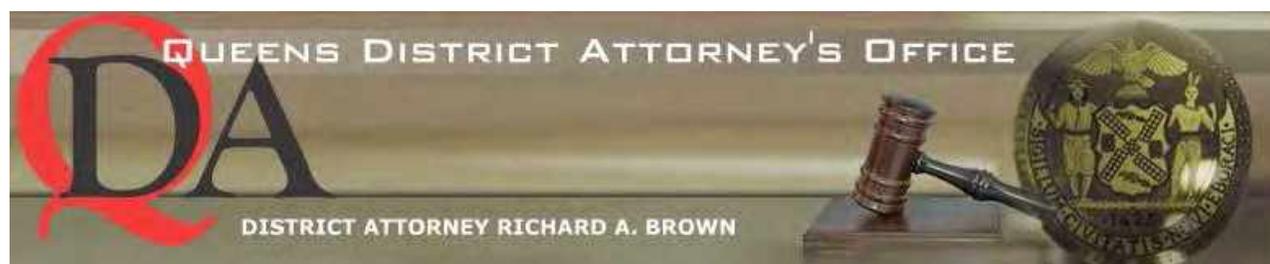
At the time the FBI got the tip from Hill, Arico was serving a four-year sentence on an unrelated jewelry heist in Manhattan’s diamond district. But before the bureau questioned him, Arico escaped from New York’s Rikers Island in June 1980, the same month Sindona was sentenced on the Franklin case.¹¹⁶ It was two years before the FBI ran him to ground in Philadelphia.¹¹⁷

When the Arico news went public, the Italians insisted Sindona be extradited to stand trial for Ambrosoli’s murder. But under the existing U.S.-Italy extradition treaty, Sindona had to finish at least five years of his jail sentence for his American conviction.¹¹⁸

Three months after Sindona’s sentencing, Luca Mucci, the Italian prosecutor in charge of the Ambrosiano investigation, ordered Calvi to surrender his passport. Mucci based his decision on a fresh June 12, 1980, report from the Guardia di Finanza that concluded Calvi likely violated currency laws, falsified bank records, and even committed fraud.¹¹⁹

Calvi reached out to Marcinkus for help. Much of his work at the Ambrosiano had been in partnership with the IOR. He thought the two of them could fend off the prosecutors. But Marcinkus and the IOR had their own problems. On February 5, 1981, Milan prosecutors had stunned the Vatican by arresting Luigi Mennini, the bank’s long-serving chief administrator, and Marcinkus’s most trusted deputy.¹²⁰ The seventy-one-year-old Mennini had served as the IOR’s director at Sindona’s Banca Unione, and prosecutors thought he might be complicit in illegal currency trading there.¹²¹ Mennini was an iconic figure inside the Vatican, having been hand-selected in 1930 by Bernardino Nogara.¹²² And in 1967, when Henri de Maillardoz left as the chief layman at the IOR, Mennini took his position.

* Sindona’s son, Nino, then a thirty-five-year-old businessman who had worked with his father, demonstrated the extent to which the Sindona family detested Ambrosoli, in a contemporaneous interview with journalist Luigi DiFonzo. In discussing the deceased Ambrosoli, Nino said: “I have no compassion for the fucking guy. [He] deserves to die—and this is not enough for a son-of-a-bitch like him. I’m sorry he dies without suffering. Let’s make sure on this point . . . Ambrosoli doesn’t deserve to be on this earth.” (Nino Sindona refused requests by the author for an interview.)¹¹⁵



SOPHISTICATED CORPORATE THEFT GANG CHARGED WITH RIPPING OFF BLUE CHIP COMPUTER FIRMS FOR MILLIONS OF DOLLARS; 16 INDIVIDUALS CHARGED IN 140-COUNT ENTERPRISE CORRUPTION INDICTMENT

QUEENS DISTRICT ATTORNEY PRESS RELEASE - Thursday, May 2, 2002

Queens District Attorney Richard A. Brown, joined by New York City Police Commissioner Raymond W. Kelly, today announced the indictment of sixteen members of a highly-sophisticated ring of organized white-collar-crime thieves on charges of having ripped off major computer manufacturing corporations -- including IBM, Gateway, Dell, Apple, Compaq and Sony -- for nearly \$2.0 million by obtaining expensive computer equipment using dummy companies validated by a smokescreen of phony credentials and thereafter selling the equipment to legitimate retailers at reduced prices. The gang is also alleged to have used the same scheme to defraud a local automobile dealer of over \$200,000 worth of luxury cars -- including a Lincoln Navigator, BMWs, a Lexus and a Corvette -- and to fraudulently obtain government tax refunds of over \$25,000. The 140-count indictment filed yesterday is the result of a 24-month investigation, dubbed Operation Byte-Size Bust-Out, conducted jointly by the District Attorney's Computer and Advanced Technology Bureau and the New York City Police Department's Computer Investigation and Technology Unit. The defendants have been charged with various crimes including Enterprise Corruption, Grand Larceny, Falsifying Business Records and Conspiracy. Some of the defendants face up to 25 years in prison if convicted. District Attorney Brown said, "The gang members' object was theft, their motivation was greed and one of their key tools was the Internet. They capitalized on the need that large corporations have to make substantial profits to satisfy shareholder demands. Their most effective weapon was knowledge -- they knew how business does business in America." District Attorney Brown continued, "What set this criminal enterprise apart was its sophistication and corporate savvy. Through its alleged use of false identities and dummy companies, it was able to set up bank accounts, obtain business credit and evade or thwart effective credit checks, ultimately enabling the gang to lease expensive computer equipment which was never paid for and which was then sold to retailers for a handsome profit." New York City Police Commissioner Kelly said, "Today we bring to a halt one of the most sophisticated, and most devious, white-collar crime rings in recent years. To expose these criminals, our team of investigators spent more than two years tracking paper trails, analyzing computers obtained through search warrants, and uncovering link by link a vast web of conspiracy and fraud." The District Attorney noted that the creation and use of multiple dummy corporations in this way is believed to be a first for New York State and forms the factual basis for the enterprise corruption charges under the State's Organized Crime Control Act. District Attorney Brown identified the enterprise's alleged leader as Tariq Khan, 41, of 3 Fiddler Lane, in Levittown, New York. Khan's two key alleged lieutenants were identified as Adil Khan, 28, of 1379 Oneida Avenue, Bellmore, New York, and Nadim Ahmed, 41, of 66-17 242nd Street in Douglaston, Queens. Other alleged associates charged are identified as Salena Sueidan, 26, of 117-30 135th Street, Ozone Park, who is described as Adil Khan's girlfriend, Rami Hassan, 22, of 21- 19 76th Street, East Elmhurst, who is described as the ring's "enforcer" and Jay Rehan, 33, of 44-33 65th Street, Woodside, who allegedly acted as the principal "fence" or middleman selling the computers to legitimate companies. The remaining defendants charged in the indictment are alleged to have sold their names to the gang or used their personas during credit background checks and are identified as Kamran Khan, 27, of 37-

20 81st Street, Jackson Heights; Jason Kadigari, 44, of 86-01 Homelawn Street, Jamaica Estates; Jangjodh Singh, 36, of 94-31 116th Street, Richmond Hill; Khawaja Fayyaz, 39, of 22-05 37th Street, Astoria; Tariq Mahmood, 44, of 779 Coney Island Avenue, Brooklyn; Chaudhry Sahi, 33, of 112-01 101st Avenue, Richmond Hill; Mohammad Malik, 46, of 8 Turtle Creek Lane, East Hartford, Connecticut; Shahid Akram, 33, of 30-02 84th Street, East Elmhurst; Abid Shaw 42, of 85-51 164th Street, Jamaica and Khalid Khan, 44, of 55-51 154th Street, Jamaica. The investigation began in March 2000 when detectives investigating an unrelated computer fraud case obtained information from a major corporation that believed that it was being ripped off. The investigation expanded when it was learned that other computer companies, as well as car dealerships, were being defrauded in similar schemes. A paper trail was uncovered which led back to the defendants, most of whom are Pakistani immigrants who, it is alleged, solicited other members of the Pakistani community in the metropolitan area to sell their personal identity information to the gang. The defendants allegedly used the personal identity information to set up multiple dummy corporations validated by phony documents and credentials, rent office space in the Queens-Nassau County area and obtain telephone and Internet service for the companies. The gang then allegedly opened checking accounts at local banking institutions for each dummy company using fabricated or stolen company names and phony company documents and credentials. It is alleged that the defendants used the Internet to research various expensive computer industry products, such as laptop computers, and obtained information about how blue chip corporations conduct leasing and financing. The gang then allegedly used the information it obtained to apply, often over the Internet, for computer business leases from major manufacturers including IBM, Gateway, Dell, Apple, Compaq and Sony. The finance divisions of the respective computer corporations would reach out to Dun and Bradstreet, a credit rating corporation, and request that a background credit check be conducted on the dummy companies. The indictment further alleges that when Dun and Bradstreet would investigate references for a dummy company, the defendants would pose as company officials during the reference, background and credit checks. In this way, no negative information would be uncovered, paving the way for the approval of lucrative leasing deals. These approvals enabled the fake companies to apply for nearly \$1.7 million worth of leased computers and related equipment over an 18 month period. The gang allegedly sold most of the computer equipment at half-price to legitimate stores using an alleged "fence," Jay Rehan, one of the defendants charged, who, it is alleged, posed as a legitimate computer equipment supplier. The gang is also charged with using the scheme to obtain several luxury cars valued at over \$200,000 -- a Lincoln Navigator, 4 BMWs, a Lexus and a Corvette -- obtained from a local automobile dealer in Brooklyn. Five of the automobiles were allegedly sold by the defendants, and the Lincoln and the Corvette were seized by investigators. The defendants are also alleged to have fraudulently obtained over \$25,000 in government tax refunds and phony documents and later laundering the illegally obtained monies. The investigation was conducted by Detective John Kenna of the District Attorney's Detective Bureau under the command of Chief Edward T. Brady and Deputy Chief Lawrence J. Festa and Detective David Cherry of the New York City Police Department's Computer Investigation and Technology Unit under the command of Lieutenant Kenneth Ling and Sergeant James Doyle, with assistance by the New York State Police Unit assigned to the District Attorney's office. The case is being prosecuted by Assistant District Attorney Robert D. Alexander, Chief, and Assistant District Attorney Krishna Nicole O'Neal, of the District Attorney's Computer and Advanced Technology Bureau, under the supervision of Executive Assistant District Attorney for Investigations Peter A. Crusco, Deputy Executive Assistant District Attorney for Investigations Michael J. Mansfield and Investigations Counsel Linda M. Cantoni. District Attorney Brown expressed his appreciation to the corporations who fell victim in the scheme for their cooperation in the investigation. It should be noted that an indictment is merely an accusation and that defendants are presumed innocent until proven guilty.

ze Bust Out



Tariq Khan
Boss
DOB: 12-13-60



Adil Khan
Lieutenant
DOB: 5-16-73



Nadim Ahmed
Lieutenant
DOB: 7-6-60



Salena Sueidan
Worker
DOB: 11-27-75



Rami Hassan
Enforcer
DOB: 6-18-79



Jay Rehan
Fence
DOB: 9-2-68



Jason Kadigari
DOB: 2-14-58



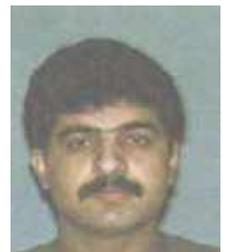
Jangjodh Singh
DOB: 5-30-65



Khawaja Fayyaz
DOB: 1-1-63



Tariq Mahmood
DOB: 2-14-58



Chaudry Sahi
DOB: 12-8-68



Kamran Khan
DOB: 8-4-74



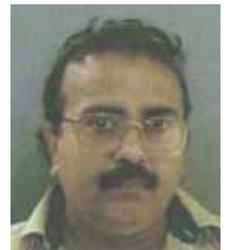
Mohammad Malik
DOB: 6-16-56



Shahid Akram
DOB: 2-26-69



Abid Shaw
DOB: 1-9-60



Khalid Khan
DOB: 6-10-58

How the Scam Worked

Purchased Personal Identity Information

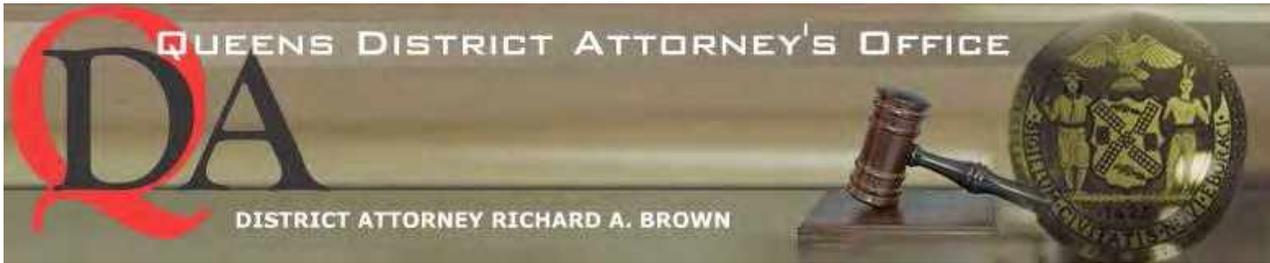
Used Personal Identity Information to Set Up Dummy Corporations

Used Dummy Company Information to Obtain Good Credit Ratings

Used Good Credit Ratings to Lease Computers from Major Manufacturers

Sold Computer Equipment at Half Price to Local Dealers Using Fences

Used Good Credit Ratings to Steal Luxury Cars



D.A. BROWN: FUGITIVE APPREHENDED FOLLOWING INTERNATIONAL MANHUNT PLEADS GUILTY TO ATTEMPTED ENTERPRISE CORRUPTION IN MULTI-MILLION-DOLLAR RIPOFF OF BLUE CHIP COMPUTER FIRMS; FACES UP TO EIGHT YEARS IN PRISON

QUEENS DISTRICT ATTORNEY PRESS RELEASE - Monday, March 8, 2004

Queens District Attorney Richard A. Brown today announced that an East Elmhurst, Queens man who was apprehended following an 18-month international manhunt that spanned Europe, North and South America and Asia has pled guilty to Attempted Enterprise Corruption for his involvement in the defrauding of several blue-chip computer manufacturing corporations of more than \$2.0 million worth of computer equipment and luxury cars. The defendant faces up to eight years in prison at sentencing. District Attorney Brown said, "The defendant has admitted that he took part in a computer theft ring that ripped off blue chip computer firms including IBM, Gateway, Dell Apple and Sony for millions of dollars. The victim companies were defrauded when the defendant and others obtained expensive computer equipment by using dummy companies validated by a smokescreen of phony credentials and then sold the equipment to legitimate retailers at reduced prices. The defendant fled the country to avoid prosecution but through the joint efforts of local, state, federal and international law enforcement agencies he was traced to South America and arrested by narcotics detectives in Colombia." The District Attorney identified the defendant as Rami Hassan, 24, formerly of 21-19 76th Street in East Elmhurst, the computer theft ring's "enforcer," who pled guilty on Friday, March 5, 2004 to Attempted Enterprise Corruption, as well as Bail Jumping involving an unrelated gun possession case. The defendant admitted his guilt before Queens Supreme Court Justice Arthur J. Cooperman who indicated that on April 1, 2004 he would sentence the defendant to an indeterminate term of four to eight years in prison. Additionally, the defendant forfeited his ownership of \$20,000 in cash seized from his apartment during the investigation. According to the District Attorney, the defendant, a naturalized American citizen from Kuwait of Jordanian parentage, had been charged along with 15 others in a 140-count indictment filed in May 2002. The defendant has admitted that between November 1, 1999 and September 30, 2001 he was a member of the Khan Fraud Organization and acting with others that he used false identities and corporations and obtained bank accounts, credit and funds so the organization could lease and obtain computers, luxury cars and other goods and services without paying for them. District Attorney Brown said that the defendant fled from Queens County when he learned that detectives were executing search warrants in the computer equipment theft scheme investigation. An international manhunt ensued involving numerous law enforcement organizations including the New York City Police Department and MetroDade Police in Florida, the Drug Enforcement Administration, the United States Customs Service, the United States Marshal's Service, the United States Department of Justice's Bureau of Narcotics and Dangerous Drugs and its Office of International Affairs, the United States Border Patrol, the United States State Department and Interpol. The District Attorney said that the defendant apparently fled initially to Baltimore, Maryland and then to Mexico, Belgium, England, Spain and Jordan before arriving in Medellin, Colombia. The defendant was apprehended by Colombian police detectives on April 24, 2003 when Colombian detectives learned that a fugitive from Queens County was in their country and subsequently obtained corroboration from a United States federal agent who downloaded the May 2002 press release about the case from the District Attorney's website. The defendant's plea of guilty to the charge of Bail Jumping in the Second Degree stems from a 2000 criminal court complaint in Queens County in which the defendant had been charged with Criminal Possession of a Weapon in the Second Degree. The computer equipment theft investigation began in March 2000 when detectives investigating an unrelated computer fraud case obtained information from a major corporation that believed that it was being ripped off. A paper trail was uncovered which led back to the defendants, most of whom are Pakistani immigrants who solicited other members of the Pakistani community in the metropolitan

area to sell the [REDACTED] defendants used the personal identity information to set up multiple dummy corporations validated by phony documents and credentials, rent office space in the Queens-Nassau County area and obtain telephone and Internet service for the companies. The ring then opened checking accounts at local banking institutions for each dummy company using fabricated or stolen company names and phony company documents and credentials. The organization used the Internet to research various expensive computer industry products, such as laptop computers, and obtained information about how blue chip corporations conduct leasing and financing. The ring then used the information it obtained to apply, often over the Internet, for computer business leases from major manufacturers including IBM, Gateway, Dell, Apple, Compaq and Sony. The finance divisions of the respective computer corporations would reach out to Dun and Bradstreet, a credit rating corporation, and request that a background credit check be conducted on the dummy companies. According to District Attorney Brown, when Dun and Bradstreet would investigate references for a dummy company, the defendants would pose as company officials during the reference, background and credit checks. In that way, no negative information would be uncovered, paving the way for the approval of lucrative leasing deals. These approvals enabled the fake companies to apply for nearly \$1.7 million worth of leased computers and related equipment over a 18-month period.

The investigation was conducted by Assistant District Attorney Robert D. Alexander of the District Attorney's Computer Crimes Unit and Detective John Kenna of the District Attorney's Detective Bureau with the assistance of Judicial Attache James Faulkner of the Department of Justice Office of Narcotics and Dangerous Drugs; the United States Embassy in Bogota, Colombia; Trial Attorney Anthony Garcia of the Department of Justice Office of International Affairs; Special Agent Ernest Mayer of Interpol; Deputy United States Marshal Cassandra Rowntree; New York City Police Department Detective David Cherry of the NYPD Computer Investigation and Technology Unit and Federal Bureau of Investigation Special Agent Thomas McNally of the Joint Terrorist Task Force in New York; Assistant District Attorney Alix F. Horland-Kucker of the District Attorney's Extraditions Unit; and Senior Assistant District Attorney Joseph P. Milone of the District Attorney's Grand Jury Bureau. Assistant District Attorney Robert D. Alexander of the District Attorney's Computer Crimes Unit is prosecuting the case under the supervision of Assistant District Attorneys Anthony M. Communiello, Chief, and Oscar W. Ruiz, Deputy Chief, of the Special Proceedings Bureau, and the overall supervision of Executive Assistant District Attorney for Investigations Peter A. Crusco and Deputy Executive Assistant District Attorney for Investigations Linda M. Cantoni.

https://qns.com/story/2004/03/25/east-elmhurst-man-pleads-guilty-to-fraud/



East Elmhurst man pleads guilty to fraud

By James DeWeese | timesledgernews@cnglocal.com | Thursday, March 25, 2004 | 12:00 AM

A former Queens resident pleaded guilty earlier this month to charges stemming from his involvement in a fraud ring that used fake corporations to bilk computer and car companies out of \$2 million, the Queens district attorney announced March 8. **The guilty plea came after Rami Hassan, 24, formerly of 21-19 76th St. in East Elmhurst, led law enforcement authorities on an 18-month international manhunt that ended with his arrest in Bogota, Colombia, the DA said.** Hassan pleaded guilty to attempted enterprise corruption charges and to bail jumping on an unrelated weapons charge on March 5, Queens DA Richard Brown said. Hassan was scheduled to appear before State Supreme Court Justice Arthur Cooperman in Kew Gardens April 1 for sentencing. He faces four to eight years in prison. Hassan, a naturalized American citizen from Kuwait, had been under investigation since March 2000 for his involvement in what the Queens district attorney referred to as the Khan fraud organization, which used identity information that it purchased from Pakistani immigrants to file fraudulent business documents and obtain lines of credit for fake companies. Based in Queens and Nassau counties, the Khan organization, whose other indicted members are mostly Pakistani in origin, used the credit lines to obtain \$1.7 million in computers from companies including IBM, Gateway, Dell, Apple and Sony under corporate lease or purchase programs and then sold the equipment at a discount price to legitimate retailers, Brown said. The fraudulently purchased and leased cars (shouldn't this be computers?) had a total value of about \$300,000. According to the DA, the computer companies turned to Dun and Bradstreet Corp., a major credit rating agency, to conduct background checks on the fake companies. As part of the investigation, Dun and Bradstreet contacted references provided by the defendants, who would then pose as officials from those references so the agency would not uncover negative information, Brown said. Although she was not specifically familiar with the Khan fraud case, Sandi Gensey, an analyst with Dun and Bradstreet, said the agency investigates companies by using resources of their own and from third parties, including corporate charter records, business licenses and payment information from related vendors. And "if there's somebody that doesn't look on the up-and-up, we would investigate further," she said. But once Dun and Bradstreet hands over its report, it is up to clients to apply their own criteria when deciding to offer credit or not, she said. The retailers who purchased the discounted equipment from the fraud ring cooperated fully with the investigation as part of the grand jury proceedings and were not under investigation, said a spokeswoman for the DA. The retailers "thought they were legit," Navas said, indicating that the companies followed normal business procedures, such as using checks, to make the purchases. According to the charges? (criminal complaint?), the fraud ring also used the fraudulent credit lines, which it defaulted on, to purchase luxury cars. To avoid prosecution, Brown said, Hassan fled the country 18 months ago, leading local, state, federal and international law enforcement officials on an international manhunt through Baltimore, Mexico, Belgium, England, Spain, Jordan and Colombia. Colombian police arrested Hassan April 24, 2003, in Medellin, Colombia, after an American federal agent downloaded a May 2002 press release from the Internet that contained information about the 140-count indictment handed down that same month, Brown said. While pleading guilty, Hassan also forfeited ownership of \$20,000 that police discovered in his apartment during the investigation. A total of 16 members of the Khan Organization have been charged, the DA said. Six others have been arrested, all of whom have pleaded guilty to charges such as grand larceny, attempted enterprise corruption and falsely completing business records, according to Brown. Two have been sentenced so far. Investigators believe the remaining nine fugitives have fled to their countries of origin, the DA's spokeswoman said. Although Hassan was arrested by Colombian narcotics enforcement officials, Navas said that as of right now the Queens DA does not believe the Khan Organization had any ties to the drug trade or terrorist activities.

Reach reporter James DeWeese by e-mail at news@timesledger.com or call 718-229-0300, Ext. 157.

DAILY NEWS

COMPUTER FRAUD NETS 4 YRS.

E. Elmhurst man part of ripoff ring

By Carrie Melago | Daily News Writer | N.Y. Daily News | Friday, April 2th 2004, 7:33AM

An East Elmhurst man who helped defraud computer manufacturers of millions before leading police on an international manhunt was sentenced yesterday to four to eight years in prison. Rami Hassan, 24, formerly of 76th St., pleaded guilty last month to taking part in a widespread computer theft ring that ripped off blue-chip manufacturers like Dell, IBM and Gateway from 1999 to 2001. When police began arresting other members of the Khan Fraud Organization, which obtained \$2 million worth of computers and luxury cars by setting up phony companies, Hassan fled to Mexico, Belgium, England, Spain and then Jordan. He was bagged by detectives in Colombia last April. "It was a bad choice," said his attorney, Geoffrey Stewart. "He did acknowledge that he's sorry and he made a big mistake not only in joining up with those guys, but in taking off." Hassan, who didn't speak during his sentencing, pleaded guilty last month to attempted enterprise corruption. According to prosecutors, members of the ring bought personal information from Pakistani immigrants and used the information to set up dummy corporations with phony checking accounts in rented office space around Queens. Stewart yesterday asked Justice Arthur Cooperman to postpone sentencing until prosecutors returned a videotape seized from Hassan's home that included "private moments with his wife." But Cooperman didn't feel the missing tape should hold up the proceedings. "I see no reason at all to adjourn this," he said.

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<https://nypost.com/2004/04/02/sexy-tape-caper-cops-took-my-video-thief/>



‘SEXY’ TAPE CAPER – COPS TOOK MY VIDEO: THIEF

By [Eric Lenkowitz](#) April 2, 2004 | 5:00am

A Queens computer scammer, sentenced yesterday to up to eight years in prison, is fuming that a home video “of a personal nature with his wife” disappeared while in the hands of authorities, his lawyer said. **Rami Hassan, 24, who led investigators on an 18-month manhunt through four continents after jumping bail, said the tape is the only item seized during a search of his East Elmhurst home that has not been returned.** “He is frustrated about the tape,” said defense lawyer Geoffrey Stewart. “If it turns up on the Internet, we have a trail we can follow. “If it gets out, we will take action.” Neither Stewart nor prosecutors would confirm whether the missing video is a sex tape, but Stewart said his client was teased about it by guards escorting him from Miami to New York after his capture. “They were making fun of what was on the tape,” Stewart said. Prosecutors insist that personal items taken from Hassan’s home – including videos and some jewelry – were turned over at yesterday’s hearing. “As far as we know, we turned over the tapes,” said a spokesman for District Attorney Richard Brown. Hassan admitted last month he was part of a ring that stole \$1.7 million worth of computer equipment from major companies like IBM, Sony and Dell. He was arrested in Bogota, Colombia, last April after jumping bail on a prior gun charge and spending a year and a half on the lam. He was sentenced to four to eight years in prison for enterprise corruption. “The sentence was on the high end,” Stewart said. “He did admit he was sorry and he made a big mistake, not only in joining up with these guys, but in taking off, too.” **Stewart is the son of lawyer Lynne Stewart, who goes in trial in May on charges she acted as a conduit for terrorist communications between a client – convicted 1993 World Trade Center bombing mastermind Sheik Omar Abdul Rahman – and his followers.**

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The New York Times

24 in Gangs Arrested in Drug Sweep at Lefrak City in Queens

By NORIMITSU ONISHI | MARCH 6, 1997

Members of four gangs that established intricate rules for selling crack and marijuana in the Lefrak City development in Queens were arrested yesterday in a predawn sweep by 300 police officers through the sprawling housing complex. The authorities arrested 24 people, charging them with possessing and selling illegal drugs as part of an estimated \$4.4 million annual trade. Richard A. Brown, the Queens District Attorney, said that the four gangs were run like corporations, each with its own leader, street distributors and workers who prepared the drugs inside the complex. "The ease and convenience with which customers could purchase narcotics was alarming," Mr. Brown said at a news conference, during which he displayed the drugs, bulletproof jackets, assault rifles and \$102,000 recovered from the bust. The gang members -- known by such street names as **Wise, Everlasting**, Infinite, Tonto and Mrs. T -- operated according to a gentleman's agreement, the authorities said. One gang specialized in marijuana, another in cocaine; one group was allowed to work between 9 A.M. and 3 P.M., another at night. Most of the sales occurred just outside the complex on 57th Avenue and Junction Boulevard, though some took place inside Lefrak City, whose longtime marketing motto is "total facilities for total living." But investigators observed occasional infighting during their yearlong investigation. **And two men from the area, Judah Johnson and Trevor Bailey, were also charged with conspiracy to murder rivals.** Most of those arrested lived in Lefrak City and more than half grew up there, said Peter A. Crusco, chief of the Queens District Attorney's narcotics division. Edward Cortese, a vice president at the Lefrak Organization, which owns the 20-building, 5,000-apartment complex, said none of those arrested were listed as the tenants. "We screen the tenants of record," Mr. Cortese said. "Unfortunately, no one knows the children and friends who may move in later." Yesterday's arrests were a reminder of the difficulties Lefrak City's managers have faced in stabilizing the complex, which was built as a self-contained neighborhood in 1960 and played a crucial role in the growth of central Queens. About 20,000 people live in Lefrak City. In the mid-1970's, after a Federal housing-discrimination suit that accused the Lefrak Organization of racial bias, most of the white residents left the complex. Samuel J. LeFrak, its builder, said that to stem rising vacancies, lower-income applicants were admitted. Crime followed, and the broken benches, damaged locks on entrances and graffiti in stairwells suggested that the complex was on the verge of collapse. But last year, many residents said that conditions had improved greatly and that the drug sales in buildings and the nightly gunshots had disappeared in the early 1990's. The complex's management recently invested thousands of dollars in renovations, building a soccer field, basketball court and vegetable garden. Mr. Cortese said Lefrak's managers did not consider yesterday's arrests a setback to the complex's revitalization. "Oh, not at all," he said. "We're delighted you can find a problem and exterminate it."

URL: NOT AVAILABLE

Newsday

Big Lefrak Bust Nets Drug Rings: 300 cops make 24 arrests

By Karen Freifeld. STAFF WRITER | March 6th, 1997 | Page: A03

Three hundred police officers fanned out across the Lefrak City housing development in Queens yesterday in a raid against four drug gangs alleged to sell \$4.4-million worth of cocaine and marijuana a year. It was the latest attack against drug-dealing at the 20-building, 25,000-tenant development and the culmination of a 14-month undercover investigation." Unfortunately, in recent years, Lefrak City has been plagued by pervasive drug trafficking and random violence," Queens District Attorney Richard Brown said at a news conference yesterday afternoon. "The breakup of these drug gangs will take us a long way toward returning Lefrak City to its original stature." Built in the 1960s, Lefrak City originally attracted middle-class tenants, but by the '80s, its population was largely poor and crime-ridden. Twenty-four people were arrested yesterday, and warrants were issued for 11 more. "More than half of them grew up in Lefrak City," said Peter Crusco, chief of the DA's Narcotics Investigation Bureau. Seven apartments in and around the complex allegedly used as stash houses and as locations to cook and bag crack also were searched. Police seized \$102,000 in cash, 1 1/2 kilos of powdered cocaine and two additional kilos of crack cocaine, according to Brown. They also seized two 9-mm. machine guns, a machine pistol and three bulletproof vests. "The investigation disclosed the existence of four distinct drug gangs," Brown said. "It was they who controlled all the trafficking in the area." "If you came in and tried to take any territory, all the gangs would go after you," Crusco added. **The gangs - known as The Wise Crew, The L.A. Crew, The Uniko Crew, and The Judah Crew** - agreed about their own territories and times of operation. One, for instance, had bankers hours: It was permitted to operate only between 9 a.m. and 3 p.m. Each gang had a leader, middle-level managers and salesmen, or street dealers." Each operated very much like a candy-sales business," Brown said. "The salespeople got commissions from distributors, who similarly earned a commission from the gang bosses who were above them." Using beepers and cell phones, the gangs "were able to instantly be responsive to their customers throughout Lefrak City," Brown said. They also turned a commercial strip on 57th Avenue into a 24-hour outdoor drug market "through which residents and children alike had to navigate on their way to shop or to visit the public library on the strip." Yesterday's raid was the largest strike against drug dealing at the complex since "Operation Lefrak City" began in January, 1996. During the investigation, police made some 60 undercover buys, obtaining more than 17½ pounds of cocaine and two pounds of marijuana. They also purchased or seized five handguns, a machine gun, and two rifles. Twenty-one people were arrested, not including those brought into custody yesterday. Brown said the four gangs have been operating about five years and started out with much lower sales volumes. In his song, "Robbery," on the "Put It in Your Mouth" CD released last year, **rapper Akineyle apparently elevates the Lefrak dealers to hero status.** Lefrak City, one of the largest privately owned developments in the country, was 79 percent black, and 9 percent white, according to 1990 Census data, a near reversal of its 1970 demographics. Its original tenants, largely Jewish, left in the mid-1970s after a federal housing discrimination lawsuit opened the doors to more blacks. A revival of sorts is under way. A Jewish center and synagogue opened last year for the complex' relatively new Russian-Jewish population. Three years ago, a mosque opened to serve the West African Muslims who have been settling there over the past decade. Most of the alleged top-level dealers arrested were charged with criminal sale of a controlled substance in the first degree, which carries a penalty of 25 years to life. The alleged middle-level managers and street dealers were generally charged the same offense in the second degree and face 8 1/3 years to life if convicted, or third degree and face up to 25 years in jail. Among those taken into custody yesterday was **Lewis Corwise, 29, no address available, the alleged leader of the L.A. Crew drug gang. A warrant was put out for his alleged street bosses, Alexander Campbell and Antonio Sanders. Three of the gang's alleged street dealers were arrested. Also arrested yesterday was Judah Johnson, 19, of 55-25 98th St., alleged leader of The Judah Crew, and his alleged enforcer, Trevor Bailey, 21, of 97-11 57th Ave. Both were charged with conspiracy to murder for plotting to kill someone they believed was a rival drug dealer, according to Crusco. Uniko Carson, of 1 Walter Dr., Woodbridge, N.J., the alleged leader of the Uniko Crew, was arrested yesterday. A warrant is out for his alleged street boss, Leroy "Bo" Williams, 31, of 98-15 Horace Harding Expressway. A warrant also went out for Nathaniel Grantham, 29, address unknown, alleged leader of The Wise Crew. His alleged street boss, Ronald Walker, 22, of 92-29 Queens Blvd., was arrested.** Brown said Lefrak City's management fully cooperated with the investigation. The management did not return Newsday's calls yesterday for comment.

http://www.nydailynews.com/archives/news/mass-drug-busts-lecrack-city-article-1.762623

DAILY  **NEWS**

MASS DRUG BUSTS IN LECRACK CITY

By [Blanca M. Quintanilla](#) [Pete Donohue](#) | Thursday, March 6, 1997, 12:00 AM

An army of cops yesterday arrested two dozen gang members who had turned Queens' Lefrak City into a drug supermarket, reaping an estimated \$4 million a year in sales, officials said. More than 300 cops joined the precision pre-dawn raids orchestrated by the narcotics division. Starting at 6 a.m., swarms of cops roused suspected dealers from bed and put them in handcuffs. The cops burst into seven apartments in the Corona complex that were being used to stash and manufacture drugs by members of four gangs, police said. The gangs, which sold cocaine, crack and marijuana, cooked the crack from powder cocaine in apartments, and then sold it in the complex, authorities said. The sweep was the culmination of a year-long investigation that netted 45 alleged drug dealers, \$102,000 in cash and 20 pounds of cocaine. Residents cheered yesterday's crackdown. "This is great," said Lidia Sanchez, a 10-year resident of Lefrak. "It definitely makes me feel safer." "She said the dealing was so intense that a dealer once grabbed her by the arm and nearly insisted she buy drugs." "This is great news," Isabel Grullon said. "I have two little ones and I don't want this to be happening in my building." "Over the past year, cops also seized 11 guns including three machine guns and a rapid-fire Tec-9 machine pistol. Lefrak City is one of the largest privately owned housing developments in the country. There are 20 18-story buildings and more than 25,000 residents on 4 acres. **It has achieved notoriety in rap music and is mentioned in songs about drugs and robbery by rapper Akineyle and in ditties by other rappers from the development,** probers said. The gangs struck agreements dictating where each could sell and what hours they could conduct their illicit business, Queens District Attorney Richard Brown said. One crew, Brown said, was allowed to operate between 9 a.m. and 3 p.m., after which the other gangs took over. **The gangs The Wise Crew, The L.A. Crew, The Uniko Crew and The Judah Crew also had a violence pact to keep away outside dealers, investigators said. Judah Johnson and Trevor Bailey, two alleged leaders of The Judah Crew, were overheard on wiretaps plotting to kill a rival dealer trying to set up a network in the complex, according to Peter Crusco, head of Brown's Narcotics Investigations Bureau. Johnson and Bailey, who had tried once but failed to kill the rival dealer, were arrested before they carried out their second attempt, Crusco said.** "Without those arrests, that hit would have occurred," Crusco said. **Donald Trottman, 27, an alleged member of The Wise Crew, shot a rival dealer who survived, Crusco said.** In addition to dealing drugs in the complex, the gangs turned a commercial strip on 57th Ave. on the southwest side of the development into an open-air drug market, Brown said. Among those arrested were **Lewis Corwise, 29, head of The L.A. Crew; Judah Johnson, 19, head of The Judah Crew; Nathaniel Grantham, 19, boss of The Wise Crew, and Uniko Carson, boss of The Uniko Crew, cops said.** Most of the suspects have been charged with drug sales or possession and face up to life in prison if convicted, Brown said.

<http://pqasb.pqarchiver.com/washingtonpost/doc/408305726.html>

The Washington Post

Two Fatal Shootings in NW

News Services and Staff Reports, Page B03 | Column: CRIME AND JUSTICE | Tuesday, December 24, 1996

An unidentified man, who appeared to be in his mid-twenties, was shot to death last night as he sat in the back of a car in an alley near the intersection of North Capital and K streets NW, D.C. police said.

Investigators believe that the shooter was sitting in the front passenger seat and that he turned and opened fire, said Sgt. Arthur Butts of the D.C. homicide division. The victim was struck at least 12 times and was left in the car on K Street as the shooter and the driver apparently fled on foot.

The Man, whose name was not released, was shot at approximately 10 p.m. He was taken to the Washington Hospital Center, where he was pronounced dead.

It was the first of two homicides in the city last night. A male was fatally shot in the head in a double shooting at 11th and Fairmont streets NW about 11 p.m. The second victim, also a male, was shot in the foot and was not critically injured. No other information was available about either victim.

No arrests had been made last night in connection with the three shootings.

Articles appear as they were originally printed in The Washington Post and may not include subsequent corrections.

<https://www.washingtonpost.com/archive/local/1996/12/26/dc-police-identify-two-slaying-victims/6ef0a388-2e37-4a98-8608-0fe545098d90/>

The Washington Post

D.C. POLICE IDENTIFY TWO SLAYING VICTIMS

News Services and Staff Reports, Page D03 | Column: AROUND THE REGION | Thursday, December 26, 1996

Two men who were killed in the District on Monday night have been identified by D.C. police.

Pedro A. Morales, 29, was found about 9:40 p.m. lying near the right rear passenger door of a car parked alongside 45 K Street NW, police said. He had been shot several times and was pronounced dead a short time later at Washington Hospital Center.

In an unrelated incident about an hour later, Yves Nkol, 19, was shot to death in the 1100 block of Fairmount Street NW, police said. Nkol, of the 3000 block of 11th Street NW, and another man, whose name was not released, were found suffering from gunshot wounds after an unidentified person flagged down a police officer.

Police said that they have no motive and no suspects in either case but that they are offering \$1,000 rewards in each.

D.C. police also are trying to determine whether a 78-year-old woman found dead Monday inside a burning Southeast Washington house was a homicide victim. The woman, identified by police as Maggie Alsie Carr, of the 2200 block of Shannon Place SE, was found unconscious about noon Monday inside her residence.

Officials said that the fire was accidental but that an autopsy is needed to determine the cause and manner of her death.

Guard stabbed in terrorism suspects' cell

By MICHELE McPHEE and GREG B. SMITH
DAILY NEWS STAFF WRITERS

Two accused terrorists housed in the federal lockup in lower Manhattan attacked a guard yesterday with one of them plunging a sharpened implement into his eye, authorities said.

The inmates allegedly involved in the bloody assault were identified as Khalid Salim and Khalifa Khomio Mohamed, followers of terrorist Osama Bin Laden, who are awaiting trial on charges they conspired to blow up two U.S. embassies in Africa in 1998.

The guard, whose name was not released, was rushed to Bellevue Hospital, where he was said to be in critical condition.

A law enforcement source said the inmate's thrust was strong enough to penetrate the guard's brain.

Because of their links to Bin Laden and concerns about security, Salim, Mohamed and three other co-defendants have been held in isolation, segregated from the rest of the prison population at the Metropolitan Correctional Center.

But occasionally, they were allowed to pair up in the same cell, according to sources familiar with the arrangement.

Officials at the Bureau of Prisons in Washington confirmed yesterday that an officer had been assaulted by two inmates, but gave no other details.

A spokesman for Manhattan U.S. Attorney Mary Jo White declined to comment on the incident.

But Jeffrey Schneider, one of Mohamed's attorneys, confirmed that the 50-year-old correction of-

tear was attacked after he entered a cell in which Mohamed and Salim were being held.

Inside the cell, one of the inmates — officials wouldn't say which one — allegedly plunged the sharpened object into the guard's eye, Schneider said.

While an investigation of the incident continues, the two inmates have been placed in administrative detention, isolated from all other inmates for 23 hours a day.

Schneider said the five accused bombers have been allowed to rotate in and out of one another's cells in recent months.

One of the defendants, Wadiah El Haje, had complained repeatedly about being kept in isolation. At a court hearing earlier this year, he tried to get at the judge overseeing his case, but was restrained by court officers before he could do any harm.

All five men are charged with plotting to attack the U.S. embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, in August 1998 on instructions from Bin Laden, an exiled Saudi millionaire who has called for Muslims to kill American civilians "wherever they may be."

Bin Laden also is charged in the case but remains a fugitive on the FBI's Ten Most-Wanted List. The FBI is investigating whether he is involved in the recent bombing of the destroyer Cole in Yemen.

Schneider said his law partner, David Stern, tried to visit Mohamed yesterday but was denied access when prison officials "said there was a problem."

"We later found out that this was the problem," Schneider said. With Richard Weir-

Suspects in prison fray could tear at Bin Laden

By LEO STANDORA
DAILY NEWS STAFF WRITER

The men accused of attacking a Metropolitan Correctional Center guard yesterday are being prosecuted in a case that could blow the lid off Islamic militant Osama Bin Laden's worldwide terror operation.

The bloody assault came as investigators continued to eye Bin Laden as the brains behind the Oct. 12 attack on the U.S. destroyer Cole in Yemen that left 17 sailors dead.

Five defendants facing trial here are named in a sweeping 238-count indictment that charges them with plotting to randomly kill Americans. A sixth defendant who was charged recently pleaded guilty.

Their blueprint for murder allegedly included the bombings of U.S. embassies in Kenya and Tanzania in 1998 and the training of militias that attacked U.S. soldiers in Somalia in 1993. Their upcoming trial, scheduled to begin in January, has prompted

ed super-tight security not only at the prison, but at government buildings in the area.

Streets around the federal lockup in lower Manhattan are blocked. Official vehicles can pass along Pearl St. only when a barricade — in the form of a city sanitation truck — is moved. Manpower has been beefed up, metal detectors are in constant use and bomb-sniffing dogs patrol regularly.

Despite the security, yesterday's bloodshed was not the first violence involving the defendants since their arrest. A Manhattan courtroom exploded in chaos in June 1999 when one defendant jumped from his seat and tried to attack a startled federal judge.

Two weeks ago, prosecutors said a potential "gold mine of information" on Bin Laden's gang dropped in their laps when one defendant, a former U.S. Army sergeant, pleaded guilty to conspiring with the terrorist mastermind.

31-HOUR

CHRONOLOGY OF ABDUCTION

After 31 terror-filled hours, the abduction of an East Harlem woman ended yesterday as her alleged captor, Muhammad Khan, was critically wounded following an exchange of gunfire with police.

But the drama began to unfold days earlier. Here is a sequence of events that led to the shootout, as well as a summary of a 911 call made by the victim:

FRIDAY: Khan is arrested for robbery and possession of stolen property after he stole an apartment key from his girlfriend in East Harlem.

TUESDAY: Khan returns to his girlfriend's home on E. 114th St. and abducts her at gunpoint.

YESTERDAY: Their whereabouts unknown for 31 hours, the couple reemerges in East New York, Brooklyn, where Khan relents and allows the woman to use a bathroom at a bodega.

Once inside Rodney's Supermarket, she pulls out her cell phone, calls 911 and whispers her whereabouts for about a minute and a half.

"My boyfriend kidnapped me," the terrified woman tells the 911 dispatcher.

"We're in a patron Mottman at the corner," she says. "Location please DNE500M."

"He was arrested before, and he has a gun," she whispers.

The operator dispatches a pair of patrol cars in the area, repeating the victim's words, description of the vehicle and license plate number.

"Male has had her for 24 hours," the operator says.

At 11:23 a.m., another 911 call is placed.

"Officer down. Officer down."

Emergency Medical Service gets a 911 call at 11:24 a.m., saying Police Officer Harrington Marshall is en route to Jamaica Hospital.

AP/WIDE WORLD



Officer known as solid

By MAKI BECKER
DAILY NEWS STAFF WRITER

His career in the Police Department has been solid, if un spectacular, garnering six medals and earning a reputation for his leadership and effortless way with children.

That all changed yesterday, when Officer Harrington (Harry) Marshall capably stepped into a new role: hero.

Marshall, 34, was one of two cops who confronted a gunman holding his girlfriend hostage in a car. After an exchange of gunfire, the gunman was critically wounded and Marshall was hit in the arm.

"You want to talk about what they say at the academy in training — that a police officer rushes in while everyone runs out?" said Capt. Richard Bruno, executive

officer at the 75th Precinct, where Marshall is a sector cop. "That's exactly what happened here. He had no cover. He knew he had to save the girl; he just went for it."

Doctors at Jamaica Hospital said the bullet passed through Marshall's left arm, splintering the main bone in two. Marshall is scheduled to undergo surgery to repair his elbow in a few days.

RIDE OF FEAR

Cop's wounded in B'klyn rescue

By MICHELE McPHEE, MAKI BECKER and ALICE McQUILLAN
DAILY NEWS STAFF WRITERS

A 31-hour terror ride for an East Harlem woman — held at gunpoint inside a car as she endured death threats, physical abuse and rape — ended yesterday in a Brooklyn gunfight that critically wounded her kidnapper and injured a police officer, police said.

Driven around the city since dawn Tuesday by her crazed boyfriend, the woman made a dramatic break for freedom in East New York shortly after 11 a.m.

Secretly dialing 911 from her cell phone inside a bodega, the woman warned police that Mohammed Khan was armed, dangerous and inside a maroon Nissan Maxima on Pitkin Ave., police said.

"He threatened to kill me," the shaken woman later told cops. "He said he loved me and didn't want me to go."

As two uniformed cops ordered him out of the car and began to frisk him, Khan drew out his gun, firing twice, police said.

The woman, whose name is being withheld by the Daily News, covered nearby as the bullets flew by her.

Officer Harrington Marshall, 34, fired his 9-mm. handgun once, but said he didn't think he hit Khan, who was struck in the upper neck and chin and was listed in extremely critical condition at Brookdale University Hospital. A police source described him as "brain dead."

Marshall's partner rushed in to help and began struggling with Khan when he suddenly realized that the suspect had been shot, said Police Commissioner Bernard Kerik.

"I didn't hit him," Marshall told the first of dozens of officers who filled the brownstone-lined street.

A bullet shattered Marshall's left elbow, and he is scheduled for surgery in Jamaica Hospital this morning, Marshall, who has earned six medals in his 8½-year career, works in Brooklyn's 75th Precinct.

Based on the trajectory of Khan's entry wound, the gunman might have shot himself, sources said.

Khan is expected to be charged with attempted murder, kidnapping and criminal possession of a weapon.

Khan, on probation for assaulting a federal agent, had threatened to kill himself as he aimlessly drove his girlfriend around the city for 31 hours.

A few days earlier, Khan, 28, of Sanford Ave., Flushing, Queens, had been released on



Officer Harrington Marshall

\$1,500 bail on charges of pulling his girlfriend's hair and stealing her house keys.

The woman had tried to end her six-month affair with Khan last Friday, and he screamed back, "If you break up with me, I'm going to kill you," police said.

That evening, he turned up at her doorstep and grabbed her keys as she was in the hallway. She called cops and Khan was arrested and charged with menacing, assault, criminal possession of stolen property. She also was granted an order of protection against him.

On Tuesday, a federal officer came to the woman's apartment because Khan's arrest was a potential violation of his probation. The probation official arrived about 2 p.m. — about nine hours too late.

Khan had abducted the woman from her home at 4:30 a.m., police said.

The federal officer drove around East Harlem looking for her and even stopped by the local precinct, but nobody had reported her missing.

During the terror ride, Khan veered between sweet talk and violence. At times, they both fell asleep in the car. The woman tried to talk sense into him but grew increasingly fearful.

"It was getting physical," she told detectives.

Finally, she got the nerve to tell him a lie, claiming she had to use the bathroom. He let her go inside a bodega in East New York, and there on her cell phone summoned the help that saved her.



TOOD WAISER/DAILY NEWS

leader now a hero, too

Outside the hospital yesterday, Bruno said Marshall, known at the precinct for his "impeccable paperwork," was a model police officer who took time out for the children he came across on patrol and was always happy to mentor rookie cops.

About a month ago, Marshall put in a request for a transfer to the highway patrol. "He wanted to take his career in a different direction," Bruno said.

The transfer "may be in jeopardy now," Bruno said, because the injury could affect his ability to ride a motorcycle.

When the call came in over the police radio, Marshall and his partner were just blocks from the scene.

He fired one shot at the suspect — the first time Marshall used his service weapon.

First Deputy Commissioner

Joe Dunne, who had been the commanding officer of the 75th Precinct, commended Marshall and his partner — an officer who was filling in for his regular partner — for their actions.

"I'm proud of them," Dunne said. "They were ready. . . . You never know when you'll have to deal with that kind of situation."

It's another day in the life of a police officer in the 7-5.

With Michele McPhee

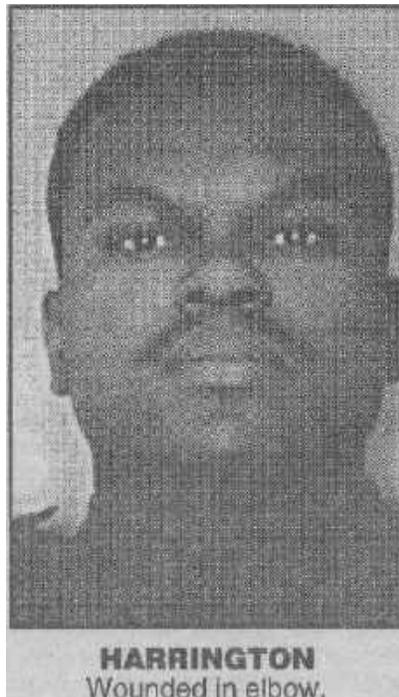
https://nypost.com/2000/11/02/bklyn-cop-shot-in-abduction-drama/



B'KLYN COP SHOT IN ABDUCTION DRAMA

By [Rocco Parascandola](#) | November 2, 2000 | 5:00am

A Brooklyn cop was shot in the elbow and a Queens ex-con critically wounded yesterday during a bloody gun battle sparked by the abduction of the ex-con's former girlfriend, authorities said. Officer Marshall Harrington, 34, was in stable condition at Jamaica Hospital, where Mayor Giuliani and Police Commissioner Bernard Kerik visited him last night. "We're hopeful he'll make a full recovery," the mayor said. "I wish to commend the police officer on his very, very brave action." The suspect, Mohammed Khan, 25, was shot once in the head and was at Brookdale Hospital in critical condition. The gunfire erupted at 11:19 a.m., when cops got a panicked call from Sonia Arora, 25, who was at an East New York bodega. She claimed that her boyfriend had abducted her from her Harlem apartment, had a gun and had assaulted her. Police confronted the couple in front of the Rodney Grocery on Pitkin Avenue, where Khan got out of his car and fired his .380-caliber revolver twice, hitting Harrington, cops said. Harrington returned fire once, they said. But cops say Khan may have shot himself, and that the bullet Harrington fired might have lodged in Khan's car. Bobby Remsewak, owner of a laundromat across the street from the shooting, looked out just after the shots were fired. "The two men were falling to the ground. One guy, not the cop, fell down onto his face," he said. Khan had been arrested last Friday after he allegedly robbed, beat up and threatened to kill Arora on East 111th Street in Manhattan, police said. "If you break up with me, I'm going to kill you," Khan told Arora in that incident, while grabbing her by the hair and shaking her, according Barbara Thompson, a spokeswoman for the Manhattan district attorney's office. He was released on \$1,500 bail Saturday. Khan also was on federal probation for two charges – one for stealing government property in 1993, and for assaulting a federal officer the following year. He pleaded guilty in 1997, and was sentenced to 57 months. Last December, he left prison on a supervised release.





Shot After Standoff / Cops: Man wounds officer, then himself

By Sean Gardiner, Melanie Lefkowitz and Bobby Cuza. STAFF WRITERS | Nov 2, 2000
NY Newsday – Long Island, N.Y. | Combined editions | Section: News | Page: A.04

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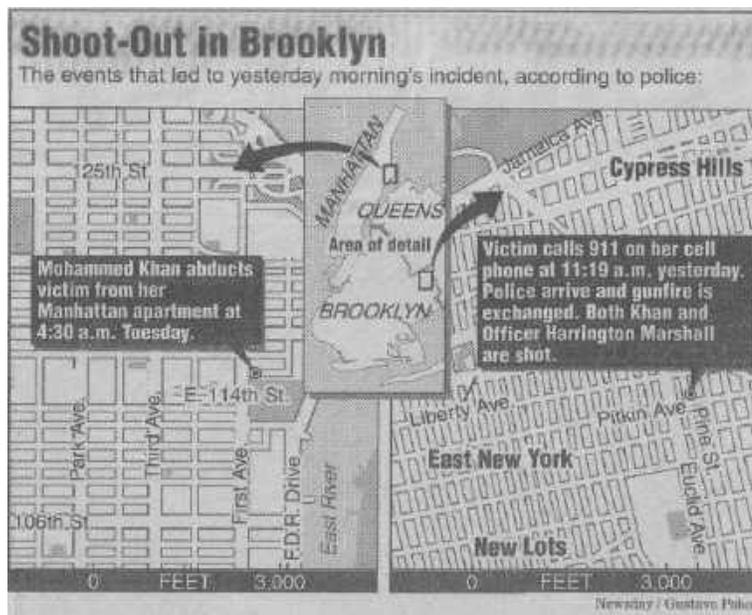
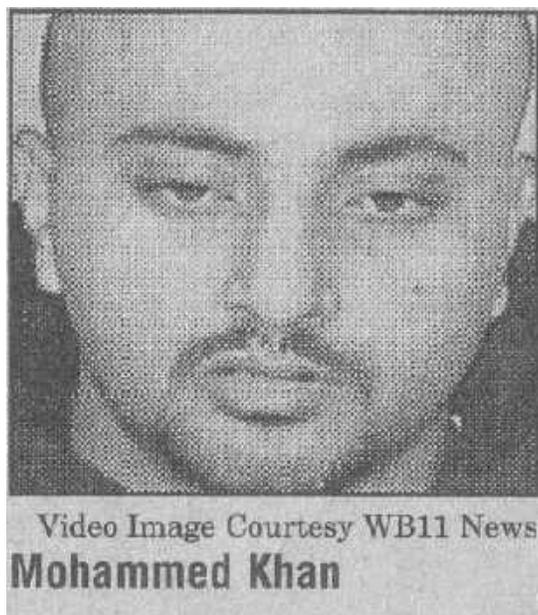
A Queens man wanted by the FBI for violating his probation allegedly held his estranged girlfriend captive for 31 hours then shot a police officer before critically wounding himself during a struggle, law-enforcement officials said yesterday. Mohammed Khan, 25, was on life support at Brookdale Hospital Medical Center last night after suffering a gunshot wound in the head during a struggle with police officers, law enforcement officials said. He was charged with first-degree attempted murder. Other charges are pending. Officer Harrington (Harry) Marshall, 34, was in serious but stable condition at Jamaica Hospital Medical Center with a gunshot wound that hit his left wrist and traveled up his arm to the elbow. Mayor Rudolph Giuliani and Police Commissioner Bernard Kerik visited Marshall at the Brooklyn hospital. Kerik said Marshall will need reconstructive surgery on his elbow. Yesterday's shooting unfolded about 11:30 a.m. on a crowded street in the East New York section of Brooklyn, police said. The woman, who was abducted from her home about 4:30 a.m. Tuesday, called police from her cell phone about 11:19 a.m., police said. She told police that she had been kidnaped from her Harlem apartment and was being held by Khan in front of Rodney's Supermarket at 2745 Pitkin Ave., police said. She also said she was able to escape by tricking Khan into letting her go to the bathroom alone, police said. Officers answering the call arrived outside the bodega just as the woman was about to re-enter Khan's maroon Nissan Maxima, officials said. When Khan saw the officers, he jumped out of the car and fired his .380-cal. pistol at them, police said. A shot hit Marshall, who returned fire, striking the hood of Khan's car, police said. After the shots were fired, Marshall's partner, Officer Michael Narsingh, ran behind Khan and grabbed him, police said. Khan's gun fired, with the bullet hitting him in the neck before traveling up to his skull. The shoot-out ended what Khan's estranged girlfriend told authorities was 31 hours of terror. Police said Khan used a key to let himself into the woman's apartment on East 114th Street on Tuesday because she was trying to break off their relationship. When the woman awoke at 4:30 a.m., Khan was standing over her bed holding a gun. He ordered her to get dressed and forced her into his car, police said. The alleged kidnaping follows an incident last Friday in which Khan, angered that his girlfriend said she wanted to end their six-month relationship, grabbed her by the hair and violently shook her, police said. "If you break up with me, I'm going to kill you," court records quote Khan as saying. Khan was arrested after that incident and was arraigned Saturday on menacing, assault and possession of stolen property charges. He was released on \$1,500 cash bail and issued an order to stay away from the woman. That arrest prompted federal law enforcement agents to seek Khan for violating probation on two past convictions; stealing an FBI agent's gun and threatening to kill agents who came to arrest him. Federal agents had scheduled a meeting with the woman for 2 p.m. Tuesday. But when they arrived at her apartment, she was nowhere to be found. Agents immediately started searching for her and notified city police about her disappearance. Police said that during the 31 hours of captivity, Khan forced his estranged girlfriend to have sex with him and made several stops, including at a beauty shop and at a relative's home. But the woman told police she was too afraid of Khan to say anything to anyone or to try to escape, police sources said. That was until they arrived in East New York yesterday when she called police from the bodega on Pitkin Avenue. The shooting there sent people scurrying for cover. "Everybody was ducking," said Angelo Rea, who works in a dry-cleaning

store across the street from the shooting. Richard Goodin, a doctor who works down the street, said he saw "four cops trying to hold down the one guy-we couldn't even see that he was down there, but their attention was focused on something." According to court records, Khan, who lives in Flushing with his parents, has either been in trouble with the law or in jail since he was 18. In 1993, he was arrested for stealing the .380-cal. revolver of an FBI agent in Brooklyn. He pleaded guilty to theft of U.S. property in May, 1994, but then jumped bail before his July, 1994, sentencing date, according to court records. He was arrested in November, 1996, at which time, Khan, who was armed, fought and threatened to kill agents who came after him, according to court records. On Feb. 28, 1997, he was sentenced to 57 months in federal prison for both cases and was released on Dec. 30, 1999, from federal prison.

Staff writers Graham Rayman and Patrice O'Shaughnessy contributed to this story.

[Illustration]

Caption: Newsday Map / Gustavo Pabon - Shoot-Out in Brooklyn / The events that led to yesterday morning's incident, according to police (NOT IN TEXT DATABASE)



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<https://csdb.dk/bbs/?id=208>



Prowl's Place

BBS Type: Illegal, Wares

Sysops: Prowl (Main)

Groups :

North East Pirates Association ((Unknown))

A Touch of Class (HQ)

Eagle Soft Incorporated (HQ)

The Survivors (HQ)

Phone: 718- [REDACTED]

Location: New York United States

Users : (2)

Rygar, The Bit Bandit

https://publicrecords.directory/profiles/



From: Corona, NY

6015 Calloway St
Corona, NY 11368
(718)
prowl

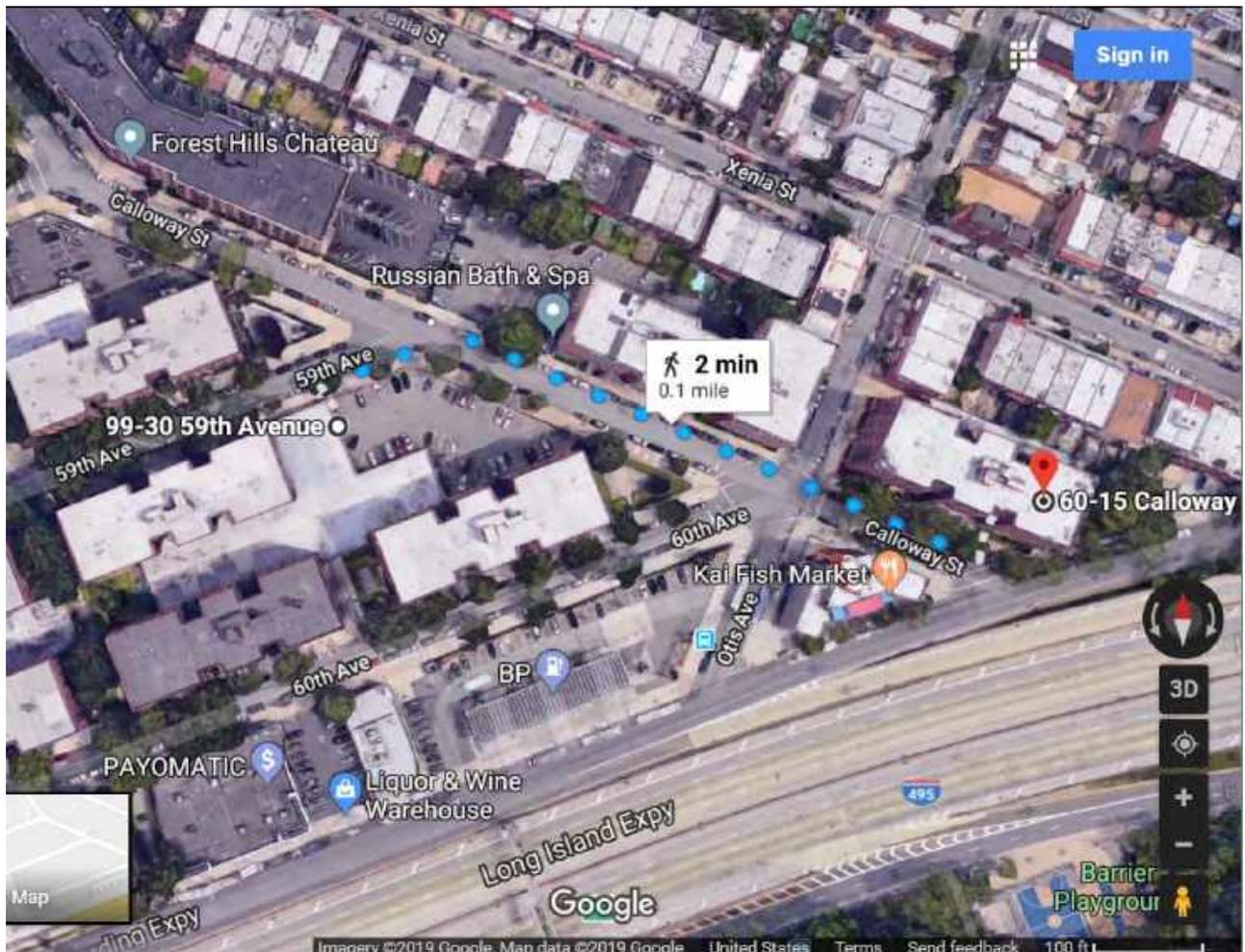
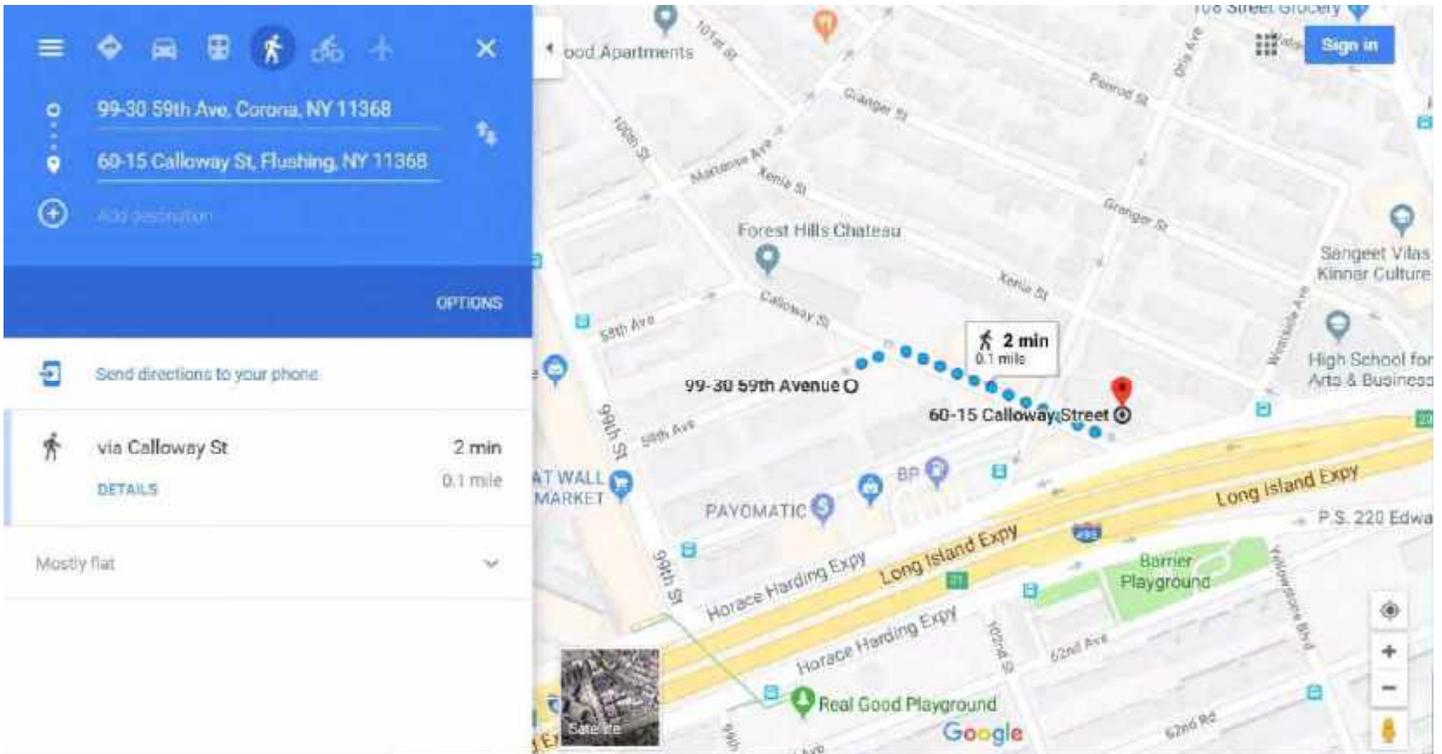
Previous Addresses:
6015 Calloway St,
Rego Park, NY 11374

Possible Relatives:

Jeffrey

Other Phone Numbers:
(718)

2 minutes walking distance from **99-30 59th Ave** to **60-15 Calloway St**



http://www.atlantis-prophecy.org/recollection/?load=online_issues&issue=1&sub=article&id=2

RECOLLECTION

The online section will host everything the disk version has. The only setback for online readers is that they will have to wait some weeks AFTER the disk issue has been released. They will also miss out on the mystical atmosphere the REAL C64 version contains. The benefits of the online version will be that we can include photographs to support our articles. ONLINE > RECOLLECTION issue 2 Menu > The Eagle Has Landed

The Eagle Has Landed

researched and edited by **Jazzcat**

When choosing which groups to cover for this edition of Recollection I couldn't go past one of my favourites, you can probably guess by the title of this chapter who it's going to be and I'm sure even the most naive amongst you would've been touched by their work in one way or another. In this article I hope to give you a better background on Eagle Soft Incorporated. Most people assume that the group started as American only, this is mostly true during a later stage but not in the real beginning. The group was formed in 1982 by three Canadians. The three guys from Canada were Dan, Jason and a student who was originally from Singapore, who was the cracker of the group his name was Jim Oko (he later left Canada for California). The name Eagle Soft Inc. came from Dan having a poster above his bed showing an eagle. They thought it was cool to have a professional sounding name, as did many young people back then, especially with adding the "Inc." on the end, which was a popular thing to do. Both Dan and Jason didn't really do much except choosing the name, doing the cracking was Jim Oko. When you hear about Eagle Soft the first thing that you think of is their classic intro, with the picture of the Eagle, which became somewhat of an icon in the scene. Before famous members like Mitch and By-tor came along, there were no group intros at all. Back in those early days the crackers and their crews were largely unnoticed, occasionally there would be a single line in the games main menu like e.g. "cracked by Mr.Nike" or if you had a look in the memory or disk directory you might find a clue, but largely nothing. This was the same for Eagle Soft also, many of their early cracks are not associated to the group directly and in saying that, much of the early stuff is lost (as far as being associated to ESI in name). One of the first cracks from Eagle Soft that we do know of is "Stellar 7" from 1983, which was cracked by the Singapore student that was living in Canada, Jim Oko. Another one that is very early is the utility called "Magic Desk I", also from 1983. During these early years the Canadian-based group invited a talented cracker from the USA called Mitch into their ranks. Mitch had been working solo and was noticed by them. Once a member, Mitch started releasing his cracks under the ESI label and soon the three guys from Canada dropped out and Mitch took over and started to expand it as a pure American group. The first member Mitch got in was By-tor (Fred), who took over most of the management, this allowed Mitch more time to crack. By-tor knew a local known as Scorpio (Carol) who he asked to join. Gradually the group expanded from there, taking in some locals such as The Head Librarian (John) (who left his own group ABNI - The Abusive Network Inc). During the early years of the group which were 1982 to 1985, a steady amount of group-releases made it to the bulletin boards, piracy was still in its infancy and most of the releases just contained the text "Courtesy of Eagle Soft" or "Broken by Eagle Soft Inc". In late 1985 and early 1986 this changed, with an increased amount of releases and intros. At that point, something of interest to mention is that Eagle Soft had two females who painted graphics for them, Ladyhawk/TSC (Thee Supreme Council) and Scorpio. Ladyhawk (Jane) painted graphics for the first intro showing an eagle that was used in 1986, whilst Scorpio painted the most famous picture, used mostly in the releases between 1987 and 1988.



The group really stood out, having their own style, using witty scroll-text in their intros inspired by the Canadian rock group known as Rush. Some of the lyrics used made real good sense in conjunction with ESI as a cracking group, such as "Beneath the noble bird, between the proudest words, behind the beauty, cracks appear!" Epyx were the main company that were targeted and ESI literally snatched and released all their titles. Most of the games released back then were cracked by Mitch and in some cases other crackers in the group such as Kombalar (Chris) and Mutant-X (Tom). Their main supplier during their most active year (1987) was the group SOHO (Suppliers Of Hot Originals) and of this group the supplier was Tinman (Charlie), who later joined ESI in 1988 (a subtle way for ESI to eliminate supply to other groups also). Between 1986 and 1987 the group really controlled the market, totally dominating the North American scene and forever inscribing their names into memories of people even to this day. In this issue of Recollection I managed to speak with Mitch about those early days...

Interview with MITCH - RUSH #1

R) Hi Mitch and welcome! Please introduce yourself to the scene, who you were and who you are today...

M) I was/AM Mitch from Eagle Soft Inc. (ESI). I was the #1 cracker in USA at one point in time, if you thought I released a lot of warez; there were tons of programs that I didn't put my name on, mostly applications, and educational warez. I had a few internal contacts inside the magazines that reviewed software, and got that software before the stores. Plus I did have contacts at the stores... really handy. :) I'm not directly in any scene now; I only crack a ware or two for myself... I did say when I was young I didn't want to work in the computer industry at all and for a LONG time I didn't. I was in the car audio business; I owned my own store for a few years. But sales were just not the same year after year, so I met someone, and jumped ship and now program control systems for audio and video gear.

R) A rumour went around that ESI was actually formed in 1981 on the VIC20. I don't believe this to be the case. You owned a VIC20, did you do any releases and were there other groups on the VIC20 at this time?

M) ESI was not started on VIC20, I did own a VIC20 as my 1st computer, but I had C64 and the VIC20 was long gone (I sold it) by the time ESI started in 1982(ish). I don't think I released anything for VIC20, it was my learning machine...

R) How was Eagle Soft Inc., formed on the C64?

M) I was cracking on my own... then bumped into 3 people from Canada, how I can't remember. Jason, Dan, and geeze I can't remember, the student from Singapore... and I joined them, shortly taking it over completely, then eventually losing complete contact with them. I ran with it, a cool name, sounded like a real company... and I thought it was. :)

R) You have a member from Singapore also, the founder of the group. He was the first real cracker for ESI? What was his name and how did you guys have contact with him?

M) Yes, he cracked before I got in the group. Did Stellar 7 in 1983, but then just dropped out of sight...

R) So this guy from Singapore was already cracking under ESI. By-tor was already in the group?

M) Nope, By-tor came in afterwards... after I was in.... and he didn't crack, just be a kick ass distribution, and good friend also, I'm not sure what was cracked by ESI before me, ONLY 1 ware that I can think of, Steller 7.

R) In an old interview you mentioned your first ever crack was Repton by Sirius in 1983. How did you start to learn cracking and was you self-taught or did someone help you to start with?

M) I don't know if this is my 1st crack, I'd say its NOT, all self-taught. Unfortunately I tossed all my C64 stuff... that would maybe be able to date things, the only thing left is scrolls in loaders. A lot of my early cracks had NO loaders, just editing the (C)opyright message, so there are no dates.

R) Who were some of the other groups or people you knew around 1982 and 1983. Did these people inspire you?

M) In 1982, there was not much out there, I met some killer people. Mr. Nike was just a fantastic cracker, and he and I became friends. Also Sauron... a lot developed towards the AMIGA scene years later. Oh, there was one killer cracker also in Germany I talked to a lot, forgotten his name. Outside of those I mentioned, I didn't know any others, I certainly didn't think anyone else in USA was even close to my level...

R) Your handle was often just signed with Eagle Soft but Mitch is just your first name?

M) I think it was just Mitch... that is my first name...

R) You did the manual and copy protection sheet for the game 'Pirates!', written entirely in BASIC? Did you do code many tools and other programs that you can remember?

M) I remember that, what a game that was. :) Yes I had many tools, custom versions of Machine Language Monitors, custom Kernels...

R) The Head Librarian was a good friend. He was the guy leading the war against JJ the Breaker's group UCF? How did all of that start? It seems to be one of the most famous wars. But there were also other wars also like with the Bencor Brothers.

M) Yes... he was a bit rough on the edges, but he defended me I don't really remember how it started... a bit of jealousy, and the fact that if u called me on the phone and I didn't really want to know you, I was rude. It was an attempt to make sure you didn't call again...

R) You were inspired by the band RUSH, from that inspiration you guys created your trademark?

M) YES, just my general fascination with Canada, I guess. Rush and hockey...

R) What were the reasons for cracking games back in the early 1980s? A thrill? To compete with others?

M) Why, because they were there... I got competitive at times, but I like beating the programmers who thought they could get fancy.

R) Epyx really got a belting from you guys!!!

- M)** Indeed they did. :)
- R)** Which games were the hardest you ever worked on and what was the longest time you ever worked on a game?
- M)** Summer Games or something like that, maybe Summer Games II, or there was a Epyx game that was hard to write a loader because the games was so big, some truck thing, I forget now.
- R)** What boards were around in the very early days and do you remember their names?
- M)** The Fountain of Lamneth (By-tor's) The Home for the Addicted Pirate (mine) I didn't do too much BBS'ing... others did that dirty work...
- R)** What is your favourite game and why?
- M)** Pirates... just plain cool Lode Runner (addictive) Jumpman (simple, but fun, and it was early in the c64 scene) My favorite game and a tricky crack was Maniac Mansion. That kept me and my brother up late nights under covers with the portable c64 trying to win!
- R)** What was the most amazing thing about the C64 in your opinion?
- M)** What the Europeans got out of the SID and VIC-II chips... some amazing demos, some amazing graphics. American games always had better game play... but Euro games looked cool.
- R)** What did the average day of Mitch look like at the height of your C64 days?
- M)** Hmm... school... work... C64 until very late at night and weekends was all night'ers to crack. Some companies used the same copy protection over and over, so I could bang them out in a few seconds then I'd call John, The Head Librarian, and he would get it and then distribute everywhere.
- R)** Did you work for many software companies, if so, who and what?
- M)** NONE, people thought I did... but NOPE.
- R)** What were your main source of originals??
- M)** Retail store, that rented software, I got it before it was rented. He wanted me to crack it to make a "back up". Then inside sources at magazines and a store in the mall.
- R)** What tools did you use on C64?
- M)** Hesmon, RapiDos... few others I can't remember.
- R)** Who were the ESI exclusive partners for spreading in Europe? In the early days it would have been no one, but later on ESI would have had Euro groups importing?
- M)** I had no contacts in Europe, anyone who claimed ESI in Europe is lying...
- R)** ESI had the legendary intro with the eagle. Who did the code?
- M)** I did all the code for all the intros.
- R)** Do you think the legendary intro had a lot to do with Eagle Soft's fame or what do you think it might be after all these years?
- M)** Yes... and it allowed people to remember, you see intro, you know it.
- R)** There were always rumours that your intros were made with an intromaker. Any truth there? (There is actually an intromaker out there which has similar or same code - but could easily be crap created to help that rumour)
- M)** Not to any of the OFFICIAL intros... you never know what other people make and slap on it when they import it to Europe. I have seen that... Also a lot of my cracks had NO intro... especially applications.
- R)** Did you have any relations with the guys who wrote the books "Inside Commodore DOS" and "1541 User's Guide"?
- M)** I knew a lot of people, Jim Butterfield... if you know where I'm from, I was only minutes away from the Commodore HQ in West Chester PA, I knew a bunch of people there mostly when I went to the Amiga! Hung with Bryce Nesbitt... now there is a name. Also knew Mike Henry... another interesting name...
- R)** Mike J. Henry and Fast Hack'em. Those were the days. C64s were so expensive then. How much would it cost?
- M)** C64 was \$595 when it came out, but it dropped with in a year, then dropped again... I think \$199'ish
- R)** Did you start off with tape drive or disk drive? Did you crack from both tape and disk?
- M)** Yes, TAPE. No cracking on TAPE! Tape wasn't big here in the states...
- R)** Mean Gene has passed on. R.I.P. What words can you say about him, what he meant for you and what he did for the scene?
- M)** Great guy, did a lot for me personally when I was a teenager.
- R)** Out of all other crackers in America/Canada, who was the ones that you could say matched your level of skill?
- M)** At that time... Mr. Nike would be the only one that comes to mind...
- R)** There were always rumours your cracks were really just unprotected or beta copies of games straight from the developer/publisher. Any truth there?
- M)** NOPE.
- R)** Do you remember JJ the Breaker stealing your disk routine for cracking EA games?
- M)** Nope... he might of, I don't remember. it was a clever loader, I probably still got the floppy with the source on it somewhere.
- R)** You went to Amiga. Can you tell us about ESI and your work on Amiga?
- M)** I did a lot on the Amiga, most of the games came from Europe, but I did a few what a great machine, this machine I do miss... It was short lived a few years, then I went 386... and the PC became the computer of choice... When win95 came out I went full PC... I never used anything but DOS before that...
- R)** Any last words for the C64 world?
- M)** I miss some of the good people... there were a lot, many more good than bad, that's for sure.

(Jazzcat)

As mentioned at the start of this article, the infant days of Eagle Soft were over 20 years ago, which is shown here in the interview with Mitch, where much is forgotten. In saying that, this is one of the reasons the Recollection magazine exists, to capture this history before it is lost forever. During the interview with Mitch I touched on the war that ESI had with another big USA group that was called the Untouchable Cracking Force (UCF). The war is possibly the most famous battle between any American groups ever and officially began on March 28th 1987. It was not just a match of words but a match of skill and of wares and of backing up the statements made, unlike the modern scene - there was simply much more at stake back then. Anyway, many people seem to have forgotten what started the war, despite there being quite a few demos and releases covering it (a lot of the demos from UCF incidentally were coded by a non-UCF member from my own country, Australia, he was known as "Crocodile Chris"). Here is an excerpt from a discussion I had with another former Eagle Soft member...

The Hell Hacker:

One of the biggest wars I remember was ESI versus UCF. That was amazing. I knew JJ the Breaker (he was in Michigan at the time), and he was a good friend. I also started to get friendly with Mitch (ESI) at the end of the war. Basically, what it was all about, was Mitch accused JJ of stealing his cracking routine for EA games (which I later used as the basis for decrypting Kings of the Beach). I don't remember the exact game. It might have been Murder Party, but I'm not 100% sure. JJ basically told me (he let me listen to Mitch's rant on his voice mail) that he looked at the protection routine and couldn't see any other way to do it. Breaking this scheme took Mitch 3 days, I think. Electronic Arts had some nasty protection as they grew as a company. It was basically a FAT TRACK on one of the higher tracks on the disk, which was the actual protection, but the hard part was the loader. It was encrypted like you wouldn't believe, it sat in high memory past \$f000, and the drive code itself was encrypted. EA also used UNDOCUMENTED OP-CODES to make it even harder to crack...

(Jazzcat)

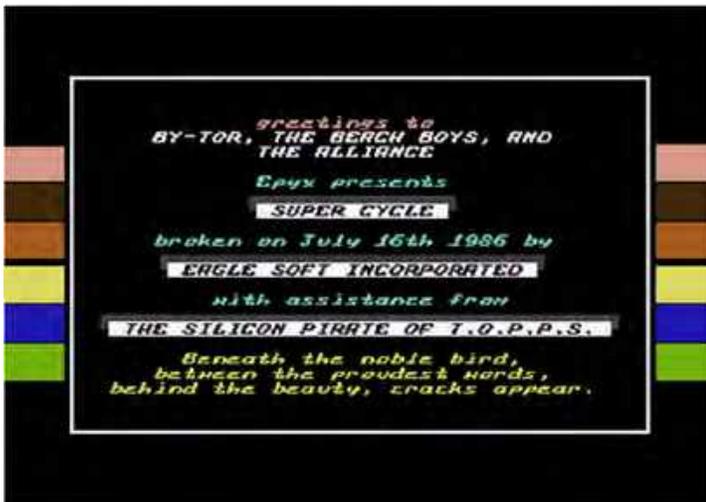
The allegations didn't stop there either, JJ The Breaker accused Mitch of stealing some routines from Triad's crack of "211B Baker Street" in order to crack another game called "Gunslinger". He was also accused of stealing other routines also. The war was nasty, Mitch continued cracking whilst a lot of the ragging was left for The Head Librarian to handle. On UCF's side it was members like Phantom Shark and Player =1= that were mainly involved (leaving their main cracker, JJ the Breaker, to handle the cracks just like Mitch was doing). The war was brutal and personal information was brought up on everyone. During a real scene war personal information such as real name, address, phone numbers (work, home, school, family) etc., was a major weapon and was used frequently with no regard to the repercussions. During this period Mitch and JJ actually talked to each other on the phone all the time. They were pretty friendly and would talk about different cracks that they did when they beat each other. Sort of a 'Hey, here's what I did, how did you do it?' They were actually not at war while the groups and rest of the scene were. During the war, some (and I stress only some) of the things that happened were:

- * Accusing The Music Man for being jailed for child molestation (which according to some is sadly quite true).
- * Captain Kidd was wheelchair-bound and he was often called Captain Cripple. Or "that he had a sign on the back of his wheelchair that said: I brake for homosexuals".
- * The Head Librarian was called "Givin' Head Librarian"
- * Renaming war notes and other propoganda into game files e.g. "Sub Battle.lnx". This tricks people into thinking it is a new game and is an assured way that the note or war demo gets maximum spreading.
- * Using war-dialers to either annoy the hell out of an individual or to keep a line busy. For example, you have a new game, you know some other group has it too, so while you crack the new game you have your members "auto-dial" or "war-dial" all the groups BBS'es so that the lines were busy, that way even if the other group finished their crack they couldn't upload it because the line was engaged. :) For those who came in a bit later, War-Dialers are just a simple program used in conjunction with your 300/1200/2400 baud modem. The program would give you options such as the number(s) to be dialed, how many times to be dialed, duration of call before disconnection, etc.
- * The war-dialing and normal prank call was done to not only the sceners involved but also sceners' parents, employers, school teachers and anyone that would cause the "enemy" harm.
- * Taping phone call conversations on conferences and one-to-one calls. In particular Pira-Ted and The Head Librarian were notorious for putting people in awkward situations and record it to use it to their benefit.
- * Sending C.O.D. (Cash On Delivery) packages to people. Just another technique used to "get" at people.

Of course there were many more things done, but this gives you an idea of the magnitude of this war, considering quite a lot of guys were simultaneously doing this! The war consumed the North American pirate scene. Most groups and individuals were either on the side of ESI or together with UCF, very few remained neutral. Some of the groups involved were: The Alliance, NEPA (North East Pirates Association), USSPE (United States Software Pirating Exchange), UAN (Underground Anarchist Network), TOPPS (The Original Professional Pirate Society), WGO (We Got Originals), FBR (Fucked Beyond Repair), TSI (Tiger Soft Incorporated) and Kangol Kid from Red Sector. After several months the war died off and eventually so did UCF.

Player #1= of UCF spoke to me regarding the war with ESI:

The war started after I mouthed off to The Head Librarian one time on his voicemail. I had been silent and had absorbed a great deal of abuse and instigation for months but finally blew my stack one time and they immediately responded with a declaration of war. John the Head Librarian was a true warmonger (Pira-Ted was also one and so was Captain Kidd). John loved to harass and pick on other people and always was doing this as long as I knew him. I actually think he enjoyed this much more than collecting or cracking software. He seemed to always want to make himself look better by making other people look bad. I was in his group ABNI for a few months back in 1986. I quit ABNI after a few months because I didn't like some of the things he was doing to other people (always picking fights with innocent people) and I didn't want to be a part of it. Once I quit his group he had a grudge against me and he attacked the next group I was in (Bencor Brothers) partly because I was in it and partly because he was dying to go to war with some of the other members of Bencor Brothers like Heat Miser (Tim). John and Ted were crazy guys and were practically insane. I believe both had serious mental problems and anti-social personality disorders. They seemed to enjoy being cruel to others and harassed others endlessly. The C-64 scene was an unregulated, illegal and anonymous world that attracted some weird adults who enjoyed acting out fantasies of being powerful. Well, I probably talk a lot about the wars but really there isn't that much to say. I only knew those people as vicious enemies so really there isn't much to talk about. Lots of name calling, endless lies about UCF on their voicemail line, demos, rag Koala picture shows, and verbal abuse. As I remember, the leaders of ESI and NEPA were total assholes and jerks. Mitch wasn't really a leader in the sense he was reticent and no one ever heard him say anything publicly. He was known for being an arrogant guy at the time, although it was probably justified considering his contributions. At the time, he let John (The Head Librarian) do whatever he wanted and went along with whatever he did, so John became identified as the true leader of ESI and had no one to restrain his bad behavior. I don't know much about the other members of ESI and NEPA but I suspect they were not as bad as the leaders, and may have been friendlier towards us if the leaders had been friendlier.



(Jazzcat)

There was no real winner in the war, both sides had victories and losses, but what had happened over a period of around 5 months was the most involved war in the North American scene. Now I would like to welcome another member of Eagle Soft Inc. that I had the pleasure of chatting with lately, he was one of the key members... introducing By-tor.

Interview with BY-TOR

R) Welcome! Please introduce yourself to the readers.

B) My name is Fred, I went by the handle of By-tor and today I work for a huge company that provides digital cable, high speed internet and digital telephone. I'm also recently married and about to purchase our 2nd home in San Diego, California.

R) Can you tell us what you did on the C64 before your time in ESI?

B) Before I got into ESI I was in several groups. Including one created by myself and Mr. Iceman called PhunSoft Inc. I was in Starfleet H-Q (creators of 1541 drive kit which was a utility released as legal software by Marty and The Goose).

R) ESI was started in 1982. Who was it started by and how did you get involved?

B) I'm not sure as to how it really got started in Canada. All I know is that Mitch invited me to ESI after many rumours that he hated me and I hated him (even though we did not know each other at all) - all gossip! Then one day we got stuck on a conference call together with many others and we found out we had one major thing in common. We were both RUSH fanatics. We started talking, became good friends and I was the first person he asked to join, from then on the Canadian gang died out and ESI became an all out USA crew. I only met the guys from Canada briefly... to be honest I thought Mitch was alone from the beginning and I was the first one he asked to join but then thinking hard I did talk to some people from outside of USA in conference, but then shortly after they just dropped out. What Mitch and I started was a USA only Eagle Soft Inc, him cracking, me running the group and adding members for distribution, trading and other things.

R) You were a distributor for ESI?

B) Distributor in the sense that I coordinated our releases to be moved and released to the boards. But I was mostly a manager, as in dealing with other groups, assigning members jobs and positions, while Mitch concentrated solely on cracking. I did manage to get a couple members that did supply originals to be sent to Mitch for release.

R) The music group Rush helped you with your handle?

B) Of course, I took my handle directly from the song off of the CARESS OF STEEL album. From the song THE NECROMANCER. By-tor was a bad character off a previous album FLIGHT BY NIGHT, By-tor and the Snow Dog, but was converted to a goodly prince in the Caress of Steel album. He was the hero and that is why I took the handle. :)

R) Who were some of the other groups or people you knew in the early days. Who were the people who inspire you?

B) Let's see, there were a lot of groups and its too far back. But a few that come to mind are: Phun Soft Inc., UFC, Fairlight, Starfleet HQ, NEPA, Triax. I know Sauron inspired me, he was a good cracker - the best until Mitch came along. Other than that I mainly got into it due to a guy called THE KEEPER. He had a very, very good BBS and he DENIED me access, so I started getting into the scene to show him I didn't need him. And I remember later on he came begging for access to my OWN BBS. As well as having ESI releases hosted on his BBS.

R) The war against UCF. How did all of that start?

B) I'm not sure anymore. All I know is that ESI was proud and we liked to show off and it led us to many encounters, but I feel it was with good cause, as we were putting out MOST of the major titles for a good while.

R) You ran a BBS called The Fountain of Lamneth, can you tell us about it, what speed it was, who were some of the callers and any memories from it?

B) It started as a regular 300 baud BBS, then I remember a friend of mine called The Warlock, got me a PROMETHEUS 1200 baud modem. I ran 64 exchange for a bit modified by me to do MULTI TRANSFERS. Then I switched over to C-NET 9.0 and 10.0. It had 2 SFD 1000 drives as well as like 2 1541 drives and I think a 1571? (all so hazy) as for callers, EVERYONE in the scene that helped courier ESI releases were on it. I had 2 lines to it at one point but that was it.

R) Did you meet any members? Who lived close?

B) Yes. Scorpio was local to San Diego and also The Gamer, they lived here and I was friends with them. And they could help the group as they were talented in their own way, so I invited them into ESI.

R) What was your favourite game and why?

B) Hmm SUMMER GAMES, the main reason was the graphics and also the ERROR 29 protection that was first of its kind, it was a challenge and so I played it mostly due to the fact we found a way to copy it (this was before the ESI era).

R) What was the most amazing thing about the C64 in your opinion?

B) The sound and graphics considering the amount of memory it had, that was AMAZING! But mainly it inspired a new era in computing and a new chapter in my life, as it introduced me to computers and I would never have the job I have now if I hadn't got into it.

R) Can you tell us when and why ESI died on C64?

B) Main reason ESI died on C64 was that all of us had achieved the highest achievement, there was nothing else to prove since we had done the biggest things there was to do. The coming of the Amiga had a very small influence I must admit, but we had grown up and moved on with regular life for the most part.

R) Can you tell us about ESI on other formats. When and who on Amiga and PC?

B) ESI Amiga, nothing for me about that. I left, did a lot of drugs and drank a lot. Until I got a PC and started promoting ESI by taking the nick EagleSoft. Got together a bunch of good people that knew about ESI. They had a passion for the scene and being a good leader, just ran with it, until this day. ESI did release a bit on the PC. ISO's for a bit then some personal stuff done by request only. I managed to get Mitch involved in that a bit and that's it.

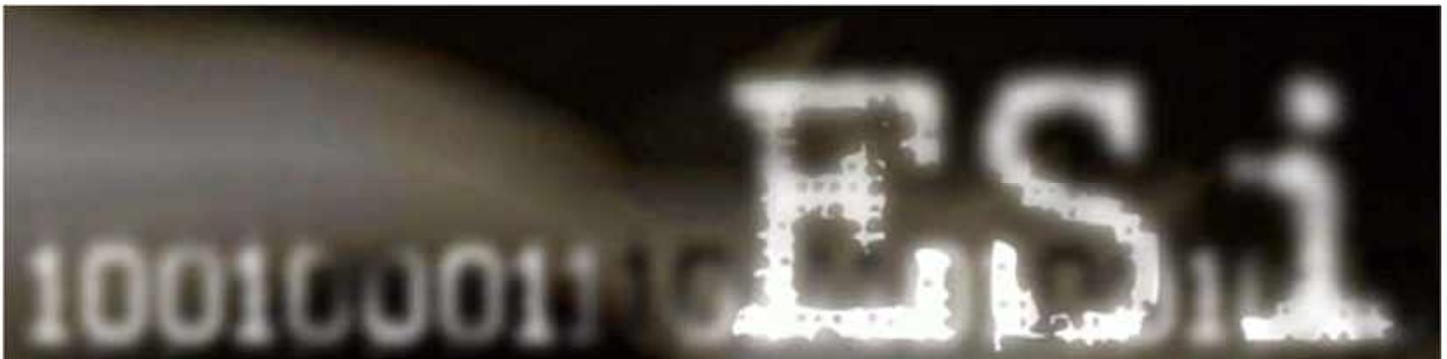


Logo for PC-division by By-tor.

- R) What were the reasons for cracking games back in the early 1980s? A thrill? To compete with others? To kill Epyx?
- B) Just GLORY and FAME!. And it was part of the scene. Mostly hobby related and being part of the SCENE.
- R) I heard some rumours saying Mitch even got a credit at a bank for his "company" to finance ESI some new equipment?
- B) Never heard of that. And Mitch and I were best friends... must be just that a RUMOR.
- R) What did the average day of By-tor look like at the height of your C64 days?
- B) On C64 moving warez about 10-12 hours. And doing conferences in between. Chatting with friends and taking care of the political stuff during the conferences.
- R) Mean Gene has passed on. R.I.P. What words can you say about him, what he meant for you and what he did for the scene?
- B) An unfortunate loss. As for what he did for the scene, not much that I can remember, not too bad to talk to him. Too many things and many years have gone by to really pin point any real information unfortunately.
- R) What was the most amazing thing about the C64 in your opinion?
- B) The most amazing thing is that it brought out INNOVATION as never before. A personal computer that did SO MUCH WITH SO LITTLE!!! It was plainly HISTORICAL. For its day, it had amazing graphics and SOUND. Compared to what is available now in PCs - pound per pound - (as in boxers) it was the best. And I cannot emphasize it enough that it was an epic step for personal computing.
- R) Did you ever imagine years later that people almost worship that intro? The one with the Eagle?
- B) Not as it has, no. I do remember we felt very empowered with our accomplishments, thanks to Mitch as he was the main reason we were so successful since he was the one that did all the cracking. But it does feel very nice to know you have made your mark upon the world and that we have been made simply ETERNAL. Maybe not to people that know nothing about the C64, but there are enough fans out there and the ESI name and our names will always be around and remembered.
- R) Do you think the legendary intro had a lot to do with Eagle Soft's fame or what do you think it might be after all these years?
- B) NOT simply the intro. I think it was the amount of releases we had!. Think about it, without overly boasting! We were putting out about 90% of ALL CRACKS at our peak, which was for a few years! And I truly don't think that is an exaggeration!
- R) Your experiences with ESI were a major stepping stone in life?
- B) It was a DIFFERENT phase of my life, it has put me into the computer path I am in today as well as Mitch, but during the time it happened it was simply a HOBBY. Ask Mitch and he will say almost exact thing. It was simply FUN and a HOBBY. It did however shape our path in life today a bit, as we both are into jobs that have to do with computers and technology.
- R) What is your definition in the scene of LAME and ELITE any examples?
- B) Goodness gracious, that is a HARD question as it was SOOO LONG ago. But I do remember some ELITE. TRIAD, FAIRLIGHT, JJ THE BREAKER, STARFLEET HQ (The Goose and Marty). Lame: hmm the lame are like "LAME" and the names have been lost for the most part. You got me thinking though, maybe in the future I will dig out some logs and give you some examples of lame. But in the sense of defining lame are groups that did nothing but put a name out without any real accomplishments, just to say they were part of THE SCENE. Elite are the groups that had an IMPACT ON THE SCENE. Like ESI and the groups mentioned above - groups that did SOMETHING to shape the scene.
- R) Anything interesting about ESI that you would like to mention, any fond memories or funny stories?
- B) Oh man. You ask TOUGH questions, remember I was 17 when it all started I am now, what? 44, dang about hmm MANY, MANY MOONS AGO! But one of the memories that stick in my mind is the way Mitch and I really got together. Both were in the scene just having fun. And his name (Mr. Eaglesoft) and we were both fairly known. And I had heard he HATED me, and someone had told HIM I Hated HIM! And we believed it! I thinking he hated me and him thinking I hated him, when in fact we did not even know each other! And I remember finally when we got caught in the same phone conference. We found out we did not hate each other but in fact we had a LOT IN COMMON. Mainly RUSH! We were both RUSH FANATICS! And we had same likes in other aspects, and we found out we got along GREAT! So much that it is the main reason he invited me to join ESI, next thing you know him and I are ESI USA and from then on it's HISTORY!
- R) Any last words for the C64 world?
- B) Man brings tears to my eyes. Like I said it did play a major role in one of my happiest phases, especially loving technology and being up front with it and getting to the TOP in fame of that kind. Not to mention it was fun to play games with it and learn! I just cannot say enough about that little amazing machine and I KNOW it will never truly die. There will always be memories of it and will always live in all our hearts. BONUS INFO JUST FOR FUN: One of the best memories I have of that part of my life, was the story of Montana Wildcat and THE NIGHT OF THE HACKERS. Not sure if you remember it but it was one of the most spectacular events that occurred during that time. A man went with the nickname Montana Wildcat, he infiltrated the scene as a regular user and became part of the core of it all. Turns out he was a reporter undercover that worked for the magazine World News, wrote an article about how phreaking, hacking, cracking and trading was done. I remember it cause GREAT disruption in the scene and many major groups got together and we harassed him for 2 weeks straight, (I wish I would remember the groups names involved) his credit cards were given out, were charged up for computer equipment that went to a lot of people in the scene. His MCI cards were phreaked and loaded up with charges. He had to change his phone number 3 times during this time and cancel credit cards as there were people in groups that were great hackers and had inside info to finding out his new phone numbers and credit card numbers. Taught him a lesson he never forgot, that he was forced to write a 2nd story apologizing to all of us for lying to us and writing his story explaining the workings of the ELITE SCENE. We put him through HELL. :) This doesn't truly convey in written words what truly went on but that is the main story. It was GREAT!

(Jazzcat)

In 1988-89 many things happened. The old made way for the new. UCF disbanded around late 1988 after JJ the Breaker (Joe) decided to join the Navy. Despite what some would have thought at the time, it had nothing to do with the ESI war. JJ was about 19-20 and felt it was time to move on with his life and start a career. Phantom Shark/UCF (Jack) also decided to quit the C64 around this time since he was 22. He had put a lot of effort into the group and may have even lost a girlfriend over the time spent on UCF. In the end bitter about the "war" and probably felt he got little in return for his effort, considering all the hassles he had to endure. Player=I= ran UCF's central trading BBS, "Wares to Go" and also did quite a bit of importing for the group from friends in Europe. But with Joe and Jack gone, there was no reason to continue the group since the heart of the group was gone. Joe did continue to put out a crack here and there under the UCF name while in the Navy, but nothing like before. Eagle Soft continued cracking for about another year. By then the NTSC C64 game market was slipping away in favour of the Amiga. The amount of American software was drying up to a trickle but Europe continued to produce many titles which were being imported to the states. Many C64 cracking groups started to disappear around this time but many dedicated traders persisted. ESI had very little competition during this time aside from ATC (A Touch of Class). ESI ended in late 1989 amidst a huge war with Pira-Ted. Pira-Ted and The Head Librarian had long been "war" friends and allies. For years, one would start a war with someone or another group, and the other would join in and help. The wars unified them and helped to keep them on the same "side" with each other. Once there was no UCF to pick on, it was inevitable that their COLLOSSAL egos would collide and they eventually turned on each other. Pira-Ted got tired of being the leader of NEPA (universally regarded as a lame group that did nothing but harass people) and demanded ESI to let him join the group. The members of ESI knew he was a control freak who would try to take over the group and run it his way, which they didn't want. They didn't let him join ESI (even though Captain Kidd had been admitted) and in response Pira-Ted declared war on ESI and tried to turn all of them in to the phone company and FBI. He then disconnected his ties to the cracking scene totally, even making his BBS public domain only. In turn, ESI ostracized Pira-Ted (look at the intro to ESI's Ikari Warriors, it's hilarious) and drove him out of the C-64 scene. He ended his days as a member of some lame group. Despite this, ESI continued to release cracks (much to Epyx and other companies displeasure). Mitch was semi-retired during this stage, as you can read in the scroll text of "Takedown" where he states he come out of retirement basically to crack it. Eventually the group closed its doors on the C64 to fully establish itself on the new playground called Amiga. On the Amiga, Eagle Soft were quite famous, especially considering that quite a few C64 groups and sceners were also on the Amiga. After a few years Mitch lost interest in computers in general and Eagle Soft Amiga was closed down. Mitch moved into the car audio business and after a while this venture didn't go too well. Around this time By-tor got in contact with Mitch and got him interested in computers again - and so Eagle Soft PC was born. Eagle Soft PC lasted between 1997 to 2001 and was started on the dal.net IRC server. On this server they had a big channel for warez.



Logo for PC-division by By-tor.

During this time they released some "ISOs", normally cracked upon the requests of friends. Mitch cracked using his PC nickname "Rush2112", however he sometimes reverted back to using "Mitch". Eventually Eagle Soft PC closed down after another group of imposters used their ASCII logo on their releases. A war was almost started, but by then members were just too old, married and didn't care too much. In 2006 most of the members are in their forties and fifties and are married with children and sometimes grandchildren! From a cracking perspective, Mitch still shows an interest, but only upon request from his friends. This article was quite an effort from both myself, Mitch and By-tor. I had to check almost every Eagle Soft release, this included cross-referencing, sending many questions to By-tor and Mitch, check war demos and notes and a LOT more. Hopefully it was worth it and people can now be enlightened by the history of one of the most famous groups ever on the Commodore.

Some interesting Eagle Soft trivia:

- Did you know that Mitch credited his work in different ways other than just Mitch? For example he used the handle 'Eagle Soft'. So as to not cause confusion between Eagle Soft and Eagle Soft, Inc., he'd sometimes write 'Mr. Eagle Soft', 'Mitch' or just 'The Guy'.
- "Midwest Term" was one of the very first modem terminal programs for the C64 and was coded by Mitch in 1984. His follow-up to this was "Eagle Term" which was coded together with Allan Teo and Don Holtz. Incidentally Don, who was from Canada, later got involved with David Foster and did some code in Dragons' Lair for Amiga published by ReadySoft Inc.
- Mean Gene (aka The Gunner) passed away in 2004. He died after a long struggle with cancer. R.I.P.

- A rumour was spread about the release of the game "Gunship" that a member of ESI had broken into the apartment of one of the game's programmers and stolen his floppy disks. This is false.
- Mitch's parents owned a candy store! :)
- Storm joined ESI PC. He was only 15 at the time but lied about his age (said he was 21) to get into the group. At the age of 15 he was responsible for hacking into NASA's sites several times.
- Tinman supplied originals not only to ESI, but also to UCF, NFI, and NEC. Tinman's store, The Great Escapes, paid extra to have the originals express-posted to his store so that the groups he worked with had a 1-2 day advantage over the competition.
- Before joining ESI, The Butcher was a member of INC. He started acting weird and when INC leader The Shark asked him why he was acting so weird, he wouldn't answer. So, The Shark kicked him from the group. Because of this question, The Butcher created his new group called WHY? It turned out that he was upset and felt threatened that INC had added another member into their ranks to help with the importing duties. Further, The Butcher was beginning to talk with ESI while in INC. WHY? was a short lived group, and shortly after forming, The Butcher killed his group and joined ESI.
- Who was Tron of Eagle Soft? Do you all remember those European cracks from an all-American group? Do you remember the Dutch member Tron of Eagle Soft who asked the world if anyone out there wanted to buy or swap with the legendary ESI? Do you remember a P.O. Box in Holland? So who was the one who disappeared as fast as he came? No idea? Believe it or not it was MWS of Radwar who used to be Tron of ESI! Not really of course - first thought of as a joke, he was surprised by the big response and started up with the P.O. Box in Holland! Not only lamers replied, but such elites as Hotline, BROS, Action and lots more! In the end MWS earned a lot of money through this.

ESI members:

Binjinx	Murder - Swapper - (Dortmund, Germany)
Blackhawk - Coder, Cracker	Mutant-X - Cracker, Graphics - (Tom)
By-tor - Modem trader, Organiser, PR Manager (Fred)	Pathfinder - Sysop (Deepack)
Captain Kidd - Organiser (Bob)	Prowl - Sysop (Jeff)
Changeling - Coder	Scorpio - Original Supplier, Modem Trader, Courier, Graphics (Carol)
Dan - Founder (Dan)	Simple Solutions
Depeche Mode - Sysop	The Butcher - Original Supplier, Importer (Bob)
Fletcher - Sysop - (Christian)	The Fugitive - (Joe)
Ghost Rider	The Gamer - Original Supplier (Mark)
Jason - Founder (Jason)	The Head Librarian - Original Supplier, Courier (John)
Jim Oko - Founder, Cracker (Jimmy)	The Hell Hacker - Cracker (Andy)
Kombalar - Cracker (Chris)	The Joker - Cracker
Ladyhawk - Graphician (Jane)	The Music Man - (Chuck)
Mean Gene - Local supplier (Gene)	The Necromatic - Sysop (Jack)
Mitch - Cracker, Organiser, Candy Supplier (Mitch)	Tinman - Original Supplier (Charlie)
Mr.IBM - Courier (Joe)	

(NOTE: There are a lot of people who claimed to be in ESI, it just wasn't the case, there were a few token members but that was it!)

ESI affiliated boards:

- Data shack I (Larry)
- Data shack II
- Future World (The Necromatic)
- HMS Bounty (Fletcher)
- Prowl's Place (Prowl)**
- Shake The Disease (Depeche Mode)
- The Fountain of Lamneth (By-tor)
- The Home for the Addicted Pirate (Mitch)
- The Portal
- Tunnel of Wares (Pathfinder)

Eagle Soft Incorporated: The Few - The Proud - The Best (1982 – 1989)

 BBS Name : NY AARDVARK COMPUTER CLUB
 Phone number: 718-539-3338
 Location : NEW YORK, NY
 Computers: ALL
 Verified : NO

Baud: 300,1200,2400,-----, / Private Mail..NO / Public Messages...NO
 Network Messages..YES / Files..YES / UL:DL ratio...NONE
 Hours of operation... 24 HOURS
 BBS Comments..... !ST NODE

 BBS Name : NATIONAL INSTITUTE TECH & STANDARDS
 Phone number: 301-948-5717
 Location : NOT SURE
 Computers: ALL
 Verified : NO

Baud: 300,1200,2400,9600, / Private Mail..YES / Public Messages...NO
 Network Messages...NO / Files..YES / UL:DL ratio...N
 Hours of operation... 24
 BBS Comments..... COMPUTER VIRUS & SECURITY SPECIALTY
 FEDERAL BBS (OBVIOUSLY)

 BBS Name : MACHATTAN
 Phone number: 212-249-4161
 Location : NEW YORK, NY
 Computers: MAC
 Verified : YES

Baud: ---,1200,2400,9600, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...SLIGH
 Hours of operation... 24 HRS 7DAYS FREE WITH SLIGHT D/L U/L RATIOS!
 BBS Comments..... SOFTWARE STRONG AND SYSTEM 7 STRONG BBS!
 COLOR AND GRAPHICS SUPPORTED THROUGH ANSI MODE!

 BBS Name : HILLSIDE BBS
 Phone number: 914-783-0343
 Location : CHESTER, NY
 Computers: ALL
 Verified : NO

Baud: 300,1200,2400,9600, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...1:20
 Hours of operation... 24 HOURS
 BBS Comments..... OLDEST BBS RUNNING IN ORANGE COUNDY NY.

 BBS Name : APARTMENT 2
 Phone number: 718-347-1075
 Location : NEW YORK, NY
 Computers: ALL
 Verified : NO

Baud: 300,1200,2400,-----, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...1:20
 Hours of operation... 24 HOUR
 BBS Comments..... IT'S ALL GOING ON HERE...
 ...AND NO ONE SAID YOU HAVE TO AGREE!

 BBS Name : AARDVARK BBS
 Phone number: 212-496-8324
 Location : NEW YORK, NY
 Computers: ALL (IN MSGS); IBM (IN FILES)
 Verified : YES/RECOMMENDED

Baud: 300,1200,2400,9600, / Private Mail..YES / Public Messages..YES
 Network Messages..YES / Files..YES / UL:DL ratio...NONE
 Hours of operation... ALL DAY AND NIGHT
 BBS Comments..... EMPHASIS IS PLACED ON THE MESSAGE SECTION.
 AARDVARK HOSTS THE NYNET NETWORK, AND CARRIES
 RELAYNET, INTELEC, AND P/NET IN ADDITION. THREE
 OFFLINE QWK MAIL DOORS ARE AVAILABLE FOR OFFLINE
 MAIL READING AND WRITING. THE FILE SECTION IS
 DELIBERATELY KEPT SMALL (I.E., IF YOU'RE INTO
 FILES, LOOK ELSEWHERE), BUT THE GAME DOORS ARE
 FAIRLY NUMEROUS.
 SYSOP: DAVID GREENBERGER

 BBS Name : DR.GERALDO'S OFFICE BBS
 Phone number: 201-767-7672
 Location : CLOSTER, NJ
 Computers: MAC + IBM FILES ALL COMPUTERS TXT
 Verified : NO

Baud: 300,1200,2400,----, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...1:4
 Hours of operation... 24 HOURS A DAY 7 DAYS A WEEK!
 BBS Comments..... GOOD STAR TREK MESSAGE SECTIONS, GREAT USERS!

 BBS Name : COMPUTEREASE - MANHATTAN COMIC NEWS
 Phone number: 212-473-6296
 Location : NEW YORK, NY
 Computers: ALL (VT100)
 Verified : NO

Baud: 300,1200,2400,----, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...NONE
 Hours of operation... 10PM-10AM
 BBS Comments..... CALL AND HAVE FUN!

 BBS Name : THE EMERGENCY WARD
 Phone number: 416-512-6801
 Location : TORONTO, ONT. CANADA
 Computers: MAC AND APPLE II'S
 Verified : NO

Baud: ---,----,2400,9600, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...NONE
 Hours of operation... 24 HOURS
 BBS Comments..... USING A HAYES V-SERIES, UNTIL SEPT. THEN ULTRA 144

 BBS Name : THE EXECUTIVE NETWORK BBS
 Phone number: 914-667-4567
 Location : MOUNT VERNON, NY
 Computers: ALL
 Verified : NO

Baud: 300,1200,2400,9600, / Private Mail..YES / Public Messages..YES
 Network Messages..YES / Files..YES / UL:DL ratio...NONE
 Hours of operation... 24 HOURS A DAY
 BBS Comments..... EXECNET DOES ALLOW GENERAL ACCESS THOUGH IT IS
 PRIMARILY A SUBSCRIPTION BOARD. THEY OFFER
 INTERNATIONAL CHAT, FAX SERVICE, ONLINE SHOPPING,
 200 DIFFERENT CONFERENCES, THOUSANDS OF ONLINE
 FILES, GREAT CONVERSATIONS, ILINK SERVICE...
 EXEC'S USERS ARE BY FAR THE MOST HELPFUL BUNCH YOU
 WILL EVER FIND... GIVE IT A TRY!
 SYSOP: ANDY KEEVES

 BBS Name : THE GRAVE YARD BBS
 Phone number: 718-305-9114
 Location : RICHMOND HILL, NY
 Computers: IBM FILE SECTION AND MESSAGE BASE
 Verified : NO

Baud: 300,1200,2400,----, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...NONE
 Hours of operation... 24 HOURS 7 DAYS
 BBS Comments..... LOTS OF FILES AND LOTS TO DO

 BBS Name : THE WORLD'S EDGE BBS
 Phone number: 718-279-2377
 Location : BAYSIDE, NY
 Computers: ALL
 Verified : NO

Baud: 300,1200,2400,----, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...N
 Hours of operation... 24 HOURS AND 7DAYS
 BBS Comments..... MAKING A FRIENDS. ALSO THERE IS NO COST TO YOU.
 TRY IT. IT ONLY COST YOUR ONE PHONE CALL.
 THERE ARE MANY MORE THINGS. CALL IT TO FIND OUT!!!

 BBS Name : THE MASTRE BBS
 Phone number: 212-486-0118
 Location : ROOSEVELT ISLAND, NY
 Computers: ALL
 Verified : NO

Baud: ---,1200,2400,----- / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...1:10
 Hours of operation... 24 HOURS A DAY
 BBS Comments..... THE MASTRE BBS IS A MESSAGE-BASED BBS FOR YOU TO EXPRESS YOUR VIEWS ABOUT COMPUTERS AND THE WORLD IN GENERAL. DO NOT CALL IF YOU ARE ONLY INTERESTED IN FILES, SINCE THERE ARE OTHER PLACES FOR THAT...

 BBS Name : SPACED OUT BBS (ADULT XXX BBS)
 Phone number: 718-778-5637
 Location : BROOKLYN, NY
 Computers: C64/128
 Verified : NO

Baud: 300,1200,2400,----- / Private Mail...NO / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...Y
 Hours of operation... 24 HOURS 7 DAYS
 BBS Comments..... LOTS OF WOMEN, DIRTY TALK 60 DOORS/TEXTED FILES ANSI/COLOR GRAPHICS/ CG COLOR/ ASCII LOTS FUN FUN COMMODORE 128 & 64 SUPPORTED ALL COMPUTERS WELCOME

 BBS Name : COMPUTERS & DREAMS
 Phone number: 212-888-6565
 Location : NEW YORK, NY
 Computers: ALL
 Verified : NO

Baud: ---,1200,2400,9600, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...NONE
 Hours of operation... ALL
 BBS Comments..... BBS ALSO HAS A STORE IN GREAT BOROUGH OF MANHATTAN WILLIAM STEWART, SYSOP, MANY FILES AND A FAIR NUMBER OF MESSAGES...

 BBS Name : THE SHERWOOD FOREST
 Phone number: 718-522-0768
 Location : QUEENS NY
 Computers: ATARI ST- IBM
 Verified : NO

Baud: ---,-----,2400,----- / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...?
 Hours of operation... 24
 BBS Comments..... THIS IS ONE OF THE MOST CALL BY THE ATARI AND IBM SUPPORT MOST OF THE COMPUTER I[C]C [D]D IN THE MARKET THIS BBS HAVE A MAC COMMODORE[DETC.
 N

 BBS Name : BLACK BOX BBS
 Phone number: 718-966-9207
 Location : STATEN ISLAND
 Computers: ALL
 Verified : NO

Baud: 300,1200,2400,9600, / Private Mail..YES / Public Messages..YES
 Network Messages...YES / Files..YES / UL:DL ratio...?
 Hours of operation... 24
 BBS Comments..... ONE OF THE BEST BBS FOR IBM AND ALL COMPUTERS.

 BBS Name : COMICS & CARDS BBS
 Phone number: 201-963-1313
 Location : JERSEY CITY, NJ
 Computers: ALL
 Verified : NO

BBS Name : [REDACTED]
 Phone number: [REDACTED]
 Location : GLENDALE, NY
 Computers: IBM, AMIGA
 Verified : NO

Baud: 300,1200,2400,9600, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...VARIE
 Hours of operation... 24
 BBS Comments..... THIS IS A GREAT BBS WITH LOTS OF FILES.
 THE SYSOPS WILL HELP YOU THROUGHT ANY TECH PROBLEM
 I HIGHLY RECOMEND IT TO ALL IBMERS

BBS Name : THE ICEBOX BBS
 Phone number: 718-793-8548
 Location : FLUSHING, NY
 Computers: ALL
 Verified : NO

Baud: ---,1200,2400,9600, / Private Mail..YES / Public Messages..YES
 Network Messages..YES / Files..YES / UL:DL ratio...1:3
 Hours of operation... 24 HOURS A DAY, 7 DAYS A WEEK, 365 DAYS A YEAR
 BBS Comments..... 400 MEGS ONLINE.. MORE THAN 250 CONFERENCES..
 MANY UPLOAD/DOWNLOAD SECTIONS..

BBS Name : CORNER PALACE
 Phone number: 718-461-9487
 Location : NEW YORK
 Computers: IBM
 Verified : NO

Baud: 300,1200,2400,----, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...N/A
 Hours of operation... 24
 BBS Comments..... GIVE IT A TRY

BBS Name : HIDDEN MATZOH MESSIANIC BBS
 Phone number: 718-886-1412
 Location : FLUSHING, NEW YORK
 Computers: ALL
 Verified : NO

Baud: 300,1200,2400,9600, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...NONE
 Hours of operation... 24 HRS/DAY
 BBS Comments..... THIS BBS HAS SEVERAL DISCUSSION AREAS AND TEXT AS
 WELL AS IBM FILES. IT'S FOCUS IS ON MESSIANIC
 JUDAISM, BUT ANY ONE IS WELCOME REGARDLESS OF
 THEIR POSITIONS.

BBS Name : OUTER LIMITS BBS
 Phone number: 203-686-0061
 Location : MERIDEN, CONNECTICUT
 Computers: IBM, MAC, APPLE, AMIGA
 Verified : NO

Baud: 300,1200,2400,----, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...NONE
 Hours of operation... 7 DAYS A WEEK, 24 HOURS A DAY, 365 DAYS A YEAR.
 BBS Comments..... 6 LINE MAJORBBS SYSTEM, STARLINK NODE# 9128
 TELECONFERENCE, MULTI PLAYER GAMES AND MORE!

BBS Name : TANGRAMAYNE BBS
 Phone number: 718-454-7490
 Location : NEW YORK, NY
 Computers: APPLE // 'S, COMMODORE, AND IBM
 Verified : NO

Baud: ---,1200,2400,----, / Private Mail..YES / Public Messages..YES
 Network Messages..YES / Files..YES / UL:DL ratio...1:3
 Hours of operation... 24 HOURS A DAY
 BBS Comments..... FILE SECTION FOR APPLE //E AND //GS ONLY..
 RUNNING DDBBS V9.0 WITH THE GREATEST ADADED ONLINE
 GAMES!! FIDONET NETWORKING MESSAGE BASE AND EMAIL

BBS Name :
Phone number :
Location : NEW YORK, NY
Computers : IBM, TANDY, AND COMPATIBLES
Verified : YES

Baud: 300,1200,----- / Private Mail..YES / Public Messages..YES
Network Messages...NO / Files...NO
Hours of operation... 24 hours
BBS Comments..... THIS IS A MAINLY DOORS BBS WITH A SMALL MESSAGE AREA. THERE IS INSTANT VALIDATION! PLEASE ENTER MESSAGES. TO ATTRACT CALLERS, WE ARE ALSO RUNNING THIS BBS FEB.7-FEB.11 (MON-FRI) 8-12PM. THE BBS WILL BE RUNNING MORE OFTEN IF I CAN GET ENOUGH USERS TO REQUEST SO. SO, PLEASE COME AND VOTE! ITS ONLY A LOCAL CALL. AND YOU'LL HAVE FUN WITH THE DOORS.

BBS Name : SAGE'S HUT II
Phone number: 212-928-2406 / 2400 bps
Alternate # : 212-928-2682 / 9600 bps
Location : MANHATTAN, NY
Computers : ALL
Verified : YES

Baud: 300,1200,2400,9600, / Private Mail..YES / Public Messages..YES
Network Messages..YES / Files..YES / UL:DL ratio...NADA
Hours of operation... 24HRS (ALL DAY ALL NIGHT)
BBS Comments..... MULTI-CHAT BBS... MULTI-PLAYER GAMES (GALACTIC EMPIRE, INFINITY COMPLEX, KYRANDIA) RUNNING 10 LINES... ON GALACTICOMM SOFTWARE GREAT TELECONFERENCE.. ALWAYS A NEW CONVO...OR FIGHTS :)

SYSOP NOTE.....This is a handles board.

BBS Name : MORE BBS
Phone number: 718-251-9346
Location : BROOKLYN, NY
Computers : IBM & COMPATIBLES
Verified : NO/BUSY

Baud: 300,1200,2400,9600, / Private Mail..YES / Public Messages..YES
Network Messages..YES / Files..YES / UL:DL ratio...NONE
Hours of operation... 24 HOURS / 7 DAYS A WEEK
BBS Comments..... 32 LINES, OVER 2 GIGABYTES, HUGE ADULT SECTION ONLINE GAMES, REAL-TIME TELECONFERENCE & CB 60 MINUTES FREE TIME A DAY - 200K FREE D/L A DAY 2 FREE PUBLIC ACCESS PHONE LINES ON AUTO-HUNT USER RUN AND MAINTAINED MESSAGE AREAS NEVER A UPLOAD/DOWNLOAD RATIO ONLINE SHOPPING MALL WITH MONTHLY AUCTIONS OVER 100 DIFFERENT DOWNLOAD AREAS

BBS Name : ORANGE COUNTY MAC DATA EXCHANGE
Phone number: 714-725-0531
Location : IRVINE, CA
Computers : MACINTOSH
Verified : NO

Baud: ---,1200,2400,9600, / Private Mail..YES / Public Messages..YES
Network Messages...ND / Files..YES / UL:DL ratio...NONE
Hours of operation... 24 HOURS
BBS Comments..... RUNS ON HERMES

BBS Name : JEFF'S BBS
Phone number: 212-962-4444
Location : NEW YORK, NY
Computers : MACINTOSH
Verified : YES

Baud: ---,1200,2400,9600, / Private Mail..YES / Public Messages..YES
Network Messages...NO / Files..YES / UL:DL ratio...1:10
Hours of operation... 8:00 P.M. - 12:00 A.M.
BBS Comments..... THIS IS A NEW [EXPERIMENTAL] BBS. TWO GREAT ONLINE

IS THE BBS FOR YOU.

BBS Name : TEEN WORLD BBS
Phone number: 718-966-7113
Location : STATEN ISLAND, NY
Computers: ALL
Verified : YES

Baud: 300,1200,2400,---- / Private Mail..YES / Public Messages..YES
Network Messages...NO / Files..YES / UL:DL ratio...N
Hours of operation... 24 HRS.
BBS Comments..... VISITING SYSOPS GET ACCESS TO EVERYTHING AND
SPECIAL SECTION.

BBS Name : THE BARD'S LAIR
Phone number: 718-381-3651
Location : BROOKLYN, NY
Computers: PC CLONES
Verified : YES

Baud: ---,1200,2400,9600 / Private Mail...NO / Public Messages..YES
Network Messages..YES / Files..YES / UL:DL ratio...5:1
Hours of operation... 24
BBS Comments..... RUNNING PROBS AND PRODOOR (LATEST VERSIONS).
THE BARD'S LAIR SPECIALIZES IN ADLIB/SOUNDBLASTER
FILES, GIFS, AND PROGRAMMER'S SOURCE CODE. WITH
OVER 60 METRLINK CONFERENCES AND 20 RELAYNET
CONFERENCES. SYSOP ALSO SUPPORTS VARIOUS
SHAREWARE PROJECTS ONLINE.

BBS Name : NOT EVEN ODD
Phone number: 718-997-1189
Location : FOREST HILLS, NY
Computers: APPLE MACINTOSH
Verified : YES/RECOMMENDED

Baud: 300,1200,2400,---- / Private Mail..YES / Public Messages..YES
Network Messages..YES / Files..YES / UL:DL ratio...1:10
Hours of operation... 24 HOURS, 7 DAYS
BBS Comments..... 210 MEGS ON-LINE

BBS Name : K.O.R.T BBS
Phone number: 914-365-6002
Location : TAPPAN, NY
Computers: AMIGA AND IBM
Verified : NO

Baud: ---,----,2400,9600 / Private Mail..YES / Public Messages..YES
Network Messages..YES / Files..YES / UL:DL ratio...Y
Hours of operation... 24 HRS
BBS Comments..... WE HAVE 14.4 DAUL STANDARD AND 660 MEGS ONLINE
SUPPORTING AMIGA & IBM. WE HAVE ALOTS LATEST
SOFTWARE AROUND...SO GIVE US A CALL...ALSO, WE'RE
NEW. PLEASE SPREAD AROUND OUR NUMBER. I WILL
APPRECIATE...THANK YOU FOR YOUR TIME.....

BBS Name : PREMIER BBS
Phone number: 212-518-9347
Location : BRONX, NEW YORK
Computers: IBM & OTHERS
Verified : NO

Baud: ---,1200,2400,9600 / Private Mail..YES / Public Messages..YES
Network Messages...NO / Files..YES / UL:DL ratio...N
Hours of operation... 24
BBS Comments..... MUSICIANS ORIENTED BBS
FOR ALL MUSIC LOVERS

BBS Name : INFONET BBS
Phone number: 718-859-7620
Location : NY
Computers: ALL
Verified : YES

Baud: 300,1200,2400,9600, / Private Mail..YES / Public Messages..YES
Network Messages...NO / Files...NO
Hours of operation... 24HRS A DAY, 7 DAYS A WEEK
BBS Comments..... VERY GOOD MESSAGE ORIENTED BOARD. ON-LINE GAMES...
SYSOP NOTE..... People with MNP modems should turn off error
checking (ATEM0) before calling.

BBS Name : EDISON BBS
Phone number: 718-523-8690
Location : JAMAICA, NY
Computers: ALL
Verified : YES

Baud: 300,1200,2400,9600, / Private Mail..YES / Public Messages..YES
Network Messages...NO / Files..YES / UL:DL ratio...N
Hours of operation... 24 HOURS
BBS Comments..... THIS IS ONE OF THE FEW BBSSES IN NEW YORK THAT IS
SOLELY DEVOTED TO MESSAGES. IT HAS 27 SUB-BOARDS.
SYSOP NOTE..... You MUST be set up as 7-E-1 in order to connect.

BBS Name : THEATRE ARTS BBS
Phone number: 212-923-3049
Location : MANHATTAN
Computers: MAC+, ALL
Verified : YES

Baud: 300,1200,2400,9600, / Private Mail..YES / Public Messages..YES
Network Messages...NO / Files..YES / UL:DL ratio...1:10
Hours of operation... 24
BBS Comments..... THIS IS A SHOW-BIZ BOARD. IT FOCUSES ON PEOPLE IN
THE ENTERTAINMENT FIELD. ACTORS, PLAYWRIGHTS, AND
TECHNICAL TYPES AS WELL. IT HAS A CASTING SECTION,
A BACKSTAGE SECTION, A RESUME/BIO. SECTION, ALSO,
A THEATRE/FILM/TELEVISION ORIENTED FILE SECTION.
THE SYSOP IS A BROADWAY ACTOR-SINGER-DIRECTOR AND
THE BOARD IS FILLED WITH OTHER PROFESSIONALS THAT
ENJOY SHARING INFO AND ADVICE WITH OTHER FOLKS.

BBS Name : US NAVY BBS
Phone number: 800-654-7608
Location : WASHINGTON, DC
Computers: ALL
Verified : NO

Baud: ---,1200,2400,----, / Private Mail..NO / Public Messages..YES
Network Messages...NO / Files..YES / UL:DL ratio...N
Hours of operation... 24 HOURS
BBS Comments..... THIS IS SUPPOSED TO BE GOV'T PROPERTY. VERY RISKY?
PROCEED AT YOUR OWN RISK.

BBS Name : CORNER PUB
Phone number: 718-351-4304
Location : STATEN ISLAND, NY
Computers: TALK AND ONLINE GAMES. (ALL)
Verified : NO

Baud: ---,1200,2400,----, / Private Mail..YES / Public Messages..YES
Network Messages..YES / Files..YES / UL:DL ratio...NONE
Hours of operation... 24 HOURS A DAY 7 DAYS A WEEK.
BBS Comments..... GREAT BBS. THE SYSOPS WRITE ONLINE GAMES FOR MANY
BOARDS. CHESS, NEBULA, REVERSI, BATTLESHIP,
BATTLEFIELD (STRATEGO) AND MUCH MORE! LIVELY
MESSAGE BASES. OH YES, ONLINE D&D TYPE GAME UNDER
DEVELOPMENT!

BBS Name : SUICIDE PREVENTION RESOURCES
Phone number: 212-759-7033
Location : NEW YORK, NY
Computers: ALL
Verified : YES

Baud: 300,1200,2400,----, / Private Mail..YES / Public Messages..YES
Network Messages...NO / Files..YES / UL:DL ratio...NONE
Hours of operation... 24
BBS Comments..... INFORMATION FILES AND RESOURCE DIRECTORIES

Baud: 300,1200, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...1:5
 Hours of operation... FRIDAY, SATURDAY, 12:00 PM TO 7:00 AM
 BBS Comments..... THE FIRST TRUE AD&D BBS AND HAS THE LARGEST
 COLLECTION OF SOLVES AND CHEATS FOR ANY GAME.
 SEND NAME.. ADDRESS.. PHONE NUMBER AND I WILL CALL
 YOU RIGHT BACK..

 BBS Name : LASERBOARD
 Phone number: 718-639-8826
 Location : JACKSON HEIGHTS, NY
 Computers: MAC
 Verified : YES/RECOMMENDED - FILES ARE MAC-ONLY

Baud: 300,1200,2400,9600, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...NONE
 Hours of operation... 24 HOURS
 BBS Comments..... LASERBOARD IS ONE OF THE OLDEST MAC BBS SYSTEMS
 AROUND; IT WAS FOUNDED IN 1986. WE CATER TO ALL
 MAC ENTHUSIASTS, AND TO THE INTELLECTUALLY ACTIVE
 REGARDLESS OF PREFERRED COMPUTER. ACCESS TO THE
 MESSAGE SECTIONS IS FREE, WHILE DOWNLOADING
 PRIVILEGES ARE CURRENTLY \$18/YEAR. WE HOLD
 SEMI-REGULAR MONTHLY MEETINGS IN MANHATTAN; ALL
 ARE INVITED.

 BBS Name : THE OTHER BBS
 Phone number: 718-331-7961
 Location : BROOKLYN, NY
 Computers: AMIGA (MOST), IBM, ANY OTHER DEMAND
 Verified : NO

Baud: 300,1200,----,----, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...NONE
 Hours of operation... 24 HRS
 BBS Comments..... AMIGA, NO UPLOADS (!), PROGRAMMING BASED

 BBS Name : CENTRAL BBS
 Phone number: 718-723-9727
 Location : BROOKLYN, NY
 Computers: ALL COMPUTERS
 Verified : YES

Baud: 300,1200,----,----, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...NONE
 Hours of operation... 24 HRS/DAY
 BBS Comments..... GREAT BBS WITH REALLY NICE SYSOP, DOC MICROWAVE,
 FILE TRANSFERS, ETC AND SIG BOARDS FOR ALL COMPUTER
 EVERYONE SHOULD GIVE IT A CALL, SAY YOU GOT THE
 NUMBER FROM FOREST HILLS AND JOHN KUNNER!

 BBS Name : BROOKLYN BROADCASTING SYSTEM
 Phone number: 718-375-6569
 Location : BROOKLYN, NY
 Computers: IBM
 Verified : NO

Baud: 300,1200,----,----, / Private Mail..YES / Public Messages..YES
 Network Messages...YES / Files..YES / UL:DL ratio...1:3
 Hours of operation... 24
 BBS Comments..... NEW BBS, BE APART OF THE FUTURE !

 BBS Name : FRIENDS! BBS
 Phone number: 212-781-4723
 Location : NEW YORK, NY
 Computers: ALL
 Verified : YES

Baud: 300,1200,2400,----, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...NONE
 Hours of operation... 24 HOURS
 BBS Comments..... FRIENDS! BBS IS PRIMARILY A CONVERSATION BOARD.
 THERE IS A SMALL FILE SECTION WITH JUST TEXT FILES
 THIS IS THE BOARD THAT STARTED IT ALL! NICE PPL!
 IN ADDITION TO GREAT SIGS, HAS DOORS, TOO!

 BBS Name : MIDNITE SNACK
 Phone number: 718-366-7188
 Location : BK, NY
 Computers: ALL
 Verified : NO

Baud: ---,1200,2400,---- / Private Mail..NO / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...NONE
 *Hours of operation... 12AM-6AM
 BBS Comments..... SNACK TIME!
 TOTALLY UNIQUE CONCEPT!
 FREE UDS!
 NO VALIDATION REQUIRED!

 BBS Name : NYACC (NEW YORK AMATEUR COMPUTER CLUB)
 Phone number: 718 539 3338
 Location : FLUSHING QUEENS
 Computers: ALL
 Verified : NO

Baud: 300,1200,2400,---- / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...N
 Hours of operation... 24 HOURS
 BBS Comments..... 10 MIN ON FIRST CALL 25 MIN FREE AFTER REGISTRATION (IT SOMETIMES TAKES A FEW DAYS) 60 MIN A DAY IF YOU ARE A CLUB MEMBER [\$20 A YEAR] AND 90 MINUTES A DAY AFTER MEMBERSHIP IS VERIFIED. TO SEE MOST RECENT FILES LOOK AT DIRECTORIES 99 AND NEW. IT HAS SEVERAL BULLETINS AND NOW 2 CONFS FLEA (BUY & SELL) AND TECH - ONLY SINCE MONDAY JULY 16,1990. MESSAGES ON THE MAIN BOARD LAST ABOUT 6 - 10 WEEKS. A WHOLE VARIETY OF FILES.

 BBS Name : CITY PEOPLE
 Phone number: 212 255-6656
 Location : BEUTIFUL DOWNTOWN GREENWICH VILLAGE
 Computers: ALL
 Verified : YES

Baud: 300,1200,2400,---- / Private Mail..YES / Public Messages..YES
 Network Messages..YES / Files..YES / UL:DL ratio...N
 Hours of operation... ALL DAY EXCEPT AROUND 12 -12:30 AND 4:30-5:15 A.M.
 BBS Comments..... USES WILDCAT. EXTRA CONFS ADDED RECENTLY CALLED A SOCIAL ACTIOPN BBS HOST OF THE NONPROFIT CONFERENCE OF RIME [#151 ON THE RUNNING BOARD AT 212 519-1791 OR 654-1349. CITY PEOPLE MAY SOON GET A SECOND SUBSCRIPTION RER COST OF S CHARTER SUBSCRIPTION IS \$35. THE BBS IS AFFILIATED WITH AND PARTIALLY SPONSORED BY THE WORKMAN'S CIRCLE.(ARBEITER RING)

 BBS Name : THE FANTASY ZONE
 Phone number: 212-369-6191
 Location : NEW YORK, NY
 Computers: ALL
 Verified : NO

Baud: 300,1200,2400,---- / Private Mail..YES / Public Messages..YES
 Network Messages..YES / Files..YES / UL:DL ratio...1:3
 Hours of operation... 24 HOURS A DAY.. EXCEPT ON DOWNTIME
 BBS Comments..... EAMMAIL ME [Joseph Tam] FOR FASTER VALIDATION THIS BOARD WILL BE UP THIS FRIDAY!! 08/06/90 TOTAL PSE FOR APPLE USERS AND COMMIE GRAPHICS FOR COMMIE USERS.. AWESOME D&D ONLINE GAMES

 BBS Name : THE PHOTOGRAPHERS NETWORK BBS
 Phone number: 718-876-7251
 Location : STATEN ISLAND, NY
 Computers: IBM
 Verified : NO

Baud: 300,1200,2400,---- / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...1:30
 Hours of operation... 24 HOURS 7 DAYS
 BBS Comments..... MEETING PLACE FOR PHOTOGRAPHERS AND IBM USERS WITH FILES, MESSAGES, DOORS ETC ETC ETC ...

 BBS Name : HOT JACUZZI
 Phone number: 718-386-4182
 Location : BROOKLYN, NY
 Computers: IBM,APPLE,C64/128,AMIGA,ATARI
 Verified : YES

Baud: 300,1200,2400,---- / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...NONE
 Hours of operation... 24
 BBS Comments..... THE HOTTEST BBS IN NEW YORK CITY
 WHAT ARE YOU WAITING FOR?

 BBS Name : RENDEZVOUS
 Phone number: 718-321-9197
 Location : UNKNOWN
 Computers: ALL
 Verified : NO/BUSY

Baud: 300,1200,2400,---- / Private Mail..YES / Public Messages..YES
 Network Messages...YES / Files..YES / UL:DL ratio...NONE
 Hours of operation... 24 HRS
 BBS Comments..... FREE GALATICOMM! 5 LINES, TELECONFERENCE, ETC LIKE
 ALL OTHER GALATICOMMS
 VALIDATION REQUIRED...

 BBS Name : ABSTRACT
 Phone number: 718-351-7633
 Location : NEW YORK NY
 Computers: ALL
 Verified : YES

Baud: 300,1200,2400,9600 / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...Q
 Hours of operation... 24HRS
 BBS Comments..... NONE
 SYSOP NOTE..... Fee required (\$15).

 BBS Name : THE CYPRESS HILL
 Phone number: 718-827-4933
 Location : QUEENS,NY,NY
 Computers: C-64,C-128,CP/M,IBM,AMIGA
 Verified : NO

Baud: 300,1200,2400,---- / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...Y
 Hours of operation... MON-TRUS, 8P.M.-8.AM. FRI, 6PM SAT-SUN 24 HOURS
 BBS Comments..... IT'S IS GREAT FOR INTERMEDIATE COMPUTER USERS!!
 IT HAVE C/G MODE AND ALL THE LATEST OF PDSOFTWARE
 IT JUST GOT A NEW 20 MEGS!! I'LL RESPOND TO YOU.
 IT HAS ON LINE-GAMES WITH OR WITHOUT PEOPLE ONE
 THE LINE! ONLY 8 PEOPLE JOINED, YOU WILL NOT
 REGRET IT!! SAY MAGUS'90 WHEN LEAVING FEEDBACK.
 IT'S TOTALLY COOL!! EVEN FOR THE C-64!! IF YOU HAVE
 A TERM THAT HAVE C/G MODE USE IT!! MAGUS'90

 BBS Name : GREEN MOUNTAIN MAC
 Number : 802-388-9899
 Location : MIDDLEBURY, VERMONT
 Computers: ALL
 Verified : NO

Baud: 300,1200,2400,9600 / Private Mail..YES / Public Messages..YES
 Network Messages...YES / Files..YES / UL:DL ratio...NONE
 Hours of operation... 22
 BBS Comments..... THE SYSOP OF THE GREEN MOUNTAIN MAC BBS IS DAVID
 HERREN. THIS BBS IS FOR MACS BUT SUPPORTS OTHER
 PS. COMPS. HAS FIDONET ADDRESS AND IS ONE OF THE
 BEST MAC BBS OUT THERE. HYPERCARD FILE SECTION AS
 WELL AS THE REST OF PD/SHAREWARE IS AWESOME!!!
 T TRY IT. AFTER 11 PM ATT CHARGES .14 1ST AND
 . A EACH ADDITIONAL MINUTE.

BBS Name : [REDACTED]
 Phone number : [REDACTED]
 Location : NEW YORK CITY, NEW YORK
 Computers : MAC, IBM, AND OTHER MAJOR COMPUTERS
 Verified : YES

Baud: 300,1200,2400,9600, / Private Mail..YES / Public Messages..YES
 Network Messages..YES / Files..YES / UL:DL ratio...NONE
 Hours of operation... ALL EXCEPT LATE NIGHT HOURS WHEN TABBY IS UP
 BBS Comments..... THIS IS A RELATIVELY GOOD BBS. IT CATERS
 TO THE GAY COMMUNITY, ALTHOUGH ALL SORTS OF PEOPLE
 ARE HEARTILY WELCOME. HAVE FUN!

BBS Name : THE GAME LINE
 Phone number: 212-974-3925
 Location : NEW YORK, NY
 Computers : FILES - IBM, OTHER - ALL
 Verified : YES

Baud: 300,1200,2400,9600, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...NONE
 Hours of operation... 24 HOURS
 BBS Comments..... THIS IS A GAME ORIENTED BBS (NOT MESSAGE ORIENTED)

BBS Name : BATTLEFIELD
 Phone number: 718-225-9083
 Location : BROOKLYN, NEW YORK
 Computers : ALL
 Verified : YES

Baud: 300,1200,2400,----, / Private Mail..YES / Public Messages..YES
 Network Messages..YES / Files..YES / UL:DL ratio...NONE
 Hours of operation... 24 HOURS
 BBS Comments..... NONE

BBS Name : NYCENET
 Phone number: 800-344-8280
 Alternate # : 718-461-8650
 Location : BROOKLYN, NY
 Computers : ALL
 Verified : YES/RECOMMENDED

Baud: 300,1200,2400,----, / Private Mail..YES / Public Messages..YES
 Network Messages..YES / Files..YES / UL:DL ratio...N
 Hours of operation... 24
 BBS Comments..... BOARD OF EDUCATION BBS.
 SYSOP NOTE..... NYCENET is a great board... The software (Maggie)
 can be a little confusing at first, but I like it..

BBS Name : THE TREASURE CHEST
 Phone number: 718-645-1979
 Location : BROOKLYN, NY
 Computers : ALL
 Verified : YES

Baud: 300,1200,2400,----, / Private Mail..YES / Public Messages..YES
 Network Messages...NO / Files..YES / UL:DL ratio...NONE
 Hours of operation... 24
 BBS Comments..... NONE

BBS Name : ONLINE TELECOMM EXCHANGE
 Phone number: 212-941-5992
 Location : MANHATTAN N.Y.
 Computers : ALL
 Verified : YES

Baud: 300,1200,2400,9600, / Private Mail..YES / Public Messages..YES
 Network Messages..YES / Files..YES / UL:DL ratio...Unknown
 Hours of operation... 24 HRS
 BBS Comments..... 16 LINE BBS...GREAT GAMES AND LOTS OF FILES
 SYSOP NOTE..... Fee required.

BBS Name : THE GUILD
 Phone number: 212-369-4930
 Location : NEW YORK, NY
 Computers : ALL
 Verified : NO

From: CISO Darknet Group
Sent: Thursday, March 12, 2015 3:41 PM
To: dballou@ffn.com; rbelous@ffn.com; schristian@ffn.com; tfox@ffn.com; jgallo@ffn.com; dstaton@ffn.com; sswaye@ffn.com; gyeh@ffn.com
Subject: BREACH ALERT! URGENT!
Importance: High

AdultFriendFinder.com/FFN/Various, Inc., is currently the target from a data breach by a darknet bad-actor. Our intelligence unit has been provided samples of all your databases by this hacker who has access to adultfriendfinder.com. All, and we mean ALL your databases for customers and personnel has been dumped, and the remainder of FFN brands are now the target of this hacker. The magnitude of this breach is comparable to Sony. This bad actor is in the process of selling this access and data. After reviewing the voluminous samples provided to us it confirms the bad-actor claim to be deeply rooted into your systems. We are seeing samples of your customers globally that can only come from your network. He has offered to us the exact vector and method used for breach attack and exfiltration of the data if we were interested in exploiting your systems further. This attack is similar to the recent Sony attack in that FFN is a direct target. This is not a drive-by attack that a scanner could have been used to find a vulnerability for exploit, this attack is targeted at FFN to cripple. In our experience, it requires handling at the C-level and Board level, and cannot be effectively delegated to supervisors or managers Please be advised that we have covert communications with this bad-actor in your network. With an abundance of caution it is our opinion that FFN/Various, Inc., should classify this cyber threat as real, active, and high-priority to protect FFN and customers. This targeted attack is fresh from the wild and is FUD (fully undetectable) by anti-virus, and impervious to your firewalls, evident in the data he has shared with us of your customers. Please be advised that we DO NOT have samples of other FFN brands only adultfriendfinder.com, at this time, but the bad-actor did disclose to our operative that all of FFN brands are currently a target of a cybercriminal syndicate for attack.

This is not a hard sell or scare tactic, this is what our organization was built on; CyberHumint methodologies for fraud prevention. This information will be provided to you free and our work pro-bono.

This bad-actor has given us timeline to respond before all of adultfriendfinder.com customer databases will be up for sale on the internet underground aka darknet, black market. Preemptive and proactive actions by FFN can make the difference in protecting your clients PII (personal identification information), from fraudsters and identity thieves that buy PII data for exploit. Our operative was given a short window of opportunity to purchase all the data and vector point for exploit before it is listed on the underground darknet black markets. Should FFN, desire remediation consultation and the data set samples, and point of entry to begin the remediation process please contact us as soon as possible. Should you need any verification or validation of who we are and are niche market place feel free to contact me for references from law enforcement and other Fortune 100 clients. Please contact me at our office direct xxx-xxx-xxxx, or xxx-xxxxxxx mobile, or xxx-xxx-xxxx 24 hours.

From: CISO Darknet Group
Sent: Friday, May 22, 2015 6:53 AM
To: dballou@ffn.com; rbelous@ffn.com; schristian@ffn.com; tfox@ffn.com; jgallo@ffn.com; dstaton@ffn.com; sswaye@ffn.com; gyeh@ffn.com
Subject: RE: BREACH ALERT! URGENT!

I was just alerted that Adult Friend Finder Network have recently contacted law enforcement concerning your data breach. As you can see from the email below we tried to alert you 2 months ago. We still have access and profile of the badactor behind your breach as well as access to all the records compromised.

We can certainly assist should there be an acknowledgment of this alert this time.

Best Regards,

.

<https://teksecurityblog.com/is-this-why-adultfriendfinder-was-hacked/>



Is this why AdultFriendFinders was hacked?

May 23, 2015 By teksquisite [Leave a Comment](#)

Now you can go directly to Hell...(link removed 5/25/15 at 5:23 pm PDT time). Warning: They may attempt to hack you. Only visit their forum (on the Darknet) and use a VPN prior to firing up the TOR browser.

Gratis a commenter at this blog:

Re: Adult Friend Finder database

I just posted emails with Adult Friend Finder aka Friend Finder Networks aka Various Inc. at the following link:

<http://www.cryptomedia.com/FFN.pdf>

I am assuming that the sages have appointed the great ROR for this task. If ROR don't know, the beef is about more than just the stolen money. I hacked their most sensitive program, which is the KRONOS program (you can ask Assange about that one, maybe he will tell you). Every now and then an artwork is commissioned, as the mighty ROR has demonstrated his abilities in this regards, and such symbolic gestures are always appreciated. No doubt ROR knows about the legendary Eagle Soft Inc. and our founding fathers in the game. I rep Eagle Soft and Prowls Place from Corona, and with a firm mafia hand from Spaghetti Park we keep the wolves at bay.

Here is another email with me threatening to hack the Feds/State/Manhattan DA's office over the beef that involved the Friend Finder subpoena that triggered all this.

<http://www.cryptomedia.com/ManhattanDA.pdf>

Hopefully Friend Finder learns their lesson this time and stops trying to engage world domination assassination plots against Mafia Hacker Kingpins such as myself and my loyal hackers across the globe. Spaghetti Park runs the hacker scene from A to Z. Our mafia overlords keep the feds in check, paying homage to our leaders. We assassinate their government operatives if they get outa place, so they already know what time it is with Corona. We have nuclear and cold-fusion blueprints ready to go. Back to the drawing board for all wanna be corporations that think they know better than their daddies.

Update, May 23, 2015: 4:09 pm PDT: I am in contact with the individual that posted the above message in the Hell forums and have viewed the subpoena. I am unable to disclose any further information at this time.

Update, May 25, 2015: 5:39 pm PDT: Alex has been in contact with me again. He is not associated with the Hell forum nor does he know ROR[RG]. He was made aware of an AFF prescheduled hack (last February).

From: Diana Ballou <dballou@ffn.com>
Sent: Wednesday, July 02, 2014 2:51 PM
To: [REDACTED]
Cc: tdavidsonpro@gmail.com
Subject: RE: alt. com Subpoena

THE NY court has no jurisdiction over the company here in Florida.

Diana Lynn Ballou, Esq.
Vice President, Senior Counsel - Corporate Compliance & Litigation
FriendFinder Networks Inc.
PLEASE NOTE OUR ADDRESS HAS CHANGED AS OF 4/1/2014
1615 S. Congress Avenue, Suite 103
Delray Beach, Florida 33445
direct line (561) 912-7048
cellular (561) 212-5880
dballou@ffn.com

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From: [REDACTED]
Sent: Wednesday, July 02, 2014 2:44 PM
To: Diana Ballou
Cc: [REDACTED]
Subject: RE: alt. com Subpoena

Mrs. Ballou,

You hung up on me before I could clarify your statements. You stated that FFN was not served with the subpoena, but I served the New York subpoena on June 25th, 2014 at your registered agent at 1615 S. Congress Ave on June 25th. My question is whether you are also asking me to also serve the subpoena containing the judge's signature and seal of the Court? Since her signing off on the subpoena thereby constitutes an order to comply concerning a subpoena already previously served on FFN on June 25th, generally it is not required that the ORDER is also served via process server (only the subpoena).

Can you please advise how FFN would like me to serve the ORDER if you are requesting it be served? I just want to ensure that if document production is not made on time despite my willingness to comply with your requests (once you can clarify them), that I can thereby seek an order of contempt by the judge.

Thank you.

From: [REDACTED]
Sent: Tuesday, July 01, 2014 9:02 AM
To: 'dballou@ffn.com'
Cc: [REDACTED]
Subject: FW: alt. com Subpoena

Hello Mrs. Ballou,

As you already know, I re-served the Criminal Subpoena concerning ALT.com account 'masterb983' upon Alejandro Porras at your registered agent at 1615 S. Congress Ave on June 25th, 2014. Also, you may disregard the 2nd part of the request that refers to 12 paypal transactions, as I forgot to remove that from a previous subpoena served upon PayPal for a different account before I adapted it to FFN.

Yesterday, I appeared in New York Criminal Court before the Honorable Laurie Peterson, where she converted the subpoena to an Order to comply (attached, with her signature and seal of the court).

Can you please accept the order via email? Manual service would be a bit redundant at this time. Please advise as if you demand it I will head back to Delray and serve it again.

You are free to contact the Judge to confirm this is a valid order from the Court. Her contact information is:

The Honorable Laurie Peterson
Criminal Court of the City of New York
100 Centre Street, Room 405
New York, NY 10013
Tel. (646) 386-4563
Re: Docket No. 2013NY074192

Thank you for your assistance in this matter.

From: [REDACTED]
Sent: Wednesday, June 25, 2014 1:14 PM
To: 'Diana Ballou'
Cc: [REDACTED]
Subject: RE: alt. com Subpoena

Notice of Appeal has been filed in Case No. 14-60889-JAL (attached along with in forma pauperis application making mention of the information requested from FFN), so it will be reversed and remanded, although the subpoena from Florida is moot because I will serve your registered agent with the subpoena issued from the New York case.

From: Diana Ballou [<mailto:dballou@ffn.com>]
Sent: Wednesday, June 25, 2014 12:05 PM
To: [REDACTED]
Subject: RE: alt. com Subpoena

No I cannot and I have been informed that the case in Florida was dismissed this week.

Diana Lynn Ballou, Esq.
Vice President, Senior Counsel - Corporate Compliance & Litigation

FriendFinder Networks Inc.

PLEASE NOTE OUR ADDRESS HAS CHANGED AS OF 4/1/2014

1615 S. Congress Avenue, Suite 103

Delray Beach, Florida 33445

direct line (561) 912-7048

cellular (561) 212-5880

dballou@ffn.com

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From: [REDACTED]

Sent: Tuesday, June 24, 2014 6:36 PM

To: Diana Ballou

Subject: RE: alt. com Subpoena

Mrs. Ballou,

Attached is the subpoena issued from the New York Criminal Case served on the prosecutor today. Is it possible if you may accept service via email just this one time, as I am PRO SE on both cases and my funds are extremely limited. As you can see, the information requested in the New York subpoena duces tecum, is identical to the one previously served on you yesterday in the civil case from Florida. This subpoena from New York also cannot be quashed because it is issued from a criminal case rather than a civil case, so no matter what, the account holder will not be able to prevent your release of the info.

If you do accept service, you need not produce the information twice, just once to either my email or mailing address in Florida. Also, if you accept service this one time via email, I agree to stipulate it will be with the full understanding that you reserve your rights to request any future service be performed as per your normal procedures should I attempt to serve another subpoena for any additional information.

Thanks

[REDACTED]

From: Diana Ballou [<mailto:dballou@ffn.com>]

Sent: Monday, June 23, 2014 4:51 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: alt. com Subpoena

Serve any other subpoenas you have out of California- I will honor this subpoena to avoid duplicity.

I will send the documents on the day of return of service- in an effort to give the defendants ample time to object- it is customary that you first file a NOTICE of INTENT to serve subpoena before issuing the subpoena- to avoid this back and forth.

Diana Lynn Ballou, Esq.

Vice President, Senior Counsel - Corporate Compliance & Litigation

FriendFinder Networks Inc.

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dballou@ffn.com

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From: [REDACTED]
Sent: Monday, June 23, 2014 4:48 PM
To: Diana Ballou
Cc: [REDACTED]
Subject: RE: alt. com Subpoena

Notice of Service and Certificate of service, filed today (attached).

I am informed that the subpoena was served properly upon your local registered agent, and need not be served in California.

I will be issuing an additional summons for this information out of another criminal case, DKT. NO.:2013NY074192 (New York County Criminal Court) which is ongoing in New York, so there are several cases where this information is relevant, including criminal proceedings which are ongoing in New York. If you have any other questions, let me know.

[REDACTED]

From: Diana Ballou [<mailto:dballou@ffn.com>]
Sent: Monday, June 23, 2014 12:03 PM
To: [REDACTED]
Subject: alt. com Subpoena
Importance: High

Mr. [REDACTED] - prior to our sending our response we need to see a certificate of service or stipulation of agreement from the user to release the information.

The subpoena must also be served out of California/Santa Clara County.

Diana Lynn Ballou, Esq.
Vice President, Senior Counsel - Corporate Compliance & Litigation
FriendFinder Networks Inc.
PLEASE NOTE OUR ADDRESS HAS CHANGED AS OF 4/1/2014
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<https://www.alaraby.co.uk/english/features/2014/12/23/moroccan-wikileaks-rattles-rabat>



"Moroccan Wikileaks" rattles Rabat: Hundreds of Morocco's secret diplomatic cables have been released online

[Ignacio Cembrero](#) | December 23rd, 2014

The Moroccan government has been shaken by the publication of secret diplomatic cables apparently obtained by a hacker sympathetic to Sahrawi independence claims. The documents were released on a fake Twitter account under the name of the Welsh football manager. Over the last two months, Morocco has been reeling from its very own Wikileaks scandal. Confidential diplomatic cables have been published online through a fake Twitter account, the impact of which has not been publicly discussed by the government or political parties. However, the hacker has managed to create a state of political turmoil in what is reputedly the most stable country in North Africa. Since 2 October, an anonymous Twitter profile (@chris_coleman24) has been used to leak hundreds of diplomatic cables from the Direction Générale des Etudes et de la Documentation (DGED) – the equivalent of the US's Central Intelligence Agency (CIA). Some have been trivial, like private wedding pictures of Mbarka Bouaida, an official working at the Minister of Foreign Affairs. The account is named The Makhzen, the Moroccan Arabic term for the state, the elites around the king and sovereign institutions. Passing him or herself off as Chris Coleman, manager of Wales' national football team, the hacker initially released the information on Facebook. Facebook closed the account, but a Twitter account soon replaced it. The tweets contain links to documents published online on file sharing and storage sites such as Dropbox, Mediafire and 4Shared. These accounts have since been closed. "It's true that for the last few days, the state has increased its threats to discourage me," the hacker complained on Twitter, while promising to continue. The metadata accompanying the tweets suggests the hacker is based in Morocco, although Twitter may have been deceived about their location. In a rare comment "Chris Coleman", whose comments suggest a Sahrawi independence sympathizer, recently explained the aim is to "destabilise Morocco". The Sahrawi are a people in the Western part of the Sahara Desert which is under disputed Moroccan control. The Sahrawi independence struggle is led by the Polisario Front in what is known as the Western Sahara conflict.

International relations

The hacker's goal to destabilize Morocco seems a long way off. Still, the quality of material published online has rattled the Makhzen. It reveals a Moroccan state angry with Ban Ki-moon, the Secretary-General of the United Nations, and whose relations are equally strained with the US Department of State. Since May 2014, Morocco has refused to let the Canadian Kim Bolduc take up her post in Laayoune as head of the United Nations Mission for the Referendum in Western Sahara (Minurso). Laayoune is a city in the Moroccan-controlled part of the Western Sahara, and Minurso is the UN peacekeeping mission in Western Sahara tasked with monitoring

a ceasefire between Morocco and the Polisario Front amongst other things. Rabat has continually also tried to disrupt the work of US citizen Christopher Ross, who is Ban Ki-moon's personal envoy in the Sahara. Ross is a fastidious defender of human rights, who believes the solution to the conflict is to give Western Sahara its independence. However, according to the leaked documents, during his tenure as Moroccan ambassador to the UN in Geneva, Omar Hilale described Ross as a "clumsy, old, alcoholic", who was "unable to put on his coat by himself". The most significant revelation, however, is probably the secret verbal agreement between US President Barack Obama and Morocco's King Mohammed VI made at the White House in November 2013. The US agreed to stop asking the UN Security Council to broaden Minurso's mandate to include the monitoring of human rights, which they did in April 2014, in exchange for three concessions: first Morocco must stop trying civilians in military courts; secondly, it must help representatives from the UN High Commissioner for Human Rights visit the Sahara; lastly, it must legalize pro-independence Sahrawi associations such as the Collective of Sahrawi Human Rights Defenders (Codesa). It has not yet fulfilled the third condition. The leaks also show the DGED and its collaborators paid journalists as well as think tanks in France, the US and Italy, to write analysis that supports Morocco's position in the Western Sahara conflict. The DGED has also been using intermediaries to court the Jewish lobby in the US, hoping they will persuade the US administration to sympathize with Morocco's position over the Western Sahara. In addition, in 2011 and 2012, possibly longer, Israel and Morocco were engaged in political dialogue. The cables also reveal Morocco views the world through the looking glass of the Sahara, or what Moroccan diplomats refer to as the "national question". This issue is seen everywhere, in meetings with the European Union Association Council, in ministerial visits to Europe, and in relations with countries as far away as Paraguay.

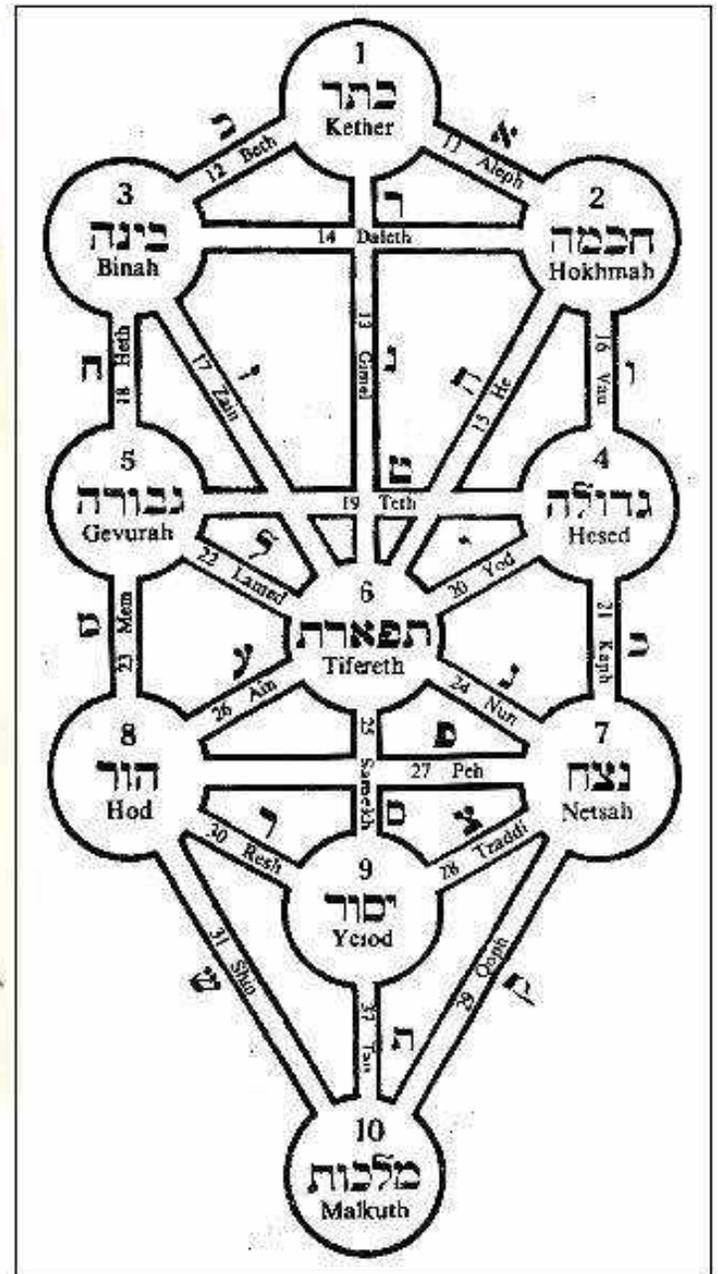
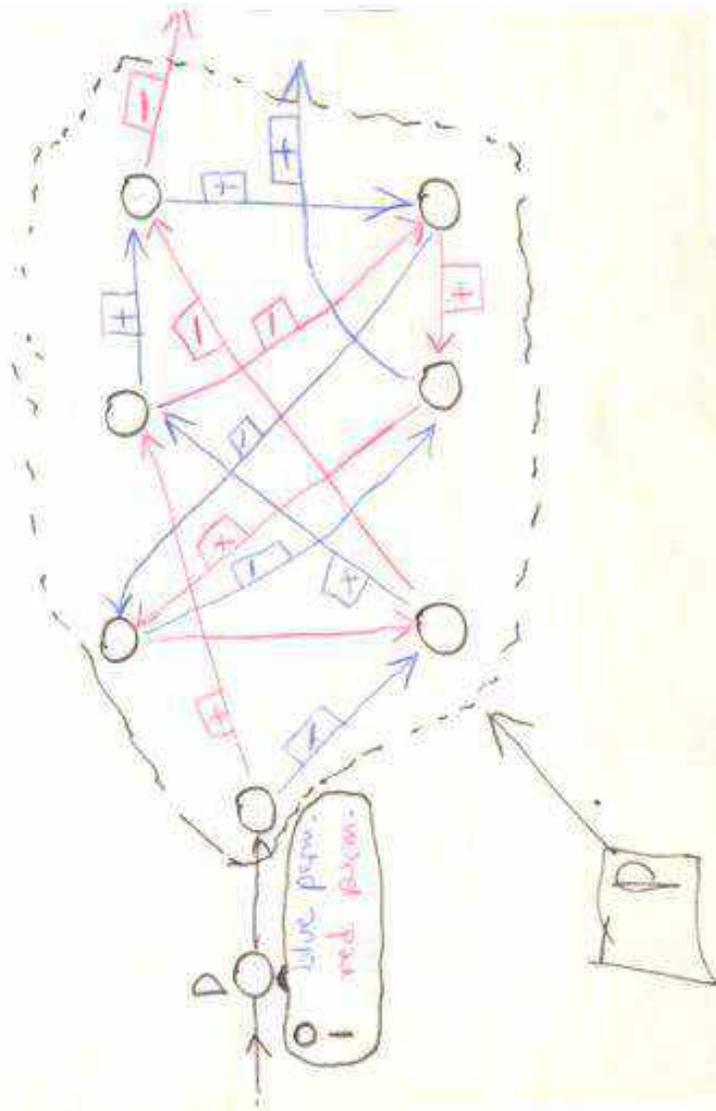
Public accountability

In recent weeks, the leaks have dominated conversation in Rabat: in parliament, in cafes visited by high-level civil servants, and at diplomatic functions. However, the government has not issued a public explanation. There has been no comment on how the information was leaked, the inquiry into the issue that is reportedly underway, or the potential political impact. The opposition has also failed to question those in power over the issue. The media has also glossed over the issue, typically viewing the hacker as pro-Polisario supporter who is acting with Algeria's [support](#) [Fr]. Algeria has been supporting the Polisario Front since 1975. Discussing the leaks at the senate over two months after they were first published, the Minister of Foreign Affairs Salaheddine Mezouar echoed the words of government spokesperson Mustapha El-Khalifi, when he said: "It is an angry campaign orchestrated by adversaries, [who are] trying to harm Morocco, its image and its power." The government and political class have adopted an ostrich-like policy that either does not want to or does not dare to discuss the leaks. This contrasts with the American reaction after Wikileaks released US government secrets in 2010. The US government opened a public inquiry in 2010, and announced how the leaks would impact on its foreign policy and international image.

This article is an [edited translation](#) of the original which appeared in OrientXXI.

On the topic of advanced encryption models:

Below is a side by side comparison of the “encryption machine” sketch provided by John Nash to the United States Military (left), and a picture of the Jewish “Tree of Life” diagram (right) which is the actual source of Mr. Nash’s idea (although he did not explain where he got it from in his letters). [redacted] immediately noticed that Mr. Nash tried to plagiarize this ancient jewish model without properly citing it as the source for his own idea. [redacted]’s own study on advanced encryption and game theory draws heavily from the ancient models secretly encoded into the Abrahamic religions.



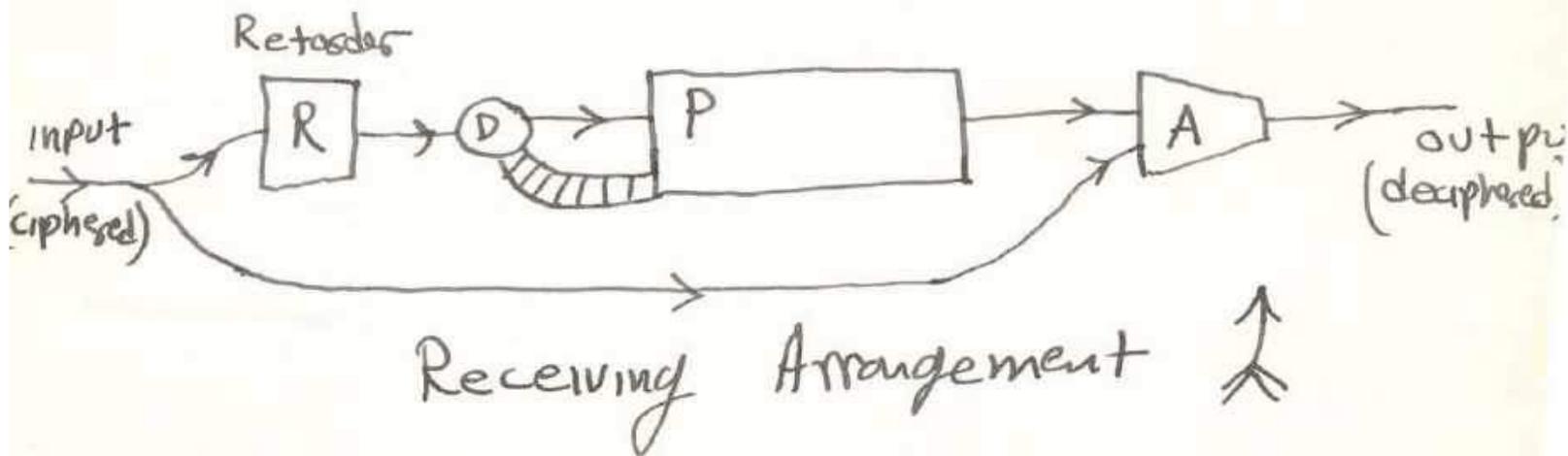
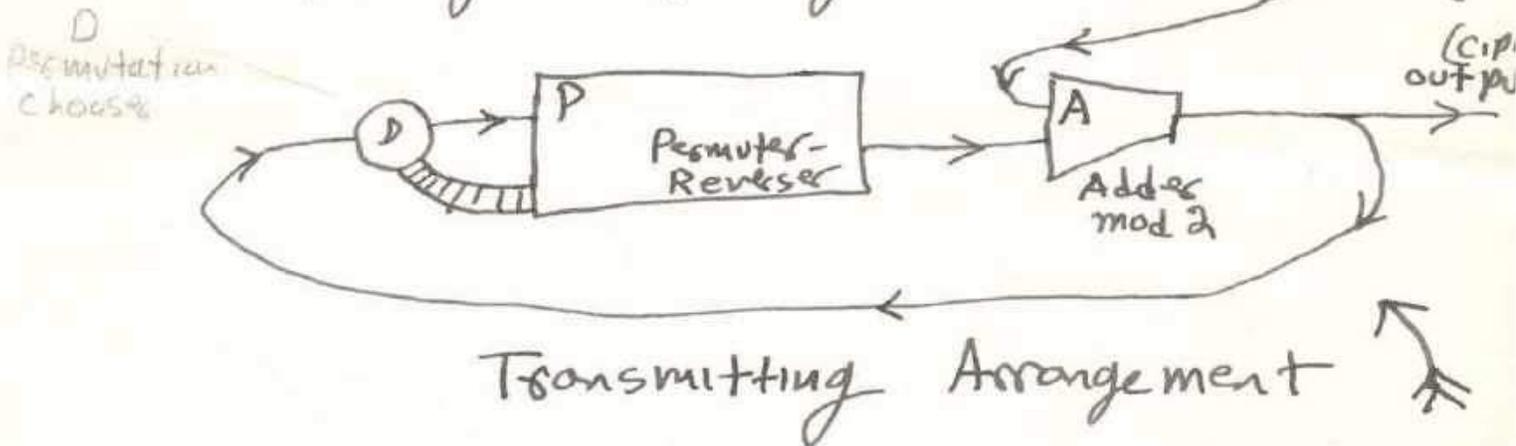
MASSACHUSETTS INSTITUTE OF TECHNOLOGY
CAMBRIDGE 39, MASS.

DEPARTMENT OF MATHEMATICS

E.M. Gibson, Lt. Col., AGC, Asst. Adj. Gen.

Dear Sir:

Here is a description of my enciphering-deciphering machine.



In the receiving arrangement the same components are used except for the addition of the retarder, which is a one-unit delay. The messages are to be sequences of binary digits (numbers mod 2). The machines work on a cycling basis, performing certain operations

During each cycle the adder, A , takes in two digits and adds them and sends on the sum obtained from the previous addition. The delay in this addition necessitates the retarder, R , in the receiving circuit.

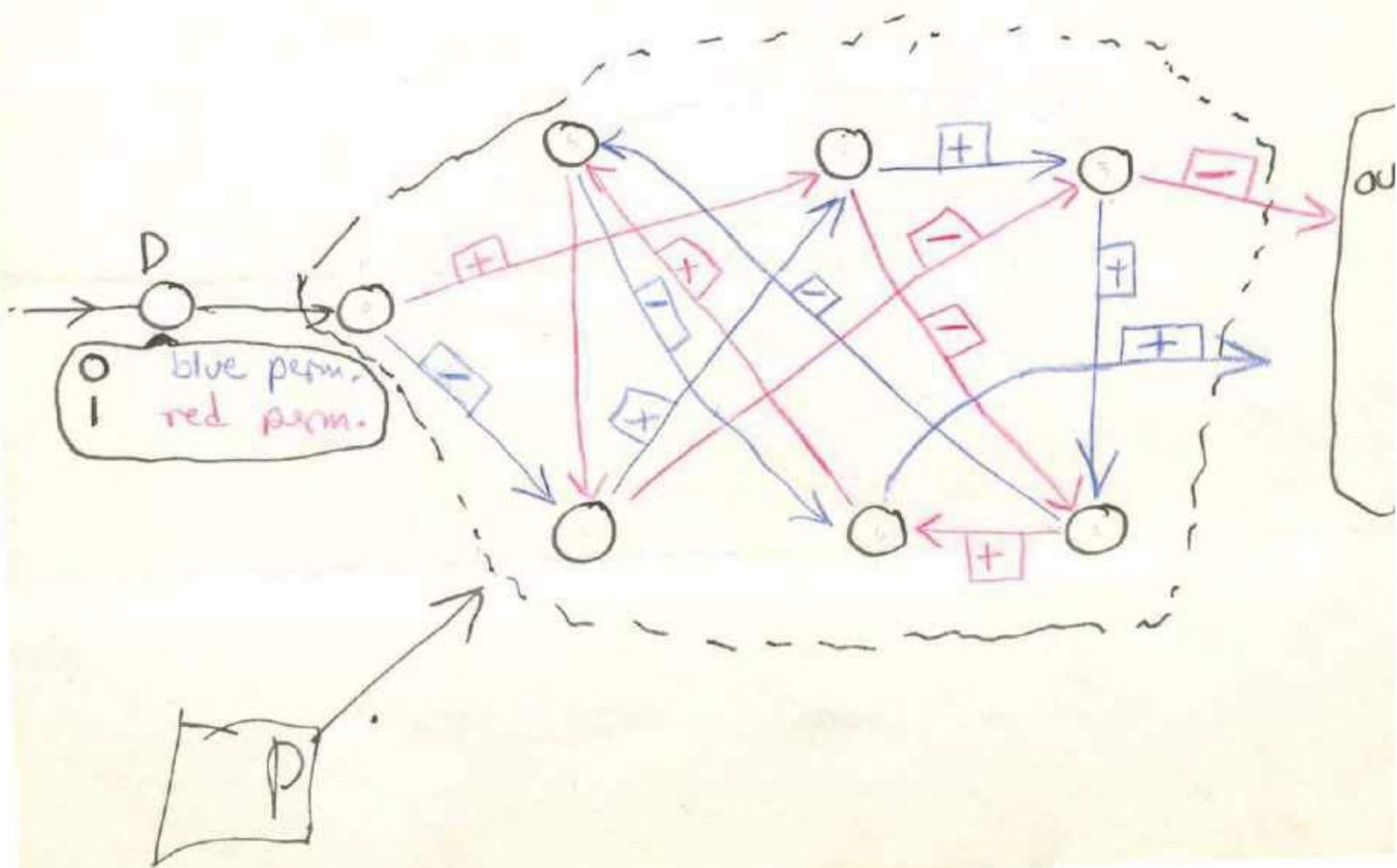
The permuter will be described in more detail below. It takes in a digit from D during each cycle and also puts out a number. What it does, which is the choice between two permutations is determined by what digit (1 or 0) is in D at the time. The permuter always has a ~~number~~ number of digits remembered within it. Each cycle it shuffles them around, changing some 1's to zeros, sends one digit on, and takes in a digit from D .

In operation the input of the receiver is the output of the transmitter. So the input to R is the same as the input to D in the transmitter. Hence the output of P in the receiver is the same as the output of P in the transmitter, except for a one-unit lag.

(3)

So the adder A in the receiver gets: (1) the out-put of A in the transmitter, and (2) the previous input from $P_{(trans.)}$ to $A_{(trans.)}$. Now since binary addition is the same as binary subtraction (i.e. $t + t - mod 2$ are the same) the output of $A_{(receiver)}$ will be the previous input to $A_{(trans.)}$ from the input to the transmitter, i.e., it will be the clear or unciphered message.

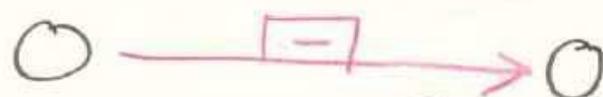
The permutes, P , and "decider", D , work as follows, illustrated by example:



The circles represent places where a digit can be stored. During each cycle either the red permutation of digits or the blue takes place. This is decided by the digit in D at the beginning of the cycle. The D digit moves to the first ~~circle~~ circle or storage place in P during the cycle after it has determined the choice of the permutation.

Both permutations should cycle through all the places in P , so that a digit would be carried ~~set~~ through all of them and out under its action alone.

In addition to moving digits around the permutations can change ~~or~~ 1's to 0's and v.v. For example



represents a shift of the digit in the left circle to the right with this change

$$\boxed{-} \quad \begin{array}{l} 1 \rightarrow 0 \\ 0 \rightarrow 1 \end{array}$$

$$\left(\text{For } \boxed{+} \quad \begin{array}{l} 1 \rightarrow 1 \\ 0 \rightarrow 0 \end{array} \right)$$

The key for the enciphering machine is the choice of the permutations. If there are n storage points in P , not counting the first one, which receives the digit from D , then there are

$[n! 2^{n+1}]^2$ possible keys.

I guess I can rely on your people to check on the possession of this machine of the various properties I claimed for it in a previous letter. I hope the correspondence I have sent in receives careful attention from the most qualified people, because I think the basic points involved are very important.

Sincerely,

John Nash

Assist. Prof. Math.

P.S. Various devices could be added to the machine, but I think it would generally be better to enlarge the permutation than to add anything. Of course error ~~correcting~~ coding could occasionally be a useful adjunct.

could occasionally be a useful adjunct.

Serial:

1358

3 MAR 1955

Mr. John Nash
Department of Mathematics
Massachusetts Institute of Technology
Cambridge 39, Massachusetts

Dear Mr. Nash:

Reference is made to your letter received in this Agency on 17 February 1955.

The system which you describe has been very carefully examined for possible application to military and other government use. It has been found that the cryptographic principles involved in your system, although ingenious, do not meet the necessary security requirements for official application.

Unfortunately it is impossible to discuss any details in this letter. Perhaps in the future another opportunity will arise for discussion of your ideas on the subject of cryptography.

Although your system cannot be adopted, its presentation for appraisal and your generosity in offering it for official use are very much appreciated.

It is regretted that a more favorable reply cannot be given.

Sincerely,

E. M. Gibson
Lt. Col., AGC
Assistant Ad]. Gen.

cc: AG
C/S
COMSEC (3)
412

(M/R ATTACHED)

C/Sec 2-2
13

M/R: In Jan 55 Mr. Nash offered general remarks on cryptography and requested evaluation of descriptive material which he had forwarded through Rand Corp. The material was not received from Rand Corp. Dr. Campaigne received a letter from Mr. Nash inclosing a copy of the letter (5 Apr 54) from Rand which transmitted this material to NSA. This material was found in R/D files. In the meantime Mr. Nash sent a handwritten description of his enciphering-deciphering machine.

Mr. Nash proposes a permuting cipher-text auto-key principle which has many of the desirable features of a good auto-key system; but it affords only limited security, and requires a comparatively large amount of equipment. The principle would not be used alone in its present form and suitable modification or extension is considered unlikely, unless it could be used in conjunction with other good auto-key principles.

This correspondence informs Mr. Nash that his system does not meet necessary security requirements; and expresses pleasure at the thought of an opportunity to discuss Mr. Nash's ideas on cryptography again. Such a discussion took place in 1950 when Mr. Nash submitted material, in interview, which was evaluated by NSA as unsuitable.

An interesting pamphlet on Non-Cooperative Games, written by Mr. Nash was also sent to this Agency by the author for our information.

Dr. Campaigne has been informed that the reply has been written and is not interested in further coordination.

M.A. Lyons
MALyons, 4128/60372/rwb

alex@cryptomedia.org

From: John Young <jya@pipeline.com>
Sent: Tuesday, May 26, 2015 7:09 AM
To: alex@cryptomedia.org
Subject: Re: John Nash Letters

Most interesting. Crypto is indeed filled with coincidences, plagiarisms, cheats, magical thinking, blind faith, eureka's, accusations of perfidy, oaths of trustworthiness.

You read the Army's polite dismissal of Nash's proposal. Repeatedly after Nash's persistent suggesting the Army was an idiot. Pot calling kettle black is always amusing.

If all crypto products and inventions were dismissed as idiocy it would suffer the fate of astrology. Although scientific comsec idiocy is beloved by secretkeepers and therefore lucrative.

But then the same is true of economics, so Nash was rewarded fulsomely for aiding flummoxing consumers.

Some wizards say philosophy and math were invented to do just that for idiotic magical blind faith religions.

At 03:14 AM 5/26/2015, you wrote:

Dear John,

Concerning the John Nash letters you published at:

<http://cryptome.org/2015/05/nash-letters.pdf>

If you look at page 14 of the Nash letter, you will find a diagram for an 'encryption machine'

I have attached an image of where Mr. Nash got his idea (presented alongside the Nash sketch):

www.cryptomedia.com/nash.jpg

As you can see, it is nearly identical except Nash was off because he did not understand where his 'vision' for this encryption scheme came from.

In actuality, the Jews discovered a PvNP encryption machine (Google PvNP) left here by g-d (over 2000 years ago) and codified it into their Kabbalah science. I have already cracked how it works and used it to decrypt the Muqatta'at (which is a code in the Quran). All it is, is a math formula which represents a 'master-key' for all RSA encryption because prime numbers IS NOT the best way to encrypt information (which thereby proves that master keys exist for all encryption schemes and they are all similarly flawed and movement to quantum encryption is the only remaining option before even that degrades in capability as processor speed and storage space continues to increase exponentially).

Since at least the 1980's, there is a branch of our government [REDACTED], which is that useful forms of encryption are only possible on quantum systems. Even in those systems it is still permanently flawed because the entire premise behind encryption is theoretical and not possible. Encryption as we knew it no longer exists, although everyone but a small fraction of people worldwide even know it.

I already cracked the PvNP math dilemma after [REDACTED]

Anyway, just look at the side-by-side comparison, and if you have any questions I can further elaborate (but you need to have at least some mathematical knowledge up to the level of calculus, as well as at least a college level proficiency with physics and a firm understanding of Einstein's theory of relativity).

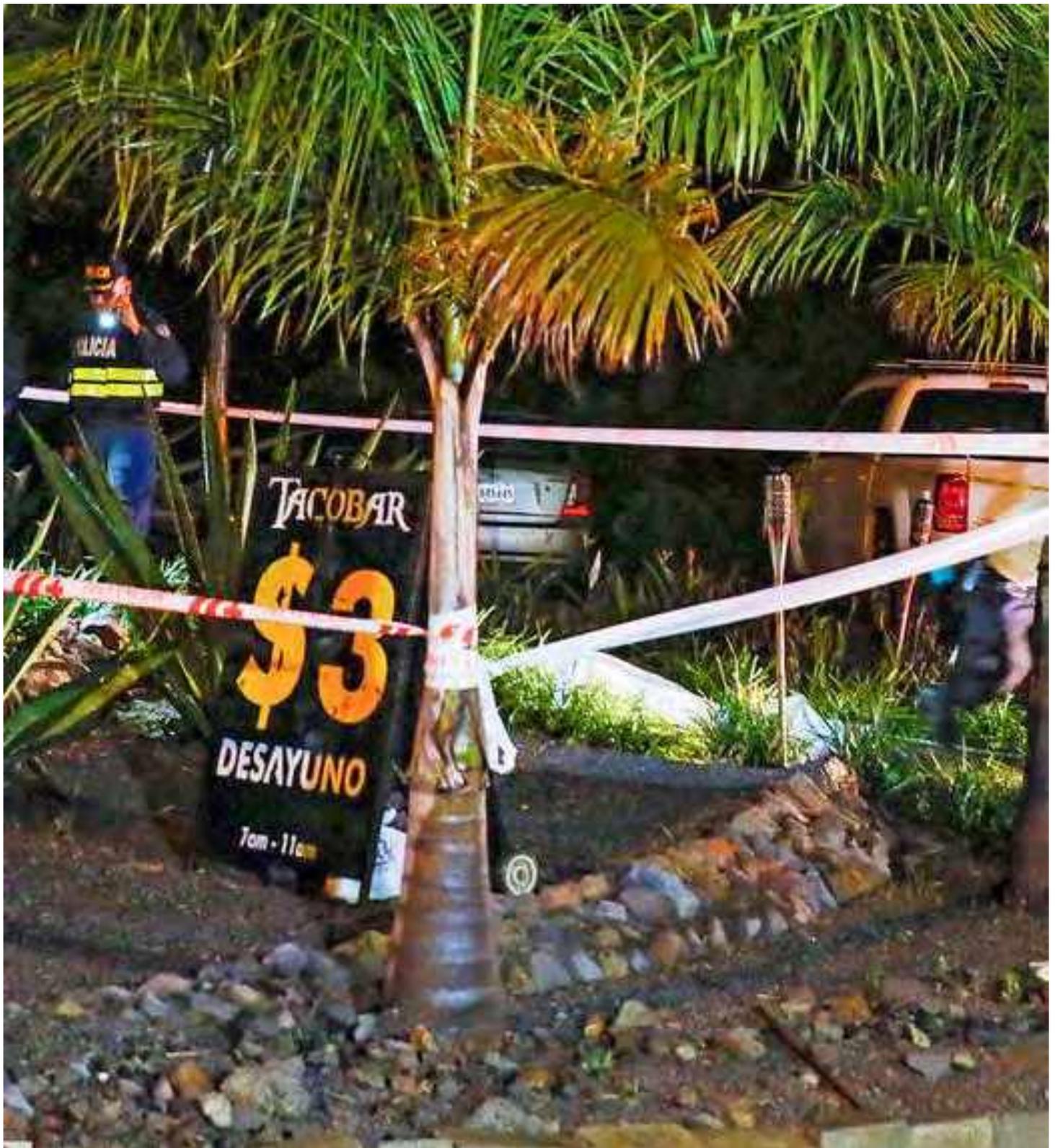
The good news? There is life after death. The bad news? Competition for a spot in heaven is fierce, as there are only a limited number of spots, so what makes a person that 1 out of a 1000 that gets in? The answer to that is more interesting that you can ever imagine.

Y

<http://qcostarica.com/costa-ricas-wave-of-homicides-has-become-pandemic/>

Costa Rica's Wave Of Homicides Has Become Pandemic

By Rico - 23 September 2015



Man [Max Alejandro Madrigal Calvo] linked to organized crime is shot at least 8 times outside a bar in Santa Ana Monday night. Photo Mayela Lopez, La Nacion

QCOSTARICA – Every morning this week so far we learned of shootings, multi-murders and setting of scores. The same was last week. And the week before that. And so on.

On Monday alone three murders, in different parts of the Greater Metropolitan Area of San Jose were recorded in less than 12 hours: Ipis, Guadalupe and Santa Ana.

In the morning a 27 year-old man was gunned down in Ipis de Guadalupe. Andres Mora Obando, was shot at least 10 times inside a taxi, leading investigator to believe the assassins were travelling with him. The OIJ says Mora had a long criminal history and had been recently released from prison.

In the afternoon, Michael Gamboa Avila, 30 years of age, was approached by two motorcyclists, shooting him several times in the head. The shooting occurred in Hatillo. This case is unusual, the OIJ says, because the victim did not have a criminal history.

In the early evening, Max Alejandro Madrigal Calvo, 44 years old, was shot at least eight times in Santa Ana by two men on a motorcycle. According to the OIJ, Madrigal had a long history of selling drugs and profiled as being tied to organized crime.

Madrigal was in the Taco Bar, across from the Masxmenos, on the main road into Santa Ana from Belen, when he got a call: he was shot when he went outside to answer it.

This morning (Wednesday) we learn of yet more murders, like the case of the shootout Tuesday night in Cartago where 19 year-old Rolando Serrano Araya, was shot twice at point-blank range, his companion took one in the jaw, but survived, in stable condition at the Max Peralta Hospital.

Once again, motorcyclists figured in the shooting.

The wave of violence linked to a war between rival gangs in the drug trade in Costa Rica is considered pandemic. According to data from the Organismo de Investigación Judicial (OIJ), so far this year there have been 163 murders.

The World Health Organization (WHO) considers pandemic when the number of murders recorded are higher than 10 per 100,000 inhabitants.

“This year we’re surpassing the rate considered pandemic,” said Luis Avila, acting deputy director of the OIJ.

The OIJ reports that in August alone they investigated 77 murders, the majority relating to retaliations between rival narco gangs operating in areas like Alajuelita, Tibas, Desamparados and San Jose, areas having the highest concentration of crimes.

Revenge for theft of money, drug shipments and snitching to police are top motivations for the violent crimes that have seen gunmen shoot their victims up to ten times.

Avila says that being involved in the drug trade results one of two things: jail or death.

http://www.diarioextra.com/Noticia/detalle/270944/acuestan-a-4ta-victima-de-lío-de-capos



Acuestan a 4ta. víctima de lío de capos

Drogas desangran Santa Ana

PERIODISTA: Manuel Estrada | EMAIL: mestrada@diarioextra.com | Miércoles 23 Septiembre, 2015 12:00 AM

Un hombre identificado por las autoridades como Max Alejandro Madrigal Calvo, de 44 años, se convirtió en la cuarta víctima de los sicarios que se desplazan en motocicleta y están saldando cuentas en el cantón josefino de Santa Ana. Al parecer la víctima llegó junto a otro hombre a Taco Bar, en Lindora, en un lujoso vehículo Volkswagen Amarok, donde al parecer degustaron algunas bebidas y minutos después su acompañante se marchó. De pronto recibió una llamada que lo sacó de donde estaba cenando la noche del lunes y no había terminado su conversación cuando llegó una motocicleta con dos sujetos que sin mediar palabra accionaron un arma calibre 9 mm y le pegaron 16 tiros. Los proyectiles se alojaron en la cara (2), debajo de la axila derecha (1), glúteo izquierdo (1), pierna derecha y pierna izquierda (1 en cada una), tórax (5) y lado derecho de la espalda (5), lo que le provocó la muerte de forma inmediata. Según los testigos, los gatilleros huyeron rumbo a San Antonio de Belén por la radial, mientras que el cuerpo quedó boca abajo y la sangre empezaba a recorrer lentamente y como testigo el carro blanco que tenía placas pertenecientes a otro valorado en al menos \$30 mil (€16 millones). Luis Ávila, subdirector interino del Organismo de Investigación Judicial (OIJ), manifestó que el fallecido contaba con amplio expediente por drogas. “Tenía por infracción a la Ley de Psicotrópicos, tenencia y venta de drogas. Estamos investigando si la víctima está vinculada con el tráfico de drogas o si tenía alguna deuda. Las averiguaciones apenas empiezan, no estamos descartando nada para intentar conocer si las últimas muertes en la zona tienen relación o no”, detalló.

MUERTOS SE APILAN

Ávila aseguró que la sección de Homicidios de San José investiga 163 casos de 171 personas ejecutadas en lo que llevamos de 2015. Para las autoridades es de tomar en cuenta que los gatilleros se trasladan en motocicleta, en la mayoría de los casos son montañeras y portan cascos de protección para no ser identificados, incluso se sabe que una segunda moto también interviene. Trascendió de forma extraoficial que existe una lista negra de los santaneños que mantienen alguna deuda narco, que si no cancelan serán ejecutados de la misma manera que estas cuatro víctimas, y que aún faltan al menos otras cuatro. Vecinos de Santa Ana están nerviosos por la ola de crímenes que azota al cantón, donde en el último año han matado -contando a Madrigal- cuatro hombres que la policía vincula con posible ajuste de cuentas por drogas. Fuentes policiales no descartan que las muertes de Lennin Aguiluz, José Antonio Villalobos Delgado, “Pollo Triste” de 27 años y un joven conocido como McArthur tengan relación con un clan radicado en Piedades.

CAPITAL SANGRIENTA

No solo en Santa Ana se está derramando sangre, en el sur de San José siguen las disputas por plazas narco que han dejado otros sujetos que han muerto o permanecen en prisión, tal es el caso más reciente ubicado en Barrio Cuba. Ayer a la 1:15 a.m. ingresó a la Clínica Solón Núñez de Hatillo un hombre de apellido Mejía y 37 años con al menos dos disparos mientras se encontraba en la vía pública. Al parecer los proyectiles le llegaron de un carro que se detuvo muy cerca de donde estaba y sin mediar palabra los pistoleros lo impactaron en la espalda, por lo que enviaron a Mejía a la sala de shock del Hospital San Juan de Dios, donde permanece delicado.

<http://www.diarioextra.com/Noticia/detalle/270944/acuestan-a-4ta-victima-de-lio-de-capos>



- GOOGLE TRANSLATED TO ENGLISH

They lie down to 4th. victim of mess of capos Drugs bleed Santa Ana

JOURNALIST: Manuel Estrada | EMAIL: mestrada@diarioextra.com | Wednesday 23 September, 2015 12:00 AM

A man identified by the authorities as Max Alejandro Madrigal Calvo, 44, became the fourth victim of the hit men who travel by motorcycle and are paying off accounts in the Josefino canton of Santa Ana. The victim apparently arrived next to another man to Taco Bar, in Lindora, in a luxurious Volkswagen Amarok vehicle, where they apparently tasted some drinks and minutes later his companion left. Suddenly he received a call that took him from where he was having dinner on Monday night and had not finished his conversation when a motorcycle arrived with two people who without saying a word triggered a 9mm caliber weapon and they hit him 16 shots. The projectiles were lodged in the face (2), under the right armpit (1), left gluteus (1), right leg and left leg (1 in each), thorax (5) and right side of the back (5), which caused his death immediately. According to the witnesses, the gunmen fled towards San Antonio de Belén on the radial, while the body was lying face down and the blood began to run slowly and as a witness the white car had plates belonging to another valued at least \$ 30 thousand (¢ 16 million). Luis Ávila, acting deputy director of the Judicial Investigation Agency (OIJ), said that the deceased had a large drug file. "He was in violation of the Psychotropic Law, possession and sale of drugs. We are investigating if the victim is linked to drug trafficking or if he had any debt. The inquiries are just beginning, we are not ruling anything to try to know if the latest deaths in the area are related or not," he said.

DEADS STACK

Ávila said that the Homicide section of San José is investigating 163 cases of 171 people executed so far in 2015. For the authorities it is to take into account that the gunmen are transported by motorcycle, in most cases they are mountaineers and carry helmets of protection not to be identified, it is even known that a second motorcycle also intervenes. It transpired unofficially that there is a blacklist of Santaneños who maintain some narco debt, that if they do not cancel they will be executed in the same way as these four victims, and that there are still at least four more. Neighbors of Santa Ana are nervous about the wave of crimes that plague the canton, where in the last year they have killed - with Madrigal - four men that the police link with possible accounts for drugs. Police sources do not rule out that the deaths of Lennin Aguiluz, Jose Antonio Villalobos Delgado, "Pollo Triste" of 27 years and a young man known as McArthur have a relationship with a clan based in Piedades.

BLOODY CAPITAL

Not only in Santa Ana is blood shed, in the south of San José continue the disputes for drug trafficking places that have left other subjects who have died or remain in prison, such is the most recent case located in Barrio Cuba. Yesterday at 1:15 a.m. A man named Mejía and 37 years old with at least two shots while on public roads entered the Solón Núñez de Hatillo Clinic. Apparently the projectiles came from a car that stopped very close to where he was and without a word the gunmen hit him in the back, so they sent Mejía to the shock room of the San Juan de Dios Hospital, where he remains delicate. .



El cuerpo de Madrigal quedó boca abajo tras recibir 16 disparos mientras cenaba en un local ubicado en Lindora, Santa Ana

Madrigal's body was face down after receiving 16 shots while dining at a place located in Lindora, Santa Ana



Las autoridades inspeccionaron el lujoso auto que conducía la víctima, que estacionó a un lado de Taco Bar

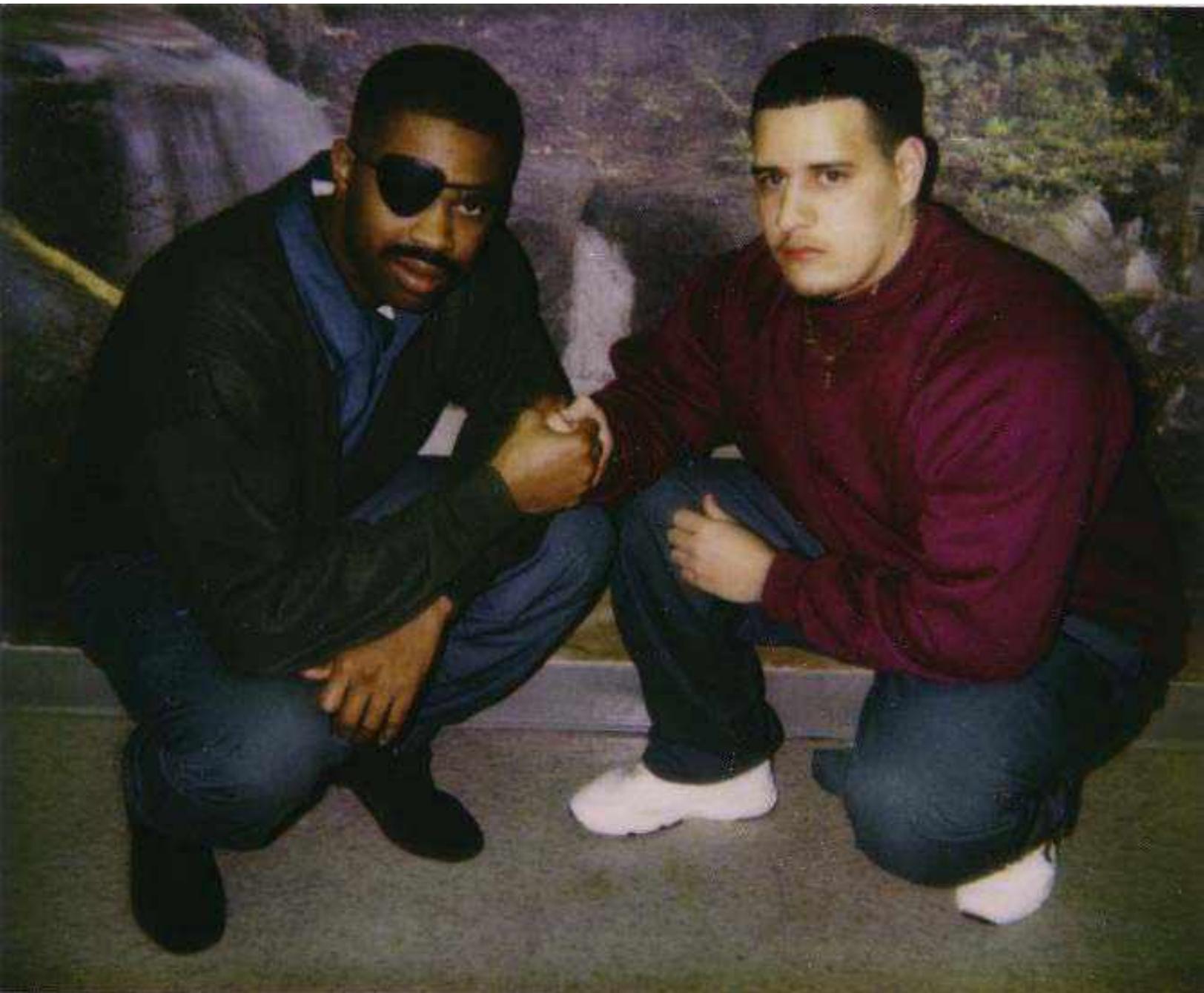
The authorities inspected the luxury car that the victim was driving, which he parked next to Taco Bar



La policía cercó la escena del crimen en busca de evidencia que ayude a dar con los pistoleros que viajaban en motocicleta

The police surrounded the scene of the crime in search of evidence that helps to identify the gunmen who traveled in motorcycle

RAPPER SLICK RICK (Right) AND MAX MADRIGAL (Left)



EVIDENCE

USA v. Max Alejandro Madrigal et al.

Southern District of New York Case No. 98-cr-100

IDENTIFICATION

Name Aybar
 Address _____
 Phone _____
 Bus. Add. _____
 Bus. Phone _____
 In Emergency Notify _____
 Doctor _____
 Blood Type _____ Allergies _____

NAME, ADDRESS	MADE IN TAIWAN	PHONE
MARISO	1917-	505-7473
WILSON		875-0444
AZALIA	1917	235-3904
JUAN (CAYLOS)	(017)	477-0218
UBIC PHA	(917)	835-0688
C. ALLEN		424-0345
WILLIAM	1917-	935-6678
LUIS	1212-	544-8020
MANUEL	548-	1125

NAME, ADDRESS	PHONE
GENE	917-941-4001 803-9531
JOSE LUIS	591-1979
WIKO (158)	6321-0433
FRANK	805-3758
LARRY	1917-691-2104

NAME, ADDRESS	PHONE
REDACTED	624-1802
BRIAN	
MARIC	35-3000
0118935	625-981

IDENTIFICATION	ADDRESSES	A
Name	NAME <u>Ali</u>	
Residence	ADDRESS <u>917-867-2519</u>	
City	PHONE	
Phone		
Bus Add		
City	NAME <u>Sandra</u>	
Phone	ADDRESS	
Blond Type	PHONE <u>916-6321</u>	
In case of accident or illness, notify		
Name	NAME <u>Anna</u>	
Street	ADDRESS	
City	PHONE <u>917-505-3567</u>	
Phone		
Insurance Agent		
Phone		
Car License No.	NAME	
Driver's License No.	ADDRESS	
Social Security No.	PHONE	
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B	ADDRESSES	ADDRESSES	C
NAME <u>Juanita</u>	NAME	NAME	
ADDRESS	ADDRESS	ADDRESS	
PHONE <u>1417-766-2199</u>	PHONE	PHONE	
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NAME ADDRESS PHONE	6918	NAME ADDRESS PHONE	Leo, wait boy (917) 759-7272
NAME ADDRESS PHONE		NAME ADDRESS PHONE	413 Noe (212) 719-1131 (917) 990-4105

N	ADDRESSES	ADDRESSES	O
NAME ADDRESS PHONE		NAME ADDRESS PHONE	508 5191 5113 OFF
NAME ADDRESS PHONE	(917) 852-4401 ANTONIO 005	NAME ADDRESS PHONE	4901h 242-867
NAME ADDRESS PHONE		NAME ADDRESS PHONE	(917) 242-242

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			(919) 333-2587
NAME	ADDRESS	NAME	ADDRESS
PHONE		PHONE	
NAME	ADDRESS	NAME	ADDRESS
PHONE		PHONE	

J ADDRESSES		ADDRESSES K	
NAME	ADDRESS	NAME	ADDRESS
PHONE	Steyn-L.C.	PHONE	Shorty
	441-1306		507-4235
			718
NAME	ADDRESS	NAME	ADDRESS
PHONE		PHONE	(917)
			835-7090
NAME	ADDRESS	NAME	ADDRESS
PHONE	Jowey	PHONE	
	(917)		
	786-0418		
NAME	ADDRESS	NAME	ADDRESS
PHONE	699-2160	PHONE	

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PHONE 710 5143			ADDRESS 787-5437
			PHONE 787-5437
NAME 205-5842	ADDRESS 1917 Hela (TIA)	PHONE 219-5316	NAME TUTO
			ADDRESS 917-942-1486
			PHONE FAROO
NAME Antony 1653	ADDRESS C/O 759-7277 Corona	PHONE 1917 782-4544	NAME TUTO
	Wait Boy	1917 701-0327	ADDRESS 1
			PHONE 1917
NAME VAIT - Panna	ADDRESS 917 966-9701	PHONE 969-1723	NAME TUTO
			ADDRESS 917
			PHONE 505-3857
			PHONE (917) 245-5782

R ADDRESSES		ADDRESSES S	
NAME Ciego	ADDRESS 1117 486 2466 03	PHONE Quik a 422-0228	NAME Boerio 29*boy
			ADDRESS (917) 994-0874
			PHONE (718) 545-8139
NAME Deno	ADDRESS 417-858-3905	PHONE 3434 Knox Pl	NAME DINO
			ADDRESS (917) 769-6217
			PHONE (917) 927-3295
			PHONE (212) 666-3021
			BRONX RIVER PKWAY
NAME Syko	ADDRESS 1917-393-7107	PHONE 3434 Knox Pl	NAME Mick
			ADDRESS Fuga
			PHONE (917) 982-0455
NAME Jimmy	ADDRESS (917)	PHONE 395-0648	NAME VINNY
			ADDRESS (718) 397-9360
			PHONE (917) 962-1332

T	ADDRESSES	ADDRESSES	U
NAME	Brazilenio <u>Quino</u>	NAME	Quino
ADDRESS	(510) 226-1587 Casa	ADDRESS	
PHONE	(917) 615-9051 Beeper	PHONE	(917) 393-0786
	Carlos Colombia		Colombia
	1988-661-3633 #33-X		0157/2373297
NAME	Gio (43) NOC	NAME	Cesar <u>old school</u>
ADDRESS		ADDRESS	
PHONE	(917) 233-0274	PHONE	(917) 792-1054
NAME	fam-fresh	NAME	Fat gorge Colombia
ADDRESS		ADDRESS	
PHONE	(917) 998-6552	PHONE	(917) 925-1425
	(718) 638-8729 CD		
	(718) 85717525-NEW		
NAME	Alfredo	NAME	gorge <u>Fat</u>
ADDRESS		ADDRESS	
PHONE	(718) 459-5371	PHONE	(917) 699-4629 *82
	(917) 872-8515		(917) 393-9877 #57 AT-A-GLANCE

V	ADDRESSES	ADDRESSES	W
NAME	Ever	NAME	Lucho
ADDRESS		ADDRESS	
PHONE	(917) 672-8910	PHONE	(917) 281-8398
NAME	LEO TNS	NAME	LARRY
ADDRESS		ADDRESS	
PHONE	(718) 896-4950	PHONE	(718) 699-9116
			(917) 759-2861
NAME	fansi (43)	NAME	Mark -TNS
ADDRESS		ADDRESS	
PHONE	(917) 781-9578	PHONE	(718) 456-8209 #357
			(917) 223-9668
NAME	A.B.	NAME	COLO
ADDRESS		ADDRESS	
PHONE	(917) 893-3795	PHONE	(718) 263-7612
	#55		(917) 872-2543 AT-A-GLANCE
			1988-986-9103

ADDRESSES		ADDRESSES	
NAME: C. RO D.C. ADDRESS: PHONE: (212) 929-7795 (212) 942-1556 (917) 898-5239 #39 (917) 788-4896	NAME: hella ADDRESS: PHONE: (917) 758-6222 (718) 779-5738		
NAME: Omar 43 ADDRESS: I see home 610 461-2033 PHONE: (917) 844-2858 I see A (917) 646-3835	NAME: Mick <u>43 old school</u> ADDRESS: <u>Black</u> PHONE: (917) 246-0892		
NAME: Mack Colombia ADDRESS: PHONE: (917) 879-1608 (917) Julian 949 (917) 491-2213 7821 (917) 491-2213 7821 (Jimmy)	NAME: Juanchito ADDRESS: PHONE: (212) 281-6890 (917) 782-9336		
NAME: Jimmy (917) 490-1194 (917) 490-1194 (917) 774-1181 George 401-0462 PHONE: Hory (917) 919-7656 Jimmy (917) 393-2781	NAME: Apachi ADDRESS: PHONE: (718) 397-5933 (917) 245-7593 AT-A-GLANCE		

Z ADDRESSES	
NAME: Kuppi ADDRESS: PHONE: (917) 252-2635	
NAME: kenny ADDRESS: (917) 219-3443 PHONE: (718) 291-3784 (917) 879-1608	
 0 38576 08460 5	

MARJORIE E. MALONE MUGSHOT
BROWARD SHERIFF'S OFFICE



NARRATIVE CONTINUATION

1. Offense 2 Juvenile 1. Original 1
 2. Arrest 2. Supplement

Agency OR Number 062700	Agency Name Sunrise Police Department	Agency Report Number [REDACTED]
Original Date Reported 0 2 2 2 0 5	Case Reference	

POLICE INFORMATION

ON 02-22-05, I RESPONDED TO THE ABOVE LOCATION IN REFERENCE TO A BATTERY. UPON ARRIVAL, I MET WITH MARJORIE MALONE (V1), WHO STATED THAT THE DEFENDANT [REDACTED], ENTERED HER SECOND FLOOR RESIDENCE THROUGH A CLOSED, UNLOCKED DOOR. ONCE THE DEFENDANT WAS INSIDE, MS. MALONE (V1) ASKED HIM SEVERAL TIMES TO LEAVE HER RESIDENCE. MS. MALONE (V1), THEN LEFT HER RESIDENCE IN ORDER TO GET HELP FROM HER NEIGHBOR. AS MS. MALONE (V1) WAS LEAVING, THE DEFENDANT APPROACHED HER FROM BEHIND AND PULLED THE BACK OF HER HAIR CAUSING HER NECK TO SNAP BACK. NEXT, THE DEFENDANT STRUCK MS. MALONE (V1) IN THE BACK WITH A CLOSED FIST. AS A RESULT, MS. MALONE (V1) SUSTAINED NECK AND BACK INJURIES. MS. MALONE (V1) WAS TRANSPORTED TO FLORIDA MEDICAL CENTER BY RESCUE #59, WHERE SHE WAS TREATED FOR THE EXTENT OF HER INJURIES.

MS. MALONE (V1) STATED THAT SHE HAS MADE NUMEROUS POLICE REPORTS IN THE PAST THAT DEALT WITH NOISE COMPLAINTS AGAINST THE DEFENDANT. SHE ALSO STATED THAT ON 10-26-04, THE DEFENDANT CAME TO HER RESIDENCE AND TOLD HER THAT HE KNEW SHE WAS CALLING THE POLICE AND THAT THE NEXT TIME SHE CALLED THE POLICE, HE WAS GOING TO KILL HER. THERE IS ALSO ANOTHER REPORT FILED WITH THE SUNRISE POLICE DEPARTMENT INVOLVING THE DEFENDANT (CASE # [REDACTED]).

MS. MALONE (V1) WISHED TO PRESS CHARGES ON THE DEFENDANT AND SIGNED AN AFFIDAVIT. SHE WAS ALSO INFORMED ON WHAT SHE CAN DO TO GET A RESTRAINING ORDER AGAINST THE DEFENDANT.

AS WE WERE LEAVING THE SCENE, WE OBSERVED THE DEFENDANT ACROSS THE STREET, WHILE WALKING TOWARDS HIS RESIDENCE. AS RESCUE WAS LEAVING, MS. MALONE (V1) IDENTIFIED HIM FROM THE RESCUE UNIT. **THE DEFENDANT WAS TAKEN INTO CUSTODY AND READ HIS MIRANDA RIGHTS FROM A PREPARED CARD. HE REFUSED TO ANSWER ANY QUESTIONS AT THAT TIME. WE NOTIFIED SGT. ALLEN OF THE CIRCUMSTANCES AND HE DIRECTED US TO CHARGE THE DEFENDANT WITH TRESPASSING AND SIMPLE BATTERY. THE DEFENDANT WAS TAKEN TO SUNRISE POLICE DEPARTMENT, THEN TO PLANTATION GENERAL TO GET MEDICAL CLEARANCE. LAST, HE WAS TRANSPORTED TO BSO MAIN JAIL. SECRET SERVICE AGENT, MR. SKELLY, WAS NOTIFIED IN REGARDS TO THE ARREST OF THE DEFENDANT, DUE TO THE PREVIOUS CASE FILED ON HIM ([REDACTED]).**

Report Contains	1 NARRATIVE, 1 AFFIDAVIT, 1 PERSONS REPORT		Related Report Number(s)
Officer(s) Reporting	CURET, EARLE	ID. Number(s) 3 6 3 3	Unit B0501
Officer Reviewing (If Applicable)	ID. Number	Routed To	Referred To
Assigned To	By	Date	0 2 2 1 0 5
Case Status	Clearance Type 1. Arrest 2. Exceptional 3. Unfounded	A-Adult J-Juvenile	Date Cleared
Arrest Number	Number Arrested	OSB Number	Page 2 of 3
Expiration Type 1. Expiration Declined	2. Arrest on Primary Offense Secondary Offense Without Prosecution	3. Death of Offender 4. VWV Refused to Cooperate	5. Prosecution Declined 6. Juvenile / No Custody

Exhibit Visiting Day Sunday 3:30 to 10:00 BAIL is 1 thousand dollars
 ADDRESS TO HERE 1550 BLAUNT RD Pompano Beach, Florida 33069
 PO BOX TO HERE NORTH BROWARD BUREAU PO BOX 407037
 Pompano Beach, Florida 33340
 please write back

I am being held in a jail in Florida. They arrested me and never told me what I'm being charged with. They never read me my rights up until this point. They have been keeping me in a cell with no access to any phones, no food, no water. They didn't even give me a pillow or mattress, just a steel bench. They are refusing to give me access to a phone to call you. I don't even have slippers, I'm barefoot on a cold concrete floor everyday. I don't even know the date or time right now. PLEASE, HELP ME!!! They set my bail for \$1,000 but they won't tell me what the charges are. They took all my clothes, my wallet, my phone, everything, I am basically SMUGGLING out this letter to you using a friend to mail it. I NEED YOUR HELP, I have a feeling they ^{are trying to} ~~are trying to~~ kill me. This is the strangest situation I have ever been in in my life. I can't find anyone to talk to here who will help me, all I know is that this is a maximum security prison in Florida. ~~Now~~ I need you to contact mama in Morocco to help me. she ~~will~~ and Uncle need to know I've been arrested. Please get on this right away it's an EMERGENCY!!!

additional information. He also claimed visual hallucinations consisting of spirits and "evil stuff". It is highly unlikely that these are factual. He did acknowledge prior suicide attempts, but denied current suicidal ideations. He also denied aggressive behavior and disciplinary reports. As a juvenile, he was arrested for stealing a bicycle and for trespassing. As an adult, he had trespassing and petit theft charges which preceded the eight burglaries of a conveyance.

Conclusions: Although **Mr. Brown** does have some difficulties, it is the advisory opinion of this examiner that he is **competent** to proceed. The deputies state that he remains primarily to himself and they have never observed him to engage in unusual behaviors or respond to any hallucinations.

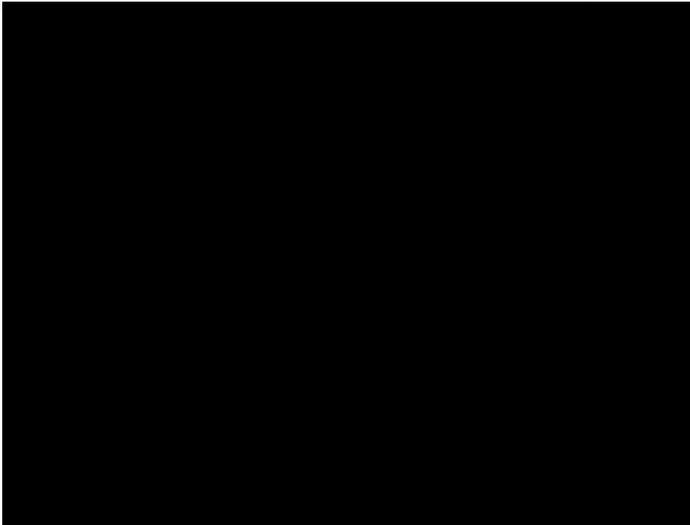
If I may be of further assistance, please do not hesitate to contact me.

I, TRUDY BLOCK-GARFIELD, Ph.D., CERTIFY THAT I PERSONALLY CONDUCTED AND PREPARED THIS REPORT AND ALL CONCLUSIONS REFLECTED ARE THOSE OF THIS EXPERT AND NOT OF ANY THIRD PARTY. I FURTHER CERTIFY THAT THE PREPARATION OF THIS EVALUATION WAS PERFORMED CONSISTENT WITH CHAPTER 490, FLORIDA STATUTES, AS WELL AS WITH RULES AND REGULATIONS PROMULGATED THERETO.

Sincerely,

Trudy Block-Garfield, Ph.D.

Trudy Block-Garfield, Ph.D.
Licensed Psychologist
Diplomate, American Board of Forensic Examiners
F.P.P.R, Diplomate in Psychopharmacology



ROWARD BUREAU
BOX 407037
ERLALE, FL 33340



11425+2032



<https://mugshots.com/US-Counties/Florida/Broward-County-FL/Michael-Brown.3758151.html>

Michael Brown was booked in Broward County, FL.

All are presumed innocent until proven guilty in a court of law. Published mugshots and/or arrest records are previously published public records of: an arrest, an indictment, a registration, supervision or probation, the deprivation of liberty or a detention. The mugshots and/or arrest records published on mugshots.com are in no way an indication of guilt and they are not evidence that an actual crime has been committed. Arrest does not imply guilt, and criminal charges are merely accusations. A defendant is presumed innocent unless proven guilty and convicted. For latest case status, contact the official Law Enforcement Agency which originally released the information. The following Official Record of Michael Brown is being redistributed by Mugshots.com and is protected by constitutional, publishing, and other legal rights. This Official Record was collected from a Law Enforcement agency on 10/01/2011.

Mugshots.com ID: 3758151

Name: **BROWN, MICHAEL**

Race: BLACK

Gender: MALE

Birth date: 7/19/1980

Hair Color: BLACK

Eye Color: BROWN

Height: 5' 5" (1.65 m)

Weight: 122 lb (55 kg)

DC Number: L49355

Release Date: 1/02/2019

Current Facility: APALACHEE EAST UNIT

Initial Receipt Date: 7/12/2005

Current Custody: CLOSE

Current Release Date: 1/02/2019

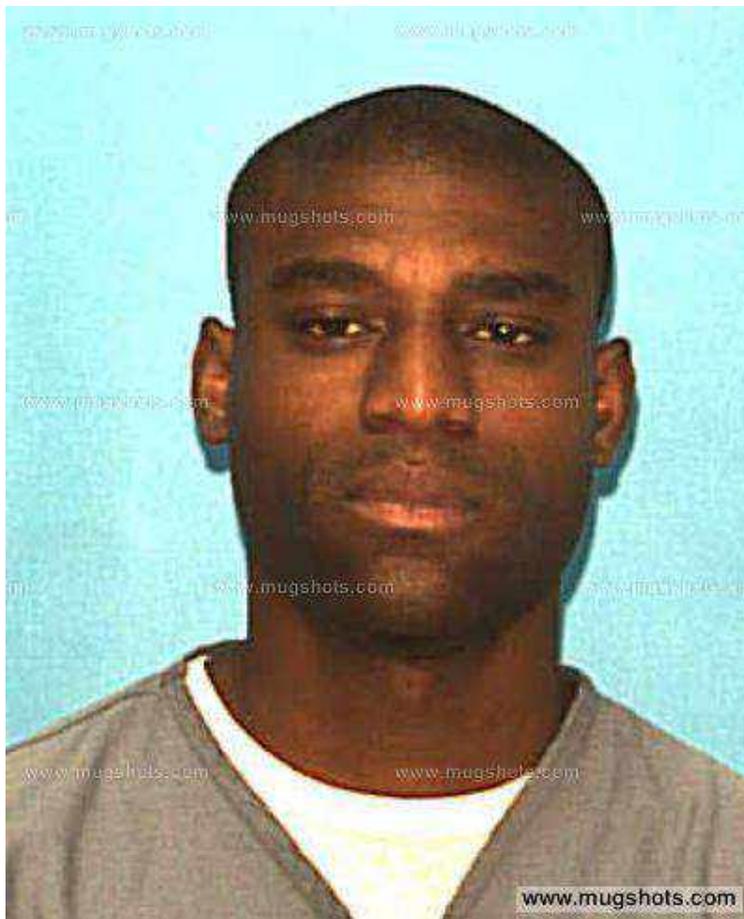
Names / Aliases:

LABRENT MICHAEL BROWN

MICHAEL BROWN

MICHAEL L BROWN

MIKAL MUKAL BROWN



Charges:

Offense #1	Case No. 0400253 (11/13/2003) ROBB. GUN/DEADLY WPN
Offense #2	Case No. 0416567 (10/26/2003) BURG/DWELL/OCCUP.CONVEY
Sentence Date	02/02/2005
County	BROWARD
Prison Sentence Length	15Y 0M 0D

Incarceration History:

Date In-Custody	07/12/2005
Date Out-of-Custody	Currently Incarcerated

To: KELLY BADER
From: BOBBY BAZAN
Date: December 19, 2005
Re: Investigative Request for: [REDACTED]
[REDACTED]

Investigative Report

Please be advised of the following. On 12/13/05 I spoke with Homeland Security Special Agent Skelly 305-863-5418. Special Agent Skelly was assigned to joint terrorist taskforce when he investigated Mr. [REDACTED]. However, he said that the call was regarding [REDACTED] was anonymous.

I also called Sunrise PD and ordered a copy of all calls to the police department from Ms. Malone's address over the past 5 years. *23 calls*

1 one.

2 Q. So you have never taken that step?

3 A. No.

4 Q. Do you know what the Department of Homeland
5 Security is?

6 A. I have heard about it.

7 Q. I think most people have heard about it.

8 Have you ever made any calls to the Department
9 of Homeland Security?

10 A. No, I didn't.

11 Q. You never called them on Mr. [REDACTED] ?

12 A. I have not called them for him personally about
13 that at all.

14 Q. So then what have you called for?

15 A. I have not called for -- I was asked about it
16 by a neighbor of mine, about it. That's how I found out
17 about it, but I never actually called the office.

18 Q. Explain that thing with the neighbor.

19 A. One of my neighbors were talking about it.

20 Q. Okay.

21 A. One of my neighbors were talking about it when
22 the whole incident had happened.

23 Q. What were they saying?

24 A. Because he had been living in the unit
25 unscreened and his license plate was expired. It was

1 not renewed and one of my neighbors had told me that if
2 I wanted the number I could call to find out about who
3 my neighbor is.

4 Q. Okay.

5 A. Because after 911 nobody knew who was living
6 where and he was not screened.

7 Q. Okay.

8 A. So that's why that came up.

9 Q. Okay. All right, so I mean did you call?

10 A. I didn't call personally, no.

11 Q. Do you if somebody may have called?

12 A. I don't know if somebody called. I don't know
13 if it was the same person who I spoke to had called, but
14 I didn't personally call.

15 BY MS. VELEZ:

16 Q. Your treatment at Nova when did it begin?

17 A. I've been getting treated since 2005, since
18 March.

19 Q. And you said earlier that the screen was down,
20 the screen in the front two doors. I wanted to clarify
21 what do you mean it was down?

22 A. There's a screen in there, shutters.

23 Q. Okay. And the shutters were down?

24 A. Well, the screens are always on but the
25 shutters were down.

Pro Property Management, Inc.
2176 West Oakland Park Blvd.
Ft. Lauderdale, Fl. 33311
(954) 733-3100 (954) 735-5002

April 21, 2005

RE: Marjorie Malone [REDACTED]

To Whom it May Concern:

Please be advised that we are the property management company for Pebble Springs Condominium Association.

On or about October 16, 2005 we became aware of a disagreement between Mr. [REDACTED] and Marjorie Malone when Ms. Malome reported that Mr. [REDACTED] was living upon the premises of the community and needed to be screened to meet the community requirements.

Thereafter we received a complaint from Ms. Malone regarding a noise problem with a tenant. The police were called and the police stated that there was not a problem. A few days later it was reported that there was a verbal confrontation between Mr. [REDACTED] and Ms. Malone. At the time of screening before the Board, Mr. [REDACTED] requested that Ms. Malone not be present due to the confrontation.

I understand that since that time, Ms. Malone has pressed charges against Mr. [REDACTED] for assault. I find that absolutely absurd. First of all, if this had really happened, we would have known about it. Ms. Malone would have informed the Board of Directors and/or the property management. She has never been shy on words. Ms. Malone sends certified mail to us each and every time there is any type of incident within the community. We have received many letters from Ms. Malone, even after this alleged incident, and in each letter there is no complaint as to violence.

We have not received any other complaints from any other person in the community regarding this person.

Ms. Malone has had problems with several of the residents within the community. Her file is quite extensive.

If there is any further questions, and or information, you are in need of, please do not hesitate to contact me.

Very truly yours,

Cj Canfield LCAM
Agent for North Bay



HOWARD FINKELSTEIN
PUBLIC DEFENDER

Office of the
PUBLIC DEFENDER

SEVENTEENTH JUDICIAL CIRCUIT
BROWARD COUNTY

BROWARD COUNTY COURTHOUSE
201 S.E. 8TH STREET, NORTH WING, THIRD FLOOR
FORT LAUDERDALE, FLORIDA 33301
TELEPHONE (954) 831-8650
SUNCOM 454-8650
This Writer's Phone Number: (954) 831-8869

April 20, 2006

[Redacted]

Re: State of Florida vs. [Redacted]
Case No.: 05-003941-MM10A

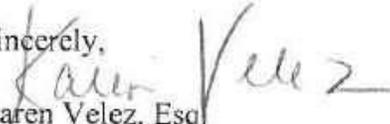
Dear Mr. [Redacted]

This will follow our office meeting of April 11, 2005, during which my supervisors Mindy Solomon and Lynn Desanti were present. The purpose of this letter is to memorialize our conversation in order to ensure that you have a full understanding of your case.

As you know, you have been charged with battery and criminal trespass. These are both misdemeanor charges, carrying a maximum penalty of 364 days in jail and a \$1000 fine. As such, you are facing a maximum term of imprisonment of two (2) years.

As discussed during the meeting, there is a new offer on your case. It does not involve a conviction, nor probation. The current offer negotiated on your behalf with the State Attorney's office is a withholding of adjudication on the trespass charge; and a withholding of adjudication, court costs and 1 day anger management on the battery charge. No court costs would be assessed on the trespass charge. The State will be seeking restitution on behalf of Ms. Malone but there is no current amount agreed upon to date. As discussed, this means no conviction on either of the charges and you must pay the court costs on the battery charge.

Please review this letter. Once you have done so please confirm in writing that you reviewed same and return a copy to me, in the enclosed envelope.

Sincerely,

Karen Velez, Esq
Assistant Public Defender

I hereby confirm receipt of this letter. I have reviewed this letter and understand the offer of sentence as well as the maximum penalties.

[Redacted]

Lynn Desanti

From: Howard Finkelstein
Sent: Friday, June 02, 2006 10:54 AM
To: [REDACTED]
Cc: Lynn Desanti; Mindy Solomon; Catherine Keuthan; Diane Cuddihy
Subject: RE: State v. [REDACTED]

Mr. [REDACTED], I apologize that you have had several lawyers on your case, and in the best of all worlds that would not be my choice, however the very nature of Public Defender Offices necessitates that our newest lawyers start out in County Court where there is less significant sentences and move to Circuit Court as they gain experience. I have had a chance to review your file and it is clear that a lot of good work has been done on your case, including numerous investigations, and that because your case is over a year old there is no way to prevent replacement lawyers as lawyers progress to juvenile and or felony court as they gain experience. Also, I feel I must point out that your version of what was allegedly said to you by Ms Velez is not supported by either Ms Velez or my Chief Assistant Mindy Solomon who was present at the meeting and that some of what you wanted done or asked in deposition was not appropriate or relevant. Never the less I understand why you are troubled by having different lawyers and accordingly Ms. Solomon and myself have approved one of our experienced senior and supervising lawyers, Lynn De Santi, who is very familiar with your case, to handle your case. She is ready to proceed to trial. If you have any questions do not hesitate to contact her at 831-8810. If you have any questions of me I can be reached by return e mail or at 831-8644.

From: [REDACTED]
Sent: Friday, June 02, 2006 2:53 AM
To: Howard Finkelstein
Subject: State v. [REDACTED]

Dear Mr Finkelstein,

My name is [REDACTED]. I was arrested on misdemeanor trespassing and battery charges on February 22nd, 2005. Your office was assigned to represent me. I would like to file a formal complaint with you regarding the conduct of your office. Here are the facts:

[REDACTED]

SUNRISE POLICE DEPARTMENT

Case Id	Actdate	Acttime	Streetnbr	Street	Ncodedesc	Dispdesc
421110046825	10/06/2011	1511	3990	N PINE ISLAND RD	INFORMATION	WRITTEN REPORT
421112060433	12/29/2011	1628	3990	N PINE ISLAND RD	INFORMATION	WRITTEN REPORT
421301005086	01/23/2013	1355	3990	N PINE ISLAND RD	AUDIBLE ALARM	NO CRIMINAL VIOLATION OBSERVED
421309059175	09/29/2013	0557	3990	N PINE ISLAND RD	TRAFFIC	ASSISTANCE RENDERED
421403018367	03/25/2014	0952	3990	N PINE ISLAND RD	AUDIBLE ALARM	FALSE ALARM
421506040144	06/27/2015	0854	3990	N PINE ISLAND RD	AUDIBLE ALARM	FALSE ALARM
421512078102	12/26/2015	1030	3990	N PINE ISLAND RD	INFORMATION	ASSISTANCE RENDERED
421601000003	01/01/2016	0004	3990	N PINE ISLAND RD	SHOOTING JUST OCCURR	WRITTEN REPORT
421712067961	12/12/2017	1937	3990	N PINE ISLAND RD	13P-SUSPICIOUS PERSO	C-GONE ON ARRIVAL
421806026937	06/06/2018	0926	3990	N PINE ISLAND RD	76-AOA (ASSIST OTHER	K-ASSISTANCE RENDERED
421807035640	07/23/2018	1751	3990	N PINE ISLAND RD	14-INFORMATION	K-ASSISTANCE RENDERED

REPORTING OFFICER NARRATIVE

Sunrise Police Department		OCA 42-1601-000003
Victim OUZTS, EUGENE	Offense SHOOTING / UNLAWFUL DISCHARGE	Date / Time Reported Fri 01/01/2016 00:04

I responded to the incident location in reference to a shooting that had just occurred. Dispatch received a [REDACTED] [REDACTED] advised that two males [REDACTED] (Eugene Ouzts). Officers [REDACTED] Santos, Padron, and I entered the apartment at approximately 0011 hours. We located the victim (Ouzts) in the rear bedroom of the apartment. He was located approximately two feet inside the room. His head was to the door, and I was able to see a gunshot wound on his right torso/right ribcage area. He kept saying "I'm gonna die, I'm gonna die." He was laying on his back but kept trying to roll onto his right side. He refused to provide me his name or any information about who shot him. Sunrise Fire Rescue 59 arrived on scene and transported the victim to Broward General Hospital (Officer Padron followed). A protective sweep of the apartment was conducted and officers then vacated the residence (a consent to enter and search form was later provided by [REDACTED]).

I made contact with [REDACTED]. She stated that she and Eugene were drinking on the patio when they were ambushed by two men with firearms. The first male was described as 6 feet tall, 160 pounds, Haitian (based upon accent), short black hair, dark black skin, wearing dark shorts and a dark shirt. The second male was described as 6 feet tall, 180 pounds, Spanish/black mix, Spanish accent. Each male was carrying a firearm, but a description of the weapons could not be provided to me.

[REDACTED] stated that the two males entered the apartment and demanded cellphones (no cellphones were reported having been taken during this incident). She said that the males said nothing other than demanding the cellphones. [REDACTED] advised that the first male stayed with her in the anteroom of the apartment. That male kept his hands over her mouth so that she couldn't speak. He held his firearm to her head.

The other male took Eugene into the living room. [REDACTED] advised that Eugene was trying to fight off the male. Somewhere in the living room, Eugene was shot by the second male. After the shooting, the two males ran out the front door in a westbound direction from the apartment building. Eugene went into the master bedroom, which is where we found him when we arrived on scene.

A perimeter was established and canine was deployed. The subjects were not located.

[REDACTED] advised me that Eugene had just gotten out of prison in early December. The two met on December 14. Eugene moved into [REDACTED] apartment that same day. [REDACTED] stated that Eugene has previously sold narcotics. Sometime in the past week, Eugene attempted to break ties with his acquaintances/business partners in the narcotics sector. Eugene had a meeting with those people at an unknown location in eastern Broward County, in the area of east Sunrise Boulevard or east Oakland Park Boulevard. After that meeting, Eugene told the victim that he was nervous, scared, and that he feared for his life.

A canvass of the immediate buildings and apartments was conducted. In the apartment building of the shooting, apartment 2D is vacant. The residents at 1D arrived on scene after the shooting had taken place. I received no answer from 1C when I knocked and rang the bell. The residents at [REDACTED] (the building directly across from the incident location) did not observe or hear anything related to the shooting.

The Criminal Investigations Division arrived on scene (Detective Lowenstein, [REDACTED] [REDACTED] [REDACTED]) and took over the investigation. The scene was processed by M. Lardin.

Eugene underwent surgery at Broward General Hospital. At the time that this incident report was written, he was in critical condition. The incident location is currently locked down and guarded by Sunrise Police until the victim's status is known.

No further police action was taken.

Sunrise Police Department

OCA: 421601000003

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: ACTIVE Case Mng Status: PENDING INACTIVE/... Occurred: 01/01/2016
Offense: SHOOTING / UNLAWFUL DISCHARGE

Investigator: WONG, C. (3676) Date / Time: 01/01/2016 18:32:06, Friday
Supervisor: BETTENCOURT, W. J. (3556) Supervisor Review Date / Time: 01/05/2016 04:47:21, Tuesday
Contact: Reference: Witness Statement

I responded as a backup to [REDACTED] in reference to a shooting. While on scene I made contact with a passenger minivan exiting the apartment complex. The driver identified was Ingrid Vargas. Vargas was dropping off a friend in the apartment complex and her 2 children were in the car with her. Vargas stated that she was parked north of the victim's apartment and heard loud shots go out. Vargas stated she observed 2 black males wearing dark clothing running westbound from the victim's apartment. Vargas could only describe one suspect as a black male approximately 6'2, thin build with braided shoulder length hair, wearing a gray sweater, black mask, and a baseball cap.

Investigator Signature

Supervisor Signature

Sunrise Police Department

OCA: 421601000003

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *ACTIVE* Case Mng Status: *PENDING INACTIVE /...* Occurred: *01/01/2016*
 Offense: *SHOOTING / UNLAWFUL DISCHARGE*

Investigator: *LOWENSTEIN, D. M. (3668)* Date / Time: *01/26/2016 09:35:15, Tuesday*
 Supervisor: *PALACIO, E. (3523)* Supervisor Review Date / Time: *01/26/2016 13:25:24, Tuesday*
 Contact: Reference: *Follow Up*

42-1601-000003 Aggravated Battery

This detective was contacted on January 1, 2016 in regards to assisting road patrol officers with a shooting investigation. I responded to [REDACTED] where I was assisted by Detective L. Fernandez, [REDACTED] Crime Scene Detective Kitchen, and Crime Scene Investigator Lardin. Once on scene contact was made with Ofc Bromberg who advised the following:

Sunrise Police Road Patrol Officers responded to the above location in regards to a 911 call placed by [REDACTED]. [REDACTED] advised dispatch personnel [REDACTED] Eugene Ouzts, was shot twice by two unknown males. Once on scene officers located Ouzts in a rear bedroom, where they observed him to have a gunshot wound to his right torso/ribcage area. Ouzts was uncooperative with officers on scene and was transported to Broward General Hospital by Sunrise Rescue 59.

The crime scene was secured prior to my arrival. A walk through of the crime scene was conducted. Upon entering the residence, the front door led to a patio/sunroom which was filled with clutter. A second door inside the patio led to the interior of the residence, which was overwhelmingly cluttered by personal belongings. Once inside a trail of blood smears was found along the wall, spanning from the living room to the back bedroom where the victim was located by officers. The residence processed and documented by Investigator Lardin, but due to the large amount of clutter throughout, no shell casings or gunshot holes were located.

Detective [REDACTED] and I then interviewed [REDACTED] who provided a sworn taped statement, describing what occurred on this evening. [REDACTED] stated that she was having a drink with Eugene just outside of the residence, on the second floor balcony. As the two entered the residence, two males entered behind them. Both males had "scarves" over their faces, but she could make one out to be a black male, and the second to possibly be a hispanic male. One of the males grabbed [REDACTED] and forced her to remain on the front porch, while the other entered the residence with Eugene. [REDACTED] stated that after a few moments, she heard what she felt was a struggle inside the residence, followed by "one" gunshot. [REDACTED] stated that the two males fled from the residence, after which [REDACTED] 911 emergency personnel. [REDACTED] was unsure why the males came to her home, but stated that they kept asking Eugene for the phone. She further stated that she had only been dating Eugene since 12/14/2015, and that he had divulged his past participation in the sales of narcotics. She also indicated that she took him to two locations in Fort Lauderdale, where he apparently met with former associates and informed them that he would no longer be participating in their criminal activity.

[REDACTED] Detective Bulzone, and Detective [REDACTED] responded to Broward General Hospital. Eugene was immediately taken into surgery for his gun shot wounds. During the surgery Eugene lost a large amount of blood. Detectives were informed that his chances of survival were touch and go for the next few days.

Although consent was received from [REDACTED] to search her residence, I requested that she allow us to hold her residence for additional processing during daytime hours. [REDACTED] agreed to have Sunrise Police secure and hold her residence.



Investigator Signature



Supervisor Signature

Sunrise Police Department

OCA: 421601000003

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *ACTIVE* Case Mng Status: *PENDING INACTIVE/...* Occurred: *01/01/2016*
 Offense: *SHOOTING / UNLAWFUL DISCHARGE*

Investigator: *LOWENSTEIN, D. M. (3668)* Date / Time: *01/26/2016 09:35:15, Tuesday*
 Supervisor: *PALACIO, E. (3523)* Supervisor Review Date / Time: *01/26/2016 13:25:24, Tuesday*
 Contact: Reference: *Follow Up*

On January 1, 2016 at approximately 1400 hours, the following detectives met back at the incident location to conduct a more thorough search of the residence: [REDACTED] Detective [REDACTED] Crime Scene Investigator Lardin, Detective Jolicoeur, Detective Zinn, Detective Norwood, and [REDACTED]. A thorough search of the residence was conducted at which time a bullet hole was discovered through a mirror hanging on the left side wall, just inside the front door to the residence. In an attempt to locate bullet fragments, a small hole was cut into the drywall. The bullet was found to have traveled through the mirror, into the drywall and through a metal stud. Fragments of the bullet were located as well. A dowel was placed into the bullet hole in the metal stud. The direction of the dowel indicated that the bullet was fired from within the doorway or just outside in the enclosed porch. Investigator Lardin conducted additional processing and took additional photographs.

[REDACTED] and I reinterviewed [REDACTED] at the Sunrise Police Department. Her statement was consistent with her initial statement.

All other detectives remained at the incident location and recanvassed the area for possible witnesses.

On January 7, 2016 [REDACTED] and I went to Broward General Hospital where we spoke with Eugene who was deemed in stable condition. Eugene clarified that he attempted to throw a vase at the shooter at which time the shooter turned and fired two shots from the front doorway, the second of which struck him. Eugene became extremely uncooperative during our statement. Eugene signed a Waiver of Prosecution form, declining to press charges against his perpetrators.

No leads were developed in this case. In addition the victim refused to cooperate and chose to decline charges.

This case is pending inactive.



Investigator Signature



Supervisor Signature

Sunrise Police Department

OCA: 421601000003

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *ACTIVE* Case Mng Status: *PENDING INACTIVE/...* Occurred: *01/01/2016*
 Offense: *SHOOTING / UNLAWFUL DISCHARGE*

Investigator: *LARDIN, M. A. (5175)* Date / Time: *02/16/2016 16:41:45, Tuesday*
 Supervisor: *KITCHEN, G. A. (3691)* Supervisor Review Date / Time: *02/17/2016 16:38:37, Wednesday*
 Contact: Reference: *Crime Scene Processing*

VEHICLE 1 (V1): 2003, Honda, Accord, Red in color, FL Tag #: E08-9TV,

VIN #: 1HGCM72673A000864, 2- Door

VEHICLE 2 (V2): 2008, Mazda, Miata, Red in color, FL Tag #: 413-VHP,

VIN #: JM1NC25F680150728, 2- Door

On Friday, January 1, 2016, at approximately 0050 hours, Detective [REDACTED] of the Sunrise Police Department Criminal Investigations Division contacted this Crime Scene Investigator via telephone. [REDACTED] requested that I respond to the above listed location in reference to a shooting investigation.

I responded to [REDACTED] arriving at approximately 0100 hours. On scene I met with Officer J. Bromberg of the Sunrise Police Department Road Patrol Division and Detectives D. Lowenstein and L. Fernandez of the Sunrise Police Department Criminal Investigations Division. Officer Bromberg stated that he had been dispatched to the residence in response to a 911 call from the [REDACTED]. During that 911 call [REDACTED] Eugene Ouzts (DOB 08-05-82), had been shot by two unknown suspects. Sunrise Fire/Rescue 59 responded and transported the victim to Broward Health Medical Center (BHMC). Crime Scene Investigator A. Carrasco responded to the hospital to document the victim's injuries. See her report for her actions in this case. Detective Lowenstein requested that I process the scene for physical evidence.

The above listed victim, [REDACTED] Using a Nikon D7000 digital 16.2 mega-pixel camera I photographed the exterior of the second floor condominium. The stairwell leading to the victim's unit as well as an unoccupied unit, 2D, was cordoned off with yellow in color barrier tape. Uniformed officers protected the integrity of the scene. I observed and photographed suspected blood drops on the stairs leading to the second floor landing. Suspected blood drops were also found outside the entrance to unit #2C.

The exterior door led to an ante room, a converted sun porch. I photographed the door handles and locks and found no signs of tampering or damage. The ante room was used as a storage and laundry room. There was a door and a small step up leading from the ante room into the main portion of the two bedroom apartment.

I found more suspected blood drops in the hallway on the floor inside the apartment. The entire apartment was cluttered and disorganized however there were signs of a struggle having taken place just inside the doorway. There was glass on the floor from a broken picture frame. The suspected blood on the floor continued through the living room. I observed and photographed suspected transfer blood stains on the living room wall and on mirrored closet doors in the living room. In the master bedroom I found a suspected blood stain on the floor as well as a hand towel and a blood stained sheet. I collected the hand towel, item #1, and flat sheet, item #2, as evidence after photographically documenting them.

Detective Lowenstein interviewed [REDACTED]. She stated that the suspects kept demanding cell phones. A search of the spare bedroom and bathroom revealed two phones. One flip phone was found in the spare bedroom and a "candy bar" style phone was located in the spare bedroom. [REDACTED] stated that these phones belonged to Mr. Ouzts. I collected a Sony Ericsson flip phone, item #4, and an Alcatel Tracfone, item #5, as evidence.

[REDACTED] had in her possession items belonging to Mr. Ouzts. She gave the following items to me and I collected them as evidence: Social Security card, item #6, and an Access Florida Card and associated paperwork, item #7.

I photographed vehicles belonging to [REDACTED] above listed V1 and V2. Both vehicles were parked in the

Investigator Signature

Supervisor Signature

Sunrise Police Department

OCA: 421601000003

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *ACTIVE* Case Mng Status: *PENDING INACTIVE/...* Occurred: *01/01/2016*Offense: *SHOOTING / UNLAWFUL DISCHARGE*Investigator: *LARDIN, M. A. (5175)*Date / Time: *02/16/2016 16:41:45, Tuesday*Supervisor: *KITCHEN, G. A. (3691)*Supervisor Review Date / Time: *02/17/2016 16:38:37, Wednesday*

Contact:

Reference: *Crime Scene Processing*

parking lot of the complex facing the victim's building. I photographed the exterior, interior, VIN number and license plate of both vehicles. Nothing of evidentiary value was observed in either vehicle.

I cleared the scene at approximately 0400 hours and returned to the Sunrise Police Department Crime Scene Office.

At approximately 1400 hours on January 1, 2016, I met Detectives Lowenstein, [REDACTED] Zinn, [REDACTED] and Norwood as well as [REDACTED] back at the residence to continue the search for casings and/or projectiles. Detective Zinn observed a suspected bullet defect to a mirror inside the residence to the south wall in the entry way. I photographed this defect to the mirror with a scale of measurement using the above listed camera equipment. We then moved the mirror and additional photos were taken of the defect to the drywall. [REDACTED] used a hand-held drywall saw to gain access to the interior portion of the wall. We discovered that the bullet struck and perforated a metal support beam in the wall. The bullet pierced another piece of internal drywall and peeled back another support beam. [REDACTED] removed the drywall toward the bottom of the wall and we discovered two projectiles: Item #8, a copper jacket projectile and item #9, a lead projectile. I collected these projectiles as evidence after photographing them as they were found.

I used a trajectory rod to document the path the bullet took as it struck the wall. The defect to the wall was approximately 3'11" from the floor in the entryway. The bullet appeared to travel from west to east coming from the direction of the doorway or ante room into the residence. The angle appeared to be 90° from the floor.

Detectives found a pair of pants in the spare bedroom. These pants, DKNY tan in color, appeared to be stained with blood. I collected the pants, item #3, as evidence. The stains on the pants were subsequently tested with a phenolphthalein reagent with negative results for the presence of blood.

Using sterile cotton swabs and distilled water I collected a sample (item 10) of the suspected blood from the south wall of the residence. Item #10 was subsequently tested with a phenolphthalein reagent with positive results for the presence of blood. I swabbed the following items for touch/contact DNA using sterile cotton swabs and distilled water: south wall of hallway, item #11; north wall of hallway, item #12; exterior of the front door, item #13; interior of front door and Rubber-made container in ante room, item #14. I collected a buccal elimination swab from [REDACTED] item #15. All collected swabs were air-dried and securely packaged.

Investigator Carrasco turned over to me the following swabs she collected: AC1, buccal swab from Eugene Ouzts (item #20); AC2, buccal swab from Eugene Ouzts (item #21); AC3, swab from victim's right hand (item #19); AC4, swab from victim's left hand (item #18).

On Thursday, January 7, 2016, I accompanied Detectives Lowenstein and [REDACTED] to Broward Health Medical Center, located at 1600 S. Andrews Avenue, Fort Lauderdale, Florida. Detective Lowenstein requested that I record his interview with Mr. Ouzts. Using a Panasonic HD, model HC-V720 digital video recorder I recorded the interview that took place in the Intensive Care Unit of the hospital. Upon return to the Crime Scene Unit the recording was transferred onto a DVD.

The following items were forwarded to the Sunrise Police Department Property and Evidence Unit:

- Item #1, small hand towel, white, blood stained
- Item #2, queen flat sheet, stripped, blood stained
- Item #3, DKNY tan pants, size 32
- Item #4, Sony Ericsson flip phone, FCC IC# PY7A3880017
- Item #5, Alcatel Tracfone, FCC ID# RAD291
- Item #6, victim Ouzts Social Security card



Investigator Signature



Supervisor Signature

Sunrise Police Department

OCA: 421601000003

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *ACTIVE* Case Mng Status: *PENDING INACTIVE /...* Occurred: *01/01/2016*
 Offense: *SHOOTING / UNLAWFUL DISCHARGE*

Investigator: *LARDIN, M. A. (5175)* Date / Time: *02/16/2016 16:41:45, Tuesday*
 Supervisor: *KITCHEN, G. A. (3691)* Supervisor Review Date / Time: *02/17/2016 16:38:37, Wednesday*
 Contact: Reference: *Crime Scene Processing*

Item #7, victim Ouzts Access Florida Card with paperwork
 Item #8, copper jacket projectile
 Item #9, lead projectile
 Item #13, swab from exterior of front door
 Item #16, DVD of hospital interview with Ouzts

The following items were forwarded to the Broward Sheriff's Office DNA Section for analysis:

Item #10, swab of blood from south wall
 Item #11, swab of south wall, hallway
 Item #12, swab of north wall, hallway
 Item #14, swab from interior front door and Rubber-made container
 Item #15, buccal standard from [REDACTED]
 Item #18, swab from Ouzts left hand
 Item #19, swab from Ouzts right hand
 Item #20, buccal standard from Ouzts

Item #21, buccal standard from Ouzts was forwarded to a private laboratory for analysis.

I forwarded a copy of this report and one (1) CD of all photos to Detective D. Lowenstein of the Sunrise Police Department Criminal Investigations Division for his investigative use. I retained a CD of the photographs and a copy of this report in the Crime Scene Unit case file.

No additional actions were taken at this time.

Maggie Lardin, CSCSA, 5175
 Case No.: 42-1601-000003
 Date Report Written: February 15, 2016



Investigator Signature



Supervisor Signature

Sunrise Police Department

OCA: 421601000003

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *ACTIVE* Case Mng Status: *PENDING INACTIVE/...* Occurred: *01/01/2016*
 Offense: *SHOOTING / UNLAWFUL DISCHARGE*

Investigator: *CARRASCO, A. M. (8065)* Date / Time: *03/02/2016 13:45:03, Wednesday*
 Supervisor: *KITCHEN, G. A. (3691)* Supervisor Review Date / Time: *03/09/2016 11:01:02, Wednesday*
 Contact: Reference: *Crime Scene Processing*

On Friday, January 1, 2016, at approximately 0015 hours, Sergeant [REDACTED] of the Sunrise Police Department Criminal Investigations Division contacted me in reference to a shooting investigation. Sergeant [REDACTED] requested that I respond to Broward Heath Medical Center (BHMC) located at 1600 South Andrews Avenue in Fort Lauderdale, Florida, for the purpose of photographing the above listed victim, Eugene Ouzts and his injuries. I arrived at BHMC at approximately 0040 hours and met with Sergeant [REDACTED] Detective [REDACTED] M. Bulzone, and Officer R. Padron. I was told the victim had just been moved to ICU room number 17 following surgery. Using a Nikon D90 twelve (12) megapixel camera, I took overall photographs of E. Ouzts. E. Ouzts reportedly sustained a gunshot wound to his abdomen, and I observed a laceration to his stomach that was approximately 25 mm in length by 9 mm in width, with a vacuum attached to it. I obtained two (2) buccal DNA standards from Eugene Ouzts (AC1 and AC2). Using sterile cotton swabs moistened with distilled water I swabbed E. Ouzts' right hand (AC3), and his left hand (AC4). The swabs were air dried and securely packaged in individual swab boxes. I collected the following clothing that Mr. Ouzts reportedly wore during the incident: one pair of starter brand size medium, navy blue basketball shorts (Item #22). I also collected Mr. Ouzts Department of Corrections ID card (Item #17). Items AC1-AC4 were subsequently turned over to Investigator Lardin. Items #17 and 22 were forwarded to the Sunrise Police Department Property and Evidence Unit, pending further investigation. One (1) copy of this report and one (1) CD of the case photographs were forwarded to a Sunrise Police Department Criminal Investigations Division Supervisor. One (1) copy of this report and one (1) CD of the case photographs were retained in the Crime Scene Unit case file. No additional actions were taken at this time.



Investigator Signature



Supervisor Signature

IN THE CIRCUIT COURT OF THE Broward JUDICIAL CIRCUIT,
IN AND FOR Seventeenth COUNTY, FLORIDA

Case No.: DVCE 06-6647

Division: [REDACTED]

[REDACTED]
Petitioner,

and
Marjorie E. Malone
Respondent.

DOMESTIC VIOLENCE
OCT 17 PM 4:02
CLERK OF CIRCUIT COURT
BROWARD COUNTY, FLORIDA

PETITION FOR INJUNCTION FOR PROTECTION AGAINST REPEAT VIOLENCE

I, *{full legal name}* [REDACTED], being sworn, certify that the following statements are true:

SECTION I. PETITIONER (This section is about you. It must be completed.)

1. [REDACTED]
Sunrise FL 33351

[√ if applies]

Petitioner seeks an injunction for protection on behalf of a minor child.
Petitioner is the parent or legal guardian of *{full legal name}* _____,
a minor child who is living at home.

2. Petitioner's attorney's name, address, and telephone number is: None

(If you do not have an attorney, write "none.")

SECTION II. RESPONDENT (This section is about the person you want to be protected from. It must be completed.)

1. Respondent currently lives at: *{address, city, state, and zip code}* _____
[REDACTED] Sunrise FL 33351
Respondent's Driver's License number is: *{if known}* unknown

2. Petitioner has known Respondent since: *{date}* August 2004

3. Respondent's last known place of employment: unemployed
Employment address: none
Working hours: _____

4. Physical description of Respondent:
 Race: Black Sex: Male ___ Female Date of Birth: _____ unk
 Height: 5'10" Weight: 280 Eye Color: Black Hair Color: Black
 Distinguishing marks and/or scars: _____ none
 Vehicle: (make/model) Honda Accg Color: red Tag Number: unk

5. Other names Respondent goes by (aliases or nicknames): _____ none

6. Respondent's attorney's name, address, and telephone number is: Unknown

 (If you do not know whether Respondent has an attorney, write "unknown." If Respondent does not have an attorney, write "none.")

SECTION III. CASE HISTORY AND REASON FOR SEEKING PETITION (This section must be completed.)

1. Has Petitioner ever received or tried to get an injunction for protection against domestic violence, repeat violence, dating violence, or sexual violence against Respondent in this or any other court?
 Yes No If yes, what happened in that case? *{include case number, if known}*

2. Has Respondent ever received or tried to get an injunction for protection against domestic violence, repeat violence, dating violence, or sexual violence against Petitioner in this or any other court?
 Yes No If yes, what happened in that case? *{include case number, if known}*

3. Describe **any other** court case that is either going on now or that happened in the past **between Petitioner and Respondent** *{include case number, if known}*:
none

4. Respondent has directed at least two incidents of "violence," meaning assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnaping, or false imprisonment, or any criminal offense resulting in physical injury or death against Petitioner or a member of Petitioner's immediate family. One of these two incidents of "violence" has occurred within 6 months of the date of filing of this petition. The most recent incident (including date and location) is described below.
 On {date} April 2006, at {location} Sunrise, Fl,
 Respondent Marjorie E. Malone

DATE OF INCIDENT: ~~March 2004~~
CITY YOU WERE IN DURING INCIDENT: Sunrise

ALLEGATION(S): NUMEROUS TIMES
~~Between Aug - Sep of 2004, Ms. Malone called Sunrise PD¹ complaining about music~~
In October of 2004, Ms. Malone called the Department of Homeland Security on me and told them I was a terrorist, causing them to come to my job to investigate me. She did this purposely to cause harm to me because we were involved in an ongoing dispute regarding ~~look~~ music.

On February 22nd, 2005, Margorie Malone woke up and for no apparent reason ~~would not~~ decided to call the police and tell them that I invaded her home and attacked her. I was arrested and was recently acquitted of the charges by a jury. I defended myself in trial.

SEE ATTACHED FOR ADDITIONAL INFORMATION

DATE OF INCIDENT: _____
CITY YOU WERE IN DURING INCIDENT: _____

ALLEGATION(S):

Approximately April of 2006, Margorie Malone brandished a black - semi automatic pistol on me as she passed by me in front of my home. I did not contact police regarding the incident because I was already fighting the charges she fabricated against me mentioned above. I have since come to find out she had also brandished this same pistol on another neighbor, and they called the police to file a report.

SEE ATTACHED FOR ADDITIONAL INFORMATION

Margaret Malone was convicted of theft to deprive in the past. She was ordered to undergo mental health treatment as a condition of her probation, which she violated. She has fabricated many other allegations against many other residents in the community (I have a 400 page file the management company has been keeping on her since she started with her lunacy). I have numerous documentation to support my claims that she is extremely unstable and I would be more than willing to provide them to you should you request it. Every day I go home I fear for my life. We have since put the apartment up for sale as a direct consequence of her ~~madness~~ vicious campaign against me and my family.

Check here if you are attaching additional pages to continue these facts.

5. Other prior incidents (including dates and location) are described below:

On {date} _____, at {location} _____

Respondent Marjorie E. Malone

Check here if you are attaching additional pages to continue these facts.

6. Petitioner genuinely fears repeat violence by Respondent. Explain: _____

Considering everything she has done already, and because she lost this case, I expect some type of retribution from her.

7. Additional Information

[all that apply]

a. Respondent owns, has, and/or is known to have guns or other weapons.

Describe weapon(s): black semi-automatic

b. This or prior acts of repeat violence have been previously reported to: {person or agency} I didn't report.

SECTION IV. INJUNCTION (This section must be completed.)

1. Petitioner asks the Court to enter an injunction prohibiting Respondent from committing any acts of violence against Petitioner and:
- a. prohibiting Respondent from going to or within 500 feet of any place Petitioner lives;
 - b. prohibiting Respondent from going to or within 500 feet of Petitioner's place(s) of employment or the school that Petitioner attends; the address of Petitioner's place(s) of employment and/or school is: anywhere petitioner is employed;
 - c. prohibiting Respondent from contacting Petitioner by telephone, mail, by e-mail, in writing, through another person, or in any other manner;
 - d. ordering Respondent not to use or possess any guns or firearms;
- all that apply
- e. prohibiting Respondent from going to or within 500 feet of the following place(s) Petitioner or Petitioner's immediate family must go to often: _____
 - f. prohibiting Respondent from knowingly and intentionally going to or within 100 feet of Petitioner's motor vehicle; and any other terms the Court deems necessary for the safety of Petitioner and Petitioner's immediate family.

condo next door neighbors

I UNDERSTAND THAT BY FILING THIS PETITION, I AM ASKING THE COURT TO HOLD A HEARING ON THIS PETITION, THAT BOTH THE RESPONDENT AND I WILL BE NOTIFIED OF THE HEARING, AND THAT I MUST APPEAR AT THE HEARING.

I UNDERSTAND THAT I AM SWEARING OR AFFIRMING UNDER OATH TO THE TRUTHFULNESS OF THE CLAIMS MADE IN THIS PETITION AND THAT THE PUNISHMENT FOR KNOWINGLY MAKING A FALSE STATEMENT INCLUDES FINES AND/OR IMPRISONMENT.

Dated: October 17, 2006

Signature of Petitioner _____
 Printed Name: _____
 Address: _____
 City, State, Zip: _____
 Telephone Number: confidential
 Fax Number: _____

STATE OF FLORIDA
 COUNTY OF Broward

Sworn to or affirmed and signed before me on October 17, 2006 at _____

U.S. Department of Justice
Drug Enforcement Administration

PERSONAL HISTORY REPORT

1. File Title (b)(7)(C)	2. File Number [Redacted]	3. Program Code
4. Group No. D-42	5. G-DEP In (b)(7)(E)	6. Date Prepared 2-21-96

7. PURPOSE OF SUBMISSION: G-DEP DESCRIPTION ARREST FUGITIVE DECLARATION

PRIVACY ACT INFORMATION

The following Privacy Act Statement must be read or shown to the defendant beforehand. "Collection of personal history information is authorized under Title 21, United States Code. Your supplying of identifying personal information is voluntary. This information is an element used to create a report of your arrest. There is no penalty for your failure to provide personal history information to DEA."

8. Subject's Sex and Date of Birth [Redacted]	9. Date of Birth (In Yearborn)		
10. First Name None	11. Alternate Date of Birth		
12. NAICS No. Pending	13. FBI No.	14. Social Security No.	15. Misc. Numbers (e.g., TECS, DRUG-X, Registration, CSS No., etc.)
16. Place of Birth (City, State/Country) New York, N.Y.	17. Citizenship (Country) U.S.	18. Alien Status <input type="checkbox"/> Legal (Alien Registration No.)	
19. Race <input type="checkbox"/> Black <input checked="" type="checkbox"/> Asian-Pacific Islander <input type="checkbox"/> White <input type="checkbox"/> Unknown <input type="checkbox"/> Native American	20. Ethnicity <input type="checkbox"/> Hispanic <input checked="" type="checkbox"/> Non-Hispanic <input type="checkbox"/> Unknown	21. Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	22. Color/Hair Black 23. Height 5' 7"
24. Occupation Student at Hofstra University	25. Color Eyes Brown	26. Weight 150 lbs.	27. Identifying Characteristics (Scars, tattoos, marks, physical defects, etc.) None
28. Address (No., Street, Unit, City, State/Country, Zip Code) Bayside, N.Y.	29. Telephone Number (Include Area Code) [Redacted]	30. Employer Name and Address Unemployed	31. Employer Telephone Number (Include Area Code)

32. Passport No. Unk.	33. Issue Date Unk.	34. Issuing Country U.S.	35. Expiration Date Unk.	36. Name on Passport [Redacted]
37. Driver's License No. [Redacted]	38. Issuing State/Country New York	39. Expiration Date [Redacted]		

4(a) FAMILY INFORMATION (Last, First, Middle Name) b. Age c. Address (No., St, Apt, Unit, City, State, Country) & Phone Number

(b)(7)(C)	(b)(7)(C)	(b)(7)(E)
(b)(7)(C)	(b)(7)(C)	(b)(7)(E)
(b)(7)(E)	(b)(7)(E)	(b)(7)(E)

L. G-DEP DESCRIPTION (Complete for all G-DEP and Arrest Submissions.) Agents Manual 662

(b)(7)(E)



April 15, 1996

To Whom It May Concern

Re. [REDACTED]

I have known [REDACTED] since he first came to Hofstra University, and I have had the pleasure to teach him in one of my courses. I have found him to be an extremely able student, hard working and capable of good insights and intelligent discussions. Other faculty members who have taught him have expressed the high regard they have for him and for his intellectual abilities. I have also found him to be conscientious about his work and serious about his purpose, and in many ways more mature than many of his peers. I consider him one of the best and most talented students we have here now, and would like to see him continue his studies at Hofstra, for he has much to contribute to his peers and to society at large.

Ignacio L. Götz, Ph.D.
Professor of Philosophy
Coordinator for Humanities
and Creative Studies
Director
Division of Special Studies



QUEENS COLLEGE
THE CITY UNIVERSITY OF NEW YORK
FLUSHING, NEW YORK 11367-1597

OFFICE OF THE REGISTRAR

718 997-4400
718 997-4439 FAX

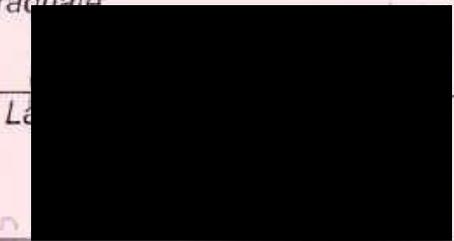
Cancellation of Graduation Form

Undergraduate
 Graduate

Social Security #



Name: _____



Date: _____

I, _____, hereby rescind my
Graduation application for Spring 2001. I understand that once I sign and
Semester / Year
submit this form to the office of Registrar, I cannot seek to reverse it.

My reason for making this request is: need requirement

Student signature

Dear [REDACTED]

Here is a (for) copy of the letter I wrote about your case in 2001.

Good luck.

Stuart Lieberman.



65-30 Kissena Boulevard
Flushing, NY 11367



[REDACTED]

[REDACTED]

Film Studies Program

3338146810-22 COUR Sunrise, FL 33351



Queens College Office of the Registrar (Jefferson 100)
Report of Change of Grade

Student ID # [REDACTED]
Current Class _____ or Inactive

Department	Course No.	Section	Credits
	Med 51	3710	4
<input type="checkbox"/> Fall <input checked="" type="checkbox"/> Spring <input type="checkbox"/> Summer Session I <input type="checkbox"/> Summer Session II	Year	01	
<input type="checkbox"/> No grade was originally recorded; the final grade is _____ Grade change from <u>F</u> to <u>W</u> because _____			

- Note:**
1. Do not give this form to students.
 2. This form is invalid unless it is signed by the instructor and countersigned by the department chair.
 3. Form will be returned if not filled out completely and correctly.
 4. Before sending form to the Registrar's Office, detach Instructor's and Department's copies.
 5. Grades may not be changed except in accordance with College policy as described in the *Bulletin*.

[REDACTED]

[REDACTED]

Instructor's Signature	Date
Dept. Chair's Signature	Date

Reviewed by Registrar Posted Student notified

Please PRINT full name & address. Stay within lines for window envelope

Student Copy



QUEENS COLLEGE
THE CITY UNIVERSITY OF NEW YORK
FLUSHING, NEW YORK 11367-1597

DEPARTMENT OF MEDIAN STUDIES

718 997-2930
718 997-2960 FAX

Prof Charles Lloyd
USSC
The College

September 5, 2001

Dear Prof. Lloyd,

I thank you for your time today on the telephone. I am now following your suggestion to put the matter at hand in writing. As we discussed, I am writing to support Mr. [REDACTED] effort to receive a retroactive withdrawal from MEDST 381W, which he took in the Spring of 2001. Here are the basic facts:

Mr. [REDACTED] has a fine record at the school and in our department. A review of his transcript reveals the "F" grade he received from my former colleague, Murray Forman, to be an anomaly. Mr. [REDACTED] has informed me that he was under terrible pressure last term as his father was deathly ill throughout the semester and finally died on May 9. He did manage to complete some of the course work and received a grade of A-. (I have seen the paper.) He admits that his family obligations did not permit him to attend class regularly. He did make an effort, however, to complete all the work. For it, he received a grade that in my opinion was simply too low. In any case, having reviewed all the work he produced, I cannot countenance the grade of "F" which was assigned to him by my colleague.

What is more, my former colleague did not respond to repeated voice mail and e-mail messages from the end of the term until late in the summer, long past the time when a proper remedy would have been available to Mr. [REDACTED]. In fact, I observed the return of Mr. [REDACTED]'s assignment *only today*. In short, I do not feel that he received proper treatment from my colleague. What is more, because he was unable to reach my colleague in a timely way, Mr. [REDACTED] was forced to take an additional course at additional expense in order to complete his work for graduation. (He has now qualified to graduate.)

For all these reasons, I can say that Mr. [REDACTED] was unfairly treated by Prof. Forman. I believe the best solution is to have your committee grant him a retroactive withdrawal without penalty so that this erroneous grade can be expunged from his otherwise good record.

Please do not hesitate to contact me if you need any further information. I thank you in advance for your assistance in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Stuart Liebman".

Stuart Liebman
Professor and Chair



QUEENS COLLEGE
THE CITY UNIVERSITY OF NEW YORK
FLUSHING, NEW YORK 11367-1597

UNDERGRADUATE SCHOLASTIC
STANDARDS COMMITTEE

718.992.4488

To: Ray Rivera, Acting Registrar
From: Charles I. Lloyd, Executive Officer *CL*
Date: September 5, 2001
Subject: [REDACTED] - MEDST 381 W.

According to detailed information provided in writing and via a telephone interview, Dr. Liebman, Professor and Chair OF THE department of Media Studies, have clearly shown that the instructor of record, Murray Foreman, at the every least treated Mr. [REDACTED] unfairly.

Furthermore, Dr. Liebman's repeated attempts to contact Mr. Foreman (who has since left the college for another job) over the last three months, by email and telephone, to discuss and perhaps rectify this matter proved futile.

Consequently, the USSC has supported Dr. Liebman's recommendation to grant Mr. [REDACTED] a retroactive withdrawal, without penalty, from MEDST 381W.

While this recommendation represents an unusual and perhaps unprecedented action, given the actions of faculty in this event the USSC feels that this is our only course of action to resolve this matter equitably.

Your assistance in this matter is sincerely appreciated.

Thank you.

DUPLICATE



QUEENS COLLEGE
THE CITY UNIVERSITY OF NEW YORK
FLUSHING, NEW YORK 11367-1597

OFFICE OF THE REGISTRAR

718 997-4400
718 997-4439 FAX

December 2001

Dear Graduate:

Congratulations on completing your recent undergraduate degree.

Enclosed please find your diploma and a complimentary copy of your transcript. *Please note that the diploma only indicates the type of degree you received while the transcript shows your degree, your major(s) and your minor(s), if any.* Please examine your degree and transcript. If there is a discrepancy on your transcript or diploma, notify us immediately.

Please note that the enclosed transcript is an unofficial copy and cannot be used in lieu of an official copy to third parties. If you need to send transcripts to employers or institutions, you will need to submit your request at the Registrar's Office either in person or through the mail. The transcript process is detailed on our automated telephone system (718) 997-4400.

The Special Events and Commencement Office will send you information in April 2002 regarding the commencement ceremony which will be held on May 31, 2002. If you have already attended the commencement ceremony in June 2001, just disregard the letter when you receive it.

We wish you continued success with your academic and professional achievements.

Yours sincerely,

Carolyn Hamza
Graduation Audit Unit
Registrar's Office

Wendy Leung

Luz Silva



QUEENS COLLEGE
THE CITY UNIVERSITY OF NEW YORK
FLUSHING, NEW YORK 11367-1597

ALI KABBAJ

STUDENT ID#: [REDACTED]
AS OF: 12/11/2001

[REDACTED] NY 11570

HOFSTRA U

SPRING 2001 7-090-022- - -090

[REDACTED]

[REDACTED]

SUMMER 1999 3-130- - - -090

CREDITS: 15.0 [REDACTED]

[REDACTED]

SUMMER 2001 8-090-022- - -090

CREDITS: 9.0 [REDACTED]

[REDACTED]

FALL 1999 3-130- - - -090

CREDITS: 12.0 [REDACTED]

[REDACTED]

BA GRAD TERM: 06/2001 DATE: 09/01/2001
BACHELOR OF ARTS
MAJOR(S)
PSYCHOLOGY
BACHELOR OF ARTS
MAJOR(S)
MEDIA STUDIES

CREDITS: 13.0 [REDACTED]

SPRING 2000 3-130- - - -090

[REDACTED]

[REDACTED]

CREDITS: 12.0 [REDACTED]

SUMMER 2000 5-090-022- - -090

[REDACTED]

CREDITS: 19.0 [REDACTED]

FALL 2000 5-090-022- - -090

[REDACTED]

CREDITS: 25.0 [REDACTED]

QUEENS COLLEGE

THE CITY UNIVERSITY OF NEW YORK

In pursuance of the authority vested in it by the laws of the State of New York,
and upon the recommendation of the Faculty of Queens College,
the Board of Trustees of the City University of New York confers upon

[REDACTED]

who has completed the requisite course of study, the degree of

Bachelor of Arts

with all the rights and privileges, immunities, and honors thereunto belonging and in testimony thereof.

DATED AT THE CITY OF NEW YORK, THIS FIRST DAY OF SEPTEMBER, TWO THOUSAND ONE.

Matthew Szlachetka
CHANCELLOR

Russel Wotzler
INTERIM PRESIDENT OF QUEENS COLLEGE



Ann C. Schmidt, Esq.
VICE CHAIR OF THE BOARD

Evangelos Gijis
INTERIM PROVOST

AFTER VISIT SUMMARY

MRN: [REDACTED]

5/3/2018 Cleveland Clinic Florida Emergency Department 954-689-5132

Instructions

**Your medications have changed**

- START taking:
 - acyclovir (ZOVIRAX)
 - methylPREDNISolone (MEDROL (PAK))

Review your updated medication list below.

**Read the attached information**

BELLS PALSY (ENGLISH)

**Pick up these medications from any pharmacy with your printed prescription**

acyclovir • methylPREDNISolone

**Follow up with Neurology in 1 day (around 5/4/2018)**

Why: please followup with neurology, if any new s/s are noted or s/s persist/progress, please return to the er right away. pt warned of risks and consequences. pt verbalizes he understands

Specialty: Neurology
 Contact: 2950 Cleveland Clinic Blvd
 Weston Florida 33331
 954-659-5671

Please check in at Desk B41
 Located in the Braathen Center
 2950 Cleveland Clinic Blvd
 Weston, FL 33331

New patients should arrive 30 minutes prior to appointment time.
 Established patients should arrive 15 minutes prior to appointment time.

**Follow up with Anil S Vedula, MD**

Specialty: Ophthalmology
 Contact: 1776 N PINE ISLAND RD
 STE 214
 Plantation FL 33322
 954-452-9922

Today's Visit

You were seen by Jerry M Cajina, DO, DO
 and Tatyana Gelman, PA, PA

Reason for Visit

Numbness

Diagnosis

Bell's palsy

Lab Tests Completed

COMP METABOLIC PANEL

COMPLETE BLOOD COUNT W/AUTO
DIFF**Imaging Tests**

CT BRAIN WO IVCON

Your End of Visit Vitals

Blood
 Pressure
 122/83



Temperature
 (Oral)
 98.7 °F



Pulse
 71



Respiration
 18



Oxygen
 Saturation
 97%

What's Next

You currently have no upcoming appointments scheduled.

Allergies

No Known Allergies

Your Medication List



acyclovir 800 mg tablet
Commonly known as: ZOVIRAX

Take 1 tablet by mouth five times daily for 7 days.



methyIPREDNISolone 4 mg Dose-Pack
Commonly known as: MEDROL (PAK)

Take by mouth. As directed on package

MyChart

If you are a MyChart user, you will receive notification via email to log in to your secure MyChart account when your test results are available for review. Some tests may take several weeks to process. For more information or to sign up for your complimentary MyChart account, please visit clevelandclinic.org/mychart.

Our goal at Cleveland Clinic is to provide our patients with the highest quality health care. One of the best ways to do this is to ask our patients what we are doing well and what may need improvement. If you receive a survey about your hospital stay, thank-you in advance for completing and returning it.

PLEASE NOTE: I understand that the emergency care which I received is not intended to be complete and definitive medical care and treatment. Follow-up care and treatment by your physician or referral physician/clinic is important to your health and safety.

FOLLOW the instructions attached. If you had diagnostic tests such as x-rays, blood tests and/or EKG's, they were initially interpreted to determine the need for emergency treatment. These diagnostic tests may be reviewed in consultation with other Cleveland Clinic staff and if further treatment is necessary we will attempt to notify you. **PLEASE MAKE SURE** we know how to reach you.

IF YOU ARE FEELING WORSE OR YOUR CONDITION HAS NOT IMPROVED IN 24 HOURS, RETURN TO THE EMERGENCY DEPARTMENT OR SEE YOUR REGULAR DOCTOR.

Cleveland Clinic Florida Emergency Department
3100 WESTON ROAD
WESTON FL 33331
Phone: 954-689-5132

 Attached Information

BELLS PALSY (ENGLISH)

Bells Palsy

You have been diagnosed with Bell's Palsy.

Bell's palsy is when the facial nerve that allows the face to move is affected. This makes the facial muscles not work properly. It is thought to sometimes be caused by a virus. This virus comes from the Herpes family of viruses. The nerve that supplies movement to one side of the face is paralyzed.

Bell's Palsy causes weakness of both the upper and lower parts of the face. This makes it different than the symptoms of a stroke. With a stroke, only the lower part of the face is paralyzed. Bell's Palsy affects muscles that close the eye. You may have trouble raising your eyebrow or wrinkling your forehead. It also affects muscles that allow you to smile. Bell's Palsy is on only one side of the face. This is either the left half or the right. It never happens to both at the same time.

You were given a prescription for medicine to help with your symptoms. Most patients' symptoms will improve. However, the paralysis can continue for some patients. However, this is rare.

Make sure to use the eye drops. These will keep your eye from drying out. You can buy viscous eye drops or ointment. You can find them at the store. Use them as needed.

Follow up with your doctor or referral neurologist in the next few days.

YOU SHOULD SEEK MEDICAL ATTENTION IMMEDIATELY, EITHER HERE OR AT THE NEAREST EMERGENCY DEPARTMENT, IF ANY OF THE FOLLOWING OCCURS:

- Severe headache.
- Worsening symptoms.
- Eye pain, eye drainage or vision problems.

Thank you for choosing Cleveland Clinic. We appreciate the trust you have shown in our Emergency Department to meet your immediate healthcare needs.

In addition to our Emergency Departments, Cleveland Clinic offers a variety of healthcare services including physicians' offices, urgent care centers and express care. To see a listing of these options, please visit, <http://my.clevelandclinic.org/ccf/media/Files/patients-visitors/level-of-care-map.pdf>

We encourage each patient to have an on-going relationship with a primary care provider (family doctor). If you do not have a healthcare provider, we encourage you to call for an appointment today. Primary care providers can help you to better manage your care and time based on your schedule. If you would like to schedule an appointment with any Cleveland Clinic Provider, please call our appointment center at 1-866-320-4573 or (216) 444-2273 (7 a.m. - 11 p.m. ET, daily). For **Akron General**, please call 1-330-344-2273 (CARE) (8 a.m.-5 p.m. ET, Mon through Friday) or **in Florida**, please call 1-877-463-2010 (7 a.m.- 6 p.m. ET, Mon through Friday and 8 a.m. - 12 noon Saturday).

If you have questions or need help determining what care option best meets your need, please contact your local provider.

Our Emergency Department wishes you a speedy recovery.

**I have received a copy of the above instructions and understand them.
I have received my personal belongings and/or valuables slip.**

Patient Signature: _____

Nurse Signature: _____

Date/Time: _____

A handwritten signature in black ink, appearing to be 'RC', is written across the Patient and Nurse signature lines.

Name: [REDACTED] MRN: [REDACTED] FIN: [REDACTED]

DOB: [REDACTED] Visit Date: 10/22/2013 12:26 PM Current Date: 10/24/2013 13:05:15

Discharge Diagnoses: [REDACTED]

Admitting Physician: [REDACTED] MD, [REDACTED]

Attending Physician: [REDACTED] MD, [REDACTED]; [REDACTED] MD, [REDACTED]; [REDACTED] MD,

[REDACTED]

Consulting Physician: [REDACTED] MD, [REDACTED]; [REDACTED], MD [REDACTED]; [REDACTED] MD, [REDACTED]

[REDACTED]; EMERGENCY, PHYSICIAN

For Your medication safety, only take the medications listed on this Discharge Instructions and Medications Form

Discharge Medication List:

- 1. acetaminophen-oxyCODONE (Percocet 5/325 oral tablet), 1 tab, By Mouth, Every 6 Hours, Duration: 3 day(s), as needed for Pain - Severe Scale (7-10)

****Please discard old medication lists and update any records with all medication providers or retail pharmacies.****

IF PAYING BY MASTERCARD, DISCOVER, VISA OR AMERICAN EXPRESS, FILL OUT BELOW.

MASTERCARD
 DISCOVER
 VISA
 AMERICAN EXPRESS

GARD NUMBER		SECURITY CODE
SIGNATURE		EXP. DATE
STATEMENT DATE	PAY THIS AMOUNT	ACCT. #
11/14/13	\$ 21154.23	[REDACTED]
SHOW AMOUNT PAID HERE		\$

RETURN SERVICE REQUESTED

RE: [REDACTED]
Date of Service: 10/22/13

[REDACTED]

[REDACTED]

[REDACTED]

Dear [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

00002798-A

<http://www.bigtrial.net/2016/04/battaglioni-gets-another-day-in-court.html>



Battaglioni Gets Another Day In Court

By George Anastasia For BigTrial.net | SUNDAY, APRIL 3, 2016

Gary Battaglioni's never been to law school but the one-time South Philadelphia bookmaker has apparently learned to speak legalese. And speak it fairly well. Filing motions on his own behalf, Battaglioni has won the right to an evidentiary hearing that he hopes will result in either his conviction being overturned or will earn him a reduced sentence or a new trial. If you're taking book on it, make it a longshot. But that hasn't stopped the soft spoken but street-savvy Battaglioni from trying. The hearing, on his rule 2255 motion, is tentatively set for Thursday morning before Judge Eduardo Robreno who presided over the mob racketeering trial in 2012 that ended with Battaglioni, 54, and three others being convicted. Battaglioni was sentenced to eight years. As he had throughout the trial, Battaglioni from prison has continued to insist that his conviction was without merit and that he was swept away in an anti-Mafia prosecution in which the feds played fast and loose with the rules. Among other things, inmate Battaglioni, from his prison cell, filed a civil against his chief prosecutor, Assistant U.S. Attorney Frank Labor 3d, and FBI Agent John Augustine alleging they withheld and distorted evidence that could have resulted in his acquittal. In a move that demonstrated the legal equivalent of chutzpah, Battaglioni sought \$1.5 million in compensatory damages and \$5 million in punitive damages. The suit was dismissed as baseless shortly after it was filed. But the issues remain part of Battaglioni's ongoing legal battle. Whether he and his recently appointed attorney Hope Lefebber are able to fold them into the scheduled hearing could be problematic. Judge Robreno has limited the hearing to just one of six issues raised in a brief filed by Battaglioni more than a year ago. The hearing is set to determine whether Battaglioni's trial lawyer, Lawrence O'Connor, provided ineffective counsel by failing to file a timely notice of appeal after the convictions were announced on Feb. 5, 2013. The government contends the issue is fairly straight forward. O'Connor never filed a notice of appeal because "Battaglioni never directed him to do so." Battaglioni, of course, disputes that contention. The other issues on "ineffective counsel" focus on witnesses, government actions and the failure of his defense attorney to raise issues and objections during the trial. Those seem to be off point in terms of the timely filing of an appeal notice, but in a broader sense outline what that appeal might have been based on. Robreno rejected most of the arguments during trial, but that's what an appeal process is all about. Battaglioni is arguing that he never got the chance to take his case to a higher court. In his motion, he cites several specific issues, including the failure of his defense attorney to challenge the credibility of government witness Michael Orlando and the admission of tapes from another government cooperator, Peter Albo, who was not called as a witness. Orlando, whose testimony was interrupted when he was briefly hospitalized, was described by the defense as a one-time drug abuser who was saying whatever the government wanted him to say in order to avoid prosecution for his own criminal activities. In his motion, Battaglioni contended that from the witness stand Orlando was "free to weave any tale attendant to a smorgasbord of uncorroborated assertions, including that Battaglioni was a bookmaker and loanshark...and that Battaglioni boasted to the witness his mob association." He also argued that his defense failed to make a distinction between a \$5,000 debt Orlando owed to mobster Steven Mazzone and a \$500 "legitimate" loan that Orlando owed to Battaglioni. Battaglioni said the evidence showed that he only "advised" Orlando to pay the mob debt and that the \$500 loan "was a legitimate debt having nothing to do with mob activities." He also pointed out that while Orlando claimed to know Battaglioni, Orlando failed to identify him on three different occasions while on the witness stand. Just as detrimental to his defense, Battaglioni said, was his attorney's failure to attack the tape conversations of government cooperator Peter Albo who was not called to testify, but who had secretly recorded a series of conversations that were introduced as evidence. Like Orlando, Albo was described as in debt to the mob. Why he was not called as a witness is at the heart of Battaglioni's argument. He contends that only after all the Albo tapes were played for the jury through the testimony of FBI Agent John Augustine did the government disclose that during the trial -- in fact while the tapes were being played in court -- Albo recanted two key points in a debriefing with the FBI. That, Battaglioni implies, is the reason Albo was never called to the stand, even though he was listed as a potential witness. An FBI memo of the debriefing, which

was provided later in the trial, notes that "Albo directly contradicts, more or less, all of the information that he provided the government over the course of this investigation." Written by Augustine, the memo noted that Albo said he never felt threatened by either Battaglini or Louis Barretta, another bookmaker who pleaded guilty to gambling charges. What's more, he recanted an earlier statement that Barretta was a mob associate, claiming instead that Barretta "liked to throw names around." The FBI memo, a so-called 302, is reprinted here in full:

During the interview of PETER ALBO on November 19, 2012, ALBO made a number of statements to the investigating agent and to Assistant United States Attorney (AUSA) Frank Labor, which were contradictory to previous statements and information provided to the Government by ALBO from 2002 up until that 11/19/2012 interview. The contradictory statements made by ALBO are summarized as follows:

1. ALBO now stated that he never felt personally threatened by GARY BATTAGLINI or LOUIS BARRETTA as a result of demands to ALBO that he repay the sports betting debt he incurred in 2002. This statement contradicts numerous previous statements made by ALBO to the investigating agent in which ALBO expressed significant concern for his personal safety due to the fact that he was threatened to repay this debt.

2. ALBO now stated that he was unaware of LOUIS BARRETTA'S association with Philadelphia organized crime. ALBO stated that BARRETTA 'liked to throw names around,' when questions about BARRETTA'S affiliation with Philadelphia LCN member STEVEN MAZZONE. These statements contradict numerous previous statements made by ALBO to the investigating agent in which ALBO directly linked BARRETTA to MAZZONE and advised that BARRETTA was running a bookmaking operations on MAZZONE'S behalf while MAZZONE was incarcerated.

The investigating agent noted that these statements contradict not only ALBO'S previous statements, but also voluminous evidence including recorded statements made by ALBO, BATTAGLINI and BARRETTA during the period of investigation.

Battaglini argued that the defense was not informed of the recantation memo until Nov. 27, 2012, even though the interview occurred on Nov. 19, 2012. During this time the trial was underway and Augustine was testifying about tapes Albo had made. Labor, Battaglini contended in his legal brief, "sought to cover up or smooth over this wrinkle in his case by failing to mention it until every iota of Albo evidence was back-doored" through the testimony of Augustine and another FBI agent. That, he contended, should have been grounds for a defense motion barring the Albo tapes or a motion for a mistrial. In fact, Robreno had heard defense arguments to that effect, but allowed the tapes to be played. Again, while Robreno's ruling seems to undermine a part of Battaglini's ineffective counsel argument, the issue of the Albo tapes would certainly have been part of an appeal had it been filed. Three other defendants convicted with Battaglini raised similar appeal issues which were rejected. Earlier this year, a Third Circuit Appellate Court panel denied appeal motions filed on behalf of mob underboss Joseph "Mousie Massimino, mob capo Anthony Staino and mob soldier Damion Canalichio and ruled that their convictions should stand. Three other defendants in the case, mob boss Joseph Ligambi, mob capo Joseph "Scoops" Licata, and mob leader George Borgesi, beat the charges. Battaglini was the only defendant not described as a made member of the Philadelphia crime family. Prosecutor's labeled him as an associate, a description that Battaglini disputed. At one point in his brief he argued that, "It was Battaglini's position that, however illegal, his taking of sports bets was an individual activity and not part of a mob enterprise." For that reason as well, Battaglini argued that his lawyer failed to object to a closing argument by Assistant U. S. Attorney John Han in which Han said the defense had conceded "these seven defendants are all associated with the Philly mob." Battaglini said his defense never conceded that issue and that there should have been a strong objection to that characterization. The prosecution contends, however, that Battaglini's lawyer provided him with a defense on all the issues raised and that the judge considered and rejected the issues being raised again. There was more than enough evidence to warrant a conviction, prosecutors argue, including Battaglini's own words in a secretly recorded conversation with one of the deadbeat gamblers who owed money to the mob. "You're about to see a side of me you ain't gonna fucking enjoy," Battaglini said as the tape picked up every word. "Cause right now I wanna fucking put a bullet in your head. Do you fucking understand me? Stevie's in jail. Stevie ain't got nothing to do with nothing no more. That book don't belong to him. They wiped all that stuff off the books...There's a new boss in town. It's Uncle Joe's book and everything gets kicked upstairs to him now. He don't want to know nothing. He just wants his money. That's all he wants, his fucking envelope and that's it."

George Anastasia can be reached at George@bigtrial.net

<https://www.roughlyexplained.com/2017/05/white-house-counsel-don-mcgahns-uncle-helped-trump-deal-mob/>



How White House Counsel Don McGahn's Uncle Helped Trump Do a Deal with the Mob

By [Publius Valerius](#) | May 21, 2017

Two major characteristics separate President Trump from other men to hold the office: He has no political experience, and he heavily relies on family members and a few long-time trusted advisers. One of the people the president leans on is White House counsel Donald F. McGahn, whose family has long ties to Donald J. Trump. As the Washington Post noted, McGahn is the nephew of Patrick 'Paddy' McGahn Jr., who once was Trump's lawyer. Patrick McGahn, who died in 2000, was more than a lawyer. He controlled the South Jersey Democratic machine and largely was credited with bringing casino gambling to Atlantic City. New Jersey state records show that he assisted Trump in the \$1.1 million cash purchase of property from organized crime figures.

Mobsters and Parking

The Trump Organization in 1982 began construction on Harrah's at Trump Plaza, an Atlantic City casino that later became the Trump Plaza. While Trump had the casino site, he did not have a place to park customers' cars. Trump was interested in two potential site that he wanted to turn into parking. In a book about Trump, investigative reporter Wayne Barrett, who died earlier this year, wrote that the site Trump eventually purchased was owned by two sons of organized crime figures: Salvatore "Salvie" Testa and Frank Narducci, Jr. They had paid \$195,000 in 1977 for the property directly across the street from the Trump Plaza, and operated a nightclub on it. Testa's father, Philip "Chicken Man" Testa, was killed by a bomb – an act that was immortalized in the Bruce Springsteen song "Atlantic City" ("Well they blew up the chicken man in Philly last night now they blew up his house too"). Barrett alleged that Testa "headed Nicodemo "Nicky" Scarfo's hit-man squad called the Young Executioners." FBI reports state the Scarfo crime family at the time "dominated Atlantic City and Philadelphia." A Website about organized crime called Narducci Jr. a "Philly Wiseguy." He was convicted of murder along with Scarfo and five other reported organized crime figures. Narducci's father ironically was killed reportedly in retaliation for his role in the murder of Philip Testa.

Patrick McGahn's Role

New Jersey state investigative records show that Trump paid \$1.1 million for the site, after the title was transferred from Testa and Narducci to Patrick McGahn's secretary and then to a Trump entity. An investigative report on Trump's license to operate Trump Plaza undertaken by the New Jersey Division of Gaming Enforcement states that Trump knew the property was owned by what the DGE called "Testa Group." The DGE report states: "Because [Trump] did not want to negotiate with those people directly, he instructed his attorney, Patrick T. McGahn, Jr., to deal with a broker and arrange for a cash deal. With respect to the property in question, by deed dated July 11, 1977, Jeanne's Enterprises transferred the property to Frank J. Narducci Jr. and Salvatore A. Testa. By deed dated April 1, 1982, Narducci conveyed his interest in the property to Testa." The DGE reports that Trump "authorized McGahn to purchase the property . . . for such entity which [Trump] would thereafter designate in writing. [Trump] also requested that McGahn ensure that the property would be fully assignable." Barrett alleged the other "entity" was McGahn's secretary. The closing was held on November 4, 1982 in McGahn's law office. The DGE report states that the people who attended the closing included McGahn, Testa and his lawyer, and Chris Scarfo – "the son of Nicodemo Scarfo." The DGE notes: "The \$1,100,000 purchase price of the property was paid in cash."

The author is a former Congressional investigator.

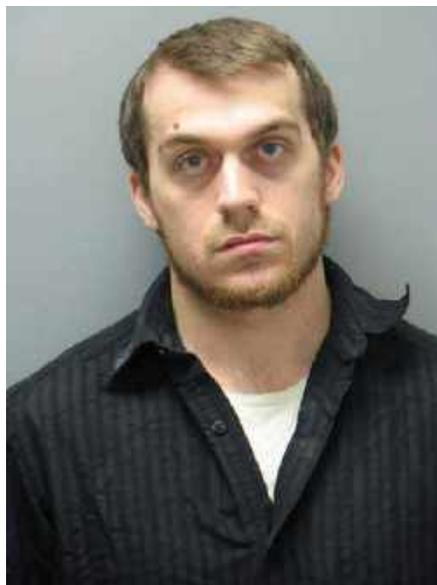
<https://www.delawareonline.com/story/news/crime/2017/10/03/http-www-delawareonline-com-story-news-crime-2016-03-11-new-york-man-accused-sextorting-delaware-chi/727311001/>

delaware online

PART OF THE USA TODAY NETWORK

New Jersey man pleaded to 'sextorting' a Delaware child

[Esteban Parra](#), The News Journal | Published 12:26 p.m. ET Oct. 3, 2017 | Updated 10:30 a.m. ET Oct. 4, 2017



A 25-year-old New Jersey man pleaded guilty to coercing sexually explicit photos and videos from a Delaware minor. From September 2012 through June 2015, Justin R. Gulisano, of Newark, New Jersey, attempted to use, persuade, coerce and entice the minor to engage in sexually explicit conduct so that he could produce images of the acts, according to an indictment issued early last year. Gulisano distributed sexual images of the minor on the internet in October 2013. [Gulisano was federally indicted in March](#) of last year. On Monday, he pleaded guilty before U.S. District Judge Leonard P. Stark to coercion and enticement of a minor to engage in sexual activity. A sentencing date was not available Tuesday. According to admissions made in connection with the plea agreement, Gulisano met the victim online when she was 15 years old, said Kim Reeves, a spokeswoman for the U.S. Attorney's Office in Wilmington. He then began requesting and receiving sexually explicit images and videos from the victim. He posted the sexually explicit videos on a pornography website, where they were downloaded, posted and reposted by other viewers to additional pornographic websites, Reeves said. When the girl refused to make and send more images and videos, Gulisano responded by threatening her on more than one occasion. "He threatened to post the victim's images and videos on the internet again," Reeves said. "He threatened to share the images and videos with the victim's brother, and he threatened the victim's life." Gulisano was also indicted by state prosecutors on charges of sexual exploitation of a child, nine counts of sexual solicitation of a child, 10 counts of obscenity material provided to a minor, invasion of privacy and terroristic threatening. That indictment was dropped in April 2016 following the federal charges.

STORY: [New York man accused of 'sextorting' a Delaware child](#)

STORY: [Sextortion gives predators new weapon against teens](#)

Contact Esteban Parra at (302) 324-2299, eparra@delawareonline.com or Twitter @eparra3

From: [REDACTED]
To: "EPARRA@wilmingt.gannett.com"
Subject: Justin R. Gulisano
Date: Friday, March 29, 2019 8:57:00 PM
Attachments: [Justin.pdf](#)

Regarding the following article:

<https://www.delawareonline.com/story/news/crime/2017/10/03/http-www-delawareonline-com-story-news-crime-2016-03-11-new-york-man-accused-sextorting-delaware-chi/727311001/>

This is another case you apparently wrote about, I didn't know it when I filed the lawsuit against the Probation last week in Florida where I mentioned it (SDFL Case No. 19-60786)

So when I went back online to see if anything was written about him, it turns out you covered this case as well.

You heard the governments version of this story, now I will tell you the truth.

When I was illegally locked up in FDC Philadelphia from March 2016 until May 2017 (before transfer to Florida), I did have occasion to help several inmates in cases where I learned that there was substantial, illegal government misconduct. Mr. Gulisano was one of those cases.

So what happened was that Justin had met some girl online and he started to have a consensual relationship with her (boyfriend/girlfriend), whereby even the girl's parents were aware it was going on and they allowed their daughter to continue with him knowing full well that their relationship was sexual. Unfortunately, it was a very unhealthy relationship for Justin because although he was older than this girl who was 15 when he met her (and she lied and told him she was 16, which is the age of consent under Delaware law), this particular girl was actually having sex for years before she even met Justin and based upon all the discovery I reviewed directly, it was clear to me that she was the more dominant in that relationship. Furthermore, at the time when she was dating him and claiming to be his "exclusive" girlfriend, she was also cheating on him with other guys that she was also sexting with online (which the prosecutors knew about, but refused to investigate despite the fact that the other guys were also older than her as well). So she was prolific online with her sex stuff, and at one point she was even telling Justin that she wanted to make a career out of her online exhibitionism by becoming a "cam girl."

So while it is true that Justin did take the videos with her and start posting them online to get revenge against her for basically cheating on him with multiple other persons (to include females), and while it is true that he did make threats to "kill" her and I read the actual exchanges directly, it was also VERY clear to me that this is how they were talking to each other for quite a while as he traditionally made threats like that, and she traditionally blew them off with jokes, and he would respond with jokes, and none of it was actually perceived by them to be real threats. She also made threats against him, and at one point the entire government case almost fell apart because Justin had actually added her to his Corlinks account (prison email account) whereby he was actually emailing with her directly while in the jail for a while before the prosecutors found out about it. At one point when this Delaware girl heard the amount of time that they were threatening to give him (through the email exchanges she was having with him in the prison), she specifically emailed him telling him that she felt it was wrong and that she did not want him to get that much time because she knew that she was no angel as well.

Apparently this Delaware girl who was sleeping with numerous guys/girls in her neighborhood, had at one point become involved with some older lesbian girl who had a crush on her and wanted to "steal" her from Justin. So at some point when Justin was flipping out and posting these video's of her online to get back at her, it was actually this older lesbian girl was the one who ultimately got everything going with the police to have him arrested and basically taken out of the picture (while she was herself apparently having some illegal sexual relationship with this underage Delaware girl for some time before she met Justin).

So after he was arrested, Delaware assigned a prosecutor to his case that was apparently also the son of Judge Robsinson (who practiced in the same district), and Justin was also assigned Edson Bostic and his office and they all

railroaded him royally. First of all, both the Public Defenders and the prosecutors refused to investigate the other persons in her neighborhood that she was having sex with despite evidence). They even withheld his discovery for so long, and after he finally got some of it he began to discover the scope of how much she was cheating on him at that time, and I remember Justin being utterly devastated by it because he really did "love" this girl.

Furthermore, and I only disclose this because it is ABSOLUTELY relevant to his defense, is that Mr. Gulisano admitted to me that [REDACTED]

[REDACTED] So when he disclosed this to the prosecutors in the hopes that they would also charge [REDACTED], they refused to investigate that too and covered that up as well. They basically put a gun to his head and threatened him with 30 years (or more) if he did not take a plea. I saw this kid go through a breakdown over this to the point whereby I guess all the confusion, all the double-standards on the case, completely destroyed his trust in anything holy on this planet (and I don't blame him), to the point whereby he finally decided to just say "fuck the world" and "express" as a transgender. We spoke about that as well at length, but I could not gain his trust on that specific issue in any situation whereby he was being subjected to losing all trust in everyone on earth based upon how badly the prosecutors wanted to abuse him to get those headlines that you wrote for them (because that is what these people live for).

I would NEVER stand up for someone accused of child pornography as you can see from what my dispute is about with these people, but when I saw the details of his case I did not give a fuck what the other inmates thought of him, I still stood up for him because when he confided in me and started sharing the details with me, I could very quickly see that his case was absolutely different from all the other pedophile cases I was hearing about. his case was nothing like all the others in that jail (and there were some very very sick people in that prison on those types of charges). If all the Justin even got to learn about girls was the example set for him by that girl in Delaware and the horrible experience he had to go through because of it, I can understand a lot about why he fell so deep into that type of psychosis.

The girl in that Delaware case was very advanced for a 15-16 year old. Her language skills, vocabulary, etc, were on a level much higher than Justin and this is easily prominent in their many exchanges. From a cognitive perspective in terms of showing a jury who is the real victim, if I had been the defense attorney on his case, I believe Justin would have been acquitted in a jury trial, or else the prosecutors would have never attempted to go to trial with all that crazy stuff this girl was doing with numerous persons. She was way more mature (in the mind) than Justin from what I could see with my own eyes. She literally dominated him into the childish, destructive frenzy that ultimately allowed the Delaware lunatics to consume him alive.

Lets not forget this case here, to better put things in perspective regarding how the Delaware elite operate:

<https://www.nydailynews.com/news/crime/woman-sues-ex-husband-du-pont-heir-dodged-prison-raping-3-year-old-daughter-article-1.1740180>

Any decent defense attorney worth his salt could have easily gotten Justin home by now, but the politics of the Federal Defenders, prosecutors and Courts in Delaware was that this would be a good case to show the public that they are "doing their job" by catching all these evil predators who are preying on the Delaware children (because they do indeed have a horrible reputation of also giving special favors to the Delaware elite to escape prosecution and so they now have to counter that by victimizing people like Justin for public consumption (via your articles about him, which they probably hang on their walls as a "job well done." Very sad case, but I hope you understand a little more about it now, and I hope that some day these facts will come out to rebut the ones that you published about him without getting the other side.

Thanks.

The Fayetteville Observer

Student Says He Shot An Intruder In Self-Defense

By Mike Barrett, Staff Writer | Posted: Wednesday, April 22nd, 1992

A senior at Westover High School shot and killed one of five fellow students who had broken into his apartment Monday night, according to the sheriff's department. The senior, Kun Young Yoon, 18, said he fired a pistol because one of two men who confronted him in a hallway pointed a shotgun at him. Four students, three of them athletes at Westover, were charged with the break-in. No charge was filed against Mr. Yoon. Terry Tyron Campbell, 19, of 208 Ingleside Drive died outside Mr. Yoon's apartment at 6849 Wimbledon Circle, said Sgt. Hershell Barbour of the sheriff's department. The apartment is in The Village of Cliffdale complex off Cliffdale and Reilly roads. The shooting happened about 11 p.m. Mr. Yoon, in a telephone interview, said he and two friends had just returned from a camping trip in the mountains. "I was walking up the stairs when I saw my apartment door open," he said. "I went in the house and dropped my sleeping bag and bag of clothes. I walked back downstairs, and I saw two men in the hallway. One of them pointed a shotgun at me. "I fired my pistol twice and ducked behind the stairs. They went outside. One of them ran, and the other went down. Then I saw the blood." Sgt. Barbour said four other Westover students who were with Mr. Campbell left, but three of them were arrested by 3 a.m. Tuesday, and the fourth surrendered at the Law Enforcement Center Tuesday afternoon. The four were jailed with their bonds set at \$30,000. They are scheduled for court hearings on May 6. Joseph William Ludwig "Joey" Delima, 18, of 296 Bonanza Drive, a Westover football player and wrestler, was arrested on Bonanza Drive, the sergeant said. Mr. Delima was charged with conspiracy and second-degree burglary. Tyrone Leevon King, 17, of 5301 Sonnet Court, a Westover football player, was arrested at home and was charged with conspiracy, second-degree burglary and larceny, the sergeant said. Elliott Jefferson Williams, 16, of the 200 block of Bonanza Drive, was arrested at his home and charged with conspiracy, second-degree burglary and felony larceny, the sergeant said. Robert William "Bert" Adams, 19, of the 1500 block of Converse Street, a Westover football player and wrestler, surrendered about 2 p.m. and was charged with conspiracy, second-degree burglary and felony larceny, the sergeant said. Mr. Yoon said he didn't recognize the two men he saw in the hall. He said he was acquainted with Mr. Delima and Mr. Adams from school. Mr. Yoon said he was with his friends, Danny Speaks, 18, of 432 Homestead Drive and Rico Williams, 18, who lives off Reilly Road, as he returned to the apartment he shares with his brother. Mr. Speaks said he was in his pickup truck when "I heard a gunshot. I saw someone running by. I started chasing him. I lost him. I went back and saw the boy who'd got shot. I asked him if he was all right. He was moving a little bit." Mr. Yoon said that Mr. Williams was outside when the shooting happened. Mr. Yoon's neighbor, Spec. Tim Richards, 24, a Fort Bragg soldier, said he was almost asleep in his apartment across the hall when he heard at least one shot fired. "I went to the balcony," Spec. Richards said. "I saw two guys in the parking lot with a cooler. Then I looked down and saw a man lying face down. I went downstairs to check the man out. As I walked down the hallway, I smelled cordite." He said he checked the man's pulse and told his roommate to dial 911.

PHOTO, Caption: (1) KING (2) WILLIAMS (3) ADAMS (4) DELIMA

The Fayetteville Observer

Teens Feuded, Teachers Say

By Kim Oriole Staff Writer | Posted: Thursday, April 23, 1992 12:00 am

Army Sgt. Terry Campbell and his wife, Fannie, are struggling to understand why their 19-year-old son was shot to death Monday night at the Village of Cambridge apartment complex. Fred McDaniel, athletic director at Westover High School, said he saw trouble coming and tried unsuccessfully to stop it. He said some of the teen-agers involved had been part of a continuing dispute, and school officials had tried to help them settle it. Sheriff's deputies say that about 11 p.m. Monday, five teen-agers, four of them students at Westover High, broke into Kun Young Yoon's apartment. Mr. Yoon, 18, who is also a student at Westover, said he came home and found his apartment door open, went inside and dropped off a bag. He said he started walking down the stairs when he saw two men he didn't recognize in the hallway, one pointing a shotgun at him. He fired his pistol. Terry Tyron "T-bone" Campbell, 19, was hit twice in the back and died. He was not a student at Westover. Mr. Yoon said the other teen ran as the shots were fired. "This goes back to something that happened in wrestling," Mr. McDaniel said. "It goes back to a girl somewhere down the road. A lot of egos were being bruised. I told them before Easter break, 'If you don't let this alone, let this lie, somebody's going to end up dead or in jail.' I could see it coming. I just said I hope it doesn't happen over Easter break." The Cumberland County Sheriff's Department has turned the case over to the District Attorney's Office, which will decide whether Mr. Yoon should be charged, sheriff's spokesman Hershell Barbour said Wednesday. The four students who were said to have been with Mr. Campbell were charged Tuesday with breaking into Mr. Yoon's apartment. The four are Joseph William "Joey" Delima, 18, of 296 Bonanza Drive, Tyrone Leevon King, 17, of 5301 Sonnet Court, Elliott Jefferson Williams, 16, of the 200 block of Bonanza Drive, and Robert William Adams, 19, of the 1500 block of Converse Avenue. All are juniors at Westover except Mr. Adams, who is a senior. Mr. McDaniel, the athletic director, said Mr. Yoon and Mr. Adams were in a fight a few weeks ago, and the problems grew. "We talked to them extensively," he said. "We got the kids together and tried to work out the problem. Neither one wanted to let it go. There's a lot of underlying problems there." "My son didn't have a gun," Sgt. Campbell said. He and his wife said Mr. Yoon knew their son, and had been at the Campbell house at 208 Ingleside Drive. "Yoon came by and picked up my son before," Sgt. Campbell said. Milton Butts, Westover football coach and a counselor who tries to prevent dropouts, said he works with several of the students who were involved. "We talked to their parents," he said. "We were doing everything we could to defuse it at the school. We've been hearing things around the community about them arguing and agitating. There have been several incidents and arguments off campus that we knew about." He said Mr. Delima and Mr. Adams were on the football and wrestling teams at school. But they won't be competing next year, he said. The four students are in the Cumberland County Jail. Bail is \$30,000 each. They are scheduled for court hearings May 6. Each is charged with conspiracy and second-degree burglary. Mr. Adams and Mr. Williams were also charged with felony larceny, and Mr. King was charged with larceny. Mr. McDaniel said school officials try to work with troubled students to keep them in school and get them back on the right track. "Something like this happens and you wonder why," he said. "It's disheartening. But we'll be back Monday. We'll keep trying and hope to save some." Sgt. Campbell said his son dropped out of school in ninth grade. He said the family's frequent moves caused school problems for their son. "He never really had a good foundation in school," his father said. But Mrs. Campbell said her son had planned to enroll in night school this week, and was basically a good person. He helped her with household chores and loved to watch movies and talk on the telephone, she said. "I had to get call-waiting because he'd be on that phone all day," she said with a laugh. "He liked to play basketball. He never really stirred up trouble. He liked to make friends, so I don't really understand this."

The Fayetteville Observer

Westover Backs Decision To Play Juvenile Offenders

By Earl Vaughan, Scholastic Sports Editor | |Section: Sports | September 29th, 1992

Two Westover High School athletes who were involved in a break-in that resulted in the death of a participant last April are playing for the Westover football team. Westover's head football coach, Milton Butts, was quoted shortly after the incident as saying the two players, Joey Delima and Tyrone King, would not be on the team this season. Butts said Monday that what he said in April had been misinterpreted. He said he only meant the players would not be participating in athletics, specifically football, at that time. At the time of the incident, the only football activity allowed for Westover players was individual skill development with groups of up to 10 players after school hours. Delima is a starting center. King plays cornerback and receiver. Cumberland County sheriff's deputies said that during the break-in Kun Young Yoon shot and killed one of five teen-agers who had entered his apartment. Delima and King were arrested along with two other Westover students. According to Cumberland County court records, Delima pleaded guilty to breaking and entering this month. He was fined \$200 plus \$135 in court costs and drew a 3-year suspended sentence. He is on three years' supervised probation. King's case is still pending and no date has been set, but court records show he has agreed to plead guilty to the felony breaking and entering charge. Butts said he discussed the situation concerning Delima and King with Westover Principal William Shipp and the rest of the Westover administrative staff before the school year started. "When it got down to it, it was what's best for the kids," Butts said. "That's what we're looking at. They need football a lot more than football needs them. "They supported me," Butts said of the school's administration. "We all came to a mutual agreement, but it was my decision." Butts said he also talked with some officials at the Cumberland County schools central office, "but it was totally confidential," he said. "I wanted to bounce my ideas off them and see what they thought. A lot of thought went into it." Butts said he also talked with the parents of Delima and King and worked with the athletes over the summer. "There are several things these young men had to do and still have to do in order to maintain their status," Butts said. Shipp said he supported Butts' decision. "I make no apologies for reaching out and being an advocate for young men who have gotten into trouble," he said. "The most effective dropout prevention program in any high school is its athletic program, and I stand by that." Shipp said Westover has no specific school policy to deal with cases involving athletes who have been charged with or found guilty of crimes. "We try to be as fair as possible, look at every situation," he said. "I have complete and full confidence in the ability of Milton Butts to properly instruct young men and women and to demand a lot from kids and have high expectations. "Milton Butts is an advocate for students as students and not only as athletes." There are no state or local rules that bar athletes charged with or convicted of crimes from participating in athletics. Dick Knox, deputy executive director of the N.C. High School Athletic Association, said the matter is "strictly up to the local administrative unit." He said his organization has been asked by some member schools to develop a policy, but has declined because of the potential legal questions. Bill Carver, director of student services for Cumberland County schools, said athletes can be dismissed from participation if they are convicted of a crime. However, he said that is only listed as a possible reason for dismissal in a county athletic handbook for students and parents and is not a policy of the Cumberland County Board of Education. Other possible reasons for banning an athlete from competition, according to the handbook, are excessive use of profanity, excessive vulgarity and being disrespectful to school personnel or property.

The Fayetteville Observer

Headless body found in lake

An Observer-Times staff report | Friday, May 2nd, 1997

Two boaters found a headless body floating in Lomond Lake on Thursday, Fayetteville police said. Police Sgt. Marta Moore said police got a call about the body about 6:30 p.m. The body may have been in the lake for several days, Moore said. The body had not been identified late Thursday night. Moore said it was a white man. Moore said police also found a dead dog floating near the shore. She did not know if the animal was linked to the dead man. Lomond Lake is in Devonwood subdivision, about half a mile from Morganton Road. Police worked to retrieve the body at the end of Reid Court, off Livermore Drive. Autumn Hux lives in a house near the lake, and watched as police gathered in the cul-de-sac at the end of the street. Hux and her father, who declined to give his name, said they saw a strange truck in the neighborhood last week. There was a johnboat in the back of the truck, they said. The neighborhood and the lake are generally quiet, Hux said. The fire trucks and police cars parked there were a marked change from normal. People don't swim in the lake, Hux said, but "we go fishing."

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The Fayetteville Observer

Headless Body:

Boaters recall grisly discovery

By Michelle Brien Staff writer | Saturday, May 3rd, 1997

Mike Creamer and Roger Carroll had been cruising on Lomond Lake about 45 minutes Thursday, fishing, when they saw something floating in the water. "We thought it might have been a dog," Carroll said. "The smell is what gave it away," Creamer said. It was the headless body of a man. Carroll said they "got out of there and called police." Fayetteville police pulled the body from the small lake in the Devonwood subdivision. They have not identified it nor have they found the head. The body was that of a white man, and it had been in the water for several days. It was sent to the medical examiner's office in Chapel Hill on Friday. A spokeswoman there said police had asked doctors not to talk about the case. Police Sgt. Steve McIntosh said he didn't know what type of clothing the man wore or whether his clothes contained identification. Police also retrieved a dead dog from the water, but Carroll said sanitation workers picked it up Friday morning. Carroll said the body was behind his lakefront house at the end of Reid Court, near the opposite shore. A plastic drink bottle bobbed in the water Friday to mark the spot, although Carroll said the body was actually closer to the shore. Tall pine trees block the view of the lake from the street. But Carroll can see the wooden fence and dock of his neighbor across the lake from his back yard. Creamer said he and Carroll had fished on Tuesday and didn't see anything in the lake. Creamer lives on Woodstream Trail, in a neighboring subdivision. The water behind Carroll's house is shallow. Carroll said a person could walk across, and the water might reach the upper chest. At the other end of the lake, by the dam, the water is much deeper, possibly 40 feet. Neighbors said the discovery was scary, but fascinating. Autumn Hux lives across the street from Carroll. She said she skipped a class field trip Friday to stay home and watch the police work. "They went out in the boat again for a long time," she said. "Just searching up and down." Hux said she stayed up until police pulled the body from the water Thursday night. It looked like a big, heavy man, she said. "It's weird because nothing like this has ever happened," she said. She and her family have lived on Reid Court for seven years. Sonja Burgio said that in the 20 years she has lived in her house on the cul-de-sac at Reid Court, few crimes have disturbed the neighborhood. Seventeen years ago, sheriff's deputies found the body of Rickie Jean Gomez on a dirt road near Westover High School. In February 1978, they found the body of 13-year-old Marcella "Chickie" McInnis in a pond. "Otherwise, this neighborhood is nice and calm," Burgio said. Carroll said he got little sleep Thursday night. But his discovery won't keep him off the lake. He said he and Creamer would be fishing again Saturday.



Mike Creamer, left, and Roger Carroll discovered a headless body Thursday while cruising on Lomond Lake. The identity of the body is still unknown.

Staff photo by Chris Hondros

The Fayetteville Observer

Fayetteville police identify headless body

An Observer-Times staff report | Tuesday, May 6th, 1997

Fayetteville police say the headless body found Thursday in Lomond Lake is that of a 29-year-old Florida man. Fingerprints were used to identify Mauricio Raul Campanio of Miami. Two people found Campanio's body as they fished on the lake in the Devonwood subdivision. Police have not said how Campanio died. It was not clear Monday what connection Campanio had to Fayetteville, said Sgt. Steve McIntosh. Campanio's car has been reported stolen because it hasn't been found. His car is a 1988 white Mazda four-door, with Florida tags SYP-30E.

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<https://www.wral.com/news/local/story/162661/>



Man is Arrested in Connection with Decapitation, Others Sought

Posted May 14, 1997



FAYETTEVILLE — Police have made an arrest in a Fayetteville murder case. Two weeks ago, fishermen found the headless body of Mauricio Raul Campanio in a Devonwood neighborhood lake. Kun Young Yun has been charged with murder and is being held without bond. Investigators say the put out a search warrant for him as soon as the body was identified. Police say they are looking for five other suspects.

The Fayetteville Observer

POLICE ARREST MAN IN HEADLESS BODY CASE

By Michelle Brien, Staff writer | May 14th, 1997

Police charged a 23-year-old Fayetteville man Tuesday in the slaying of a man whose headless body was found floating in Lomond Lake this month. Kun Young Yoon of Inglewood Drive is accused of first-degree murder in the death of Mauricio Raul Campanio, a 29-year-old Miami resident. Members of the Fayetteville Police Department's Major Crimes Division arrested Yoon at 4:30 p.m. when Yoon arrived at his home as officers searched it, said Sgt. Steve McIntosh, a Police Department spokesman. Yoon did not put up any resistance, McIntosh said. Police conducted five additional searches in the city, in the county and in the Red Springs community of Robeson County on Tuesday, McIntosh said. Police would not say what the officers searched or what they were looking for. A police department statement did not mention a motive in the slaying. Two boaters found Campanio's body around 6:30 p.m. May 1 as they fished on the lake in the Devonwood subdivision. The neighborhood is off Reilly Road in western Cumberland County. McIntosh said officers believe the slaying happened between April 25 and May 1.

Staff photo by Elizabeth Darwin Gatlin

Caption: Kun Young Yoon is accused in the death of Mauricio Raul Campanio.

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The Fayetteville Observer

Affidavit details Yoon's plan to dispose of headless body

By Michelle Brien Staff writer | Thursday, May 15th, 1997

Kun Young Yoon cut off Mauricio Raul Campanio's head because the body had stiffened in a trunk and he couldn't get it out, an affidavit says. Yoon, 23, was charged Tuesday with first-degree murder in the death of Campanio, a 29-year-old Miami man. Yoon is being held without bond. Two fishermen found Campanio's body in Lomond Lake on May 1, behind a house on Reid Court. According to an affidavit filed by Fayetteville police Wednesday, Yoon asked a friend to help him dump a body in the lake on April 29. Once the friend had shoved the body into the lake, he had to stab it so it would become water-logged and sink, the affidavit says. The friend, David Owen Lundgren, has not been charged in the case. He could not be reached for comment Wednesday. This is how the body was disposed of, according to the affidavit: Yoon arrived at Lundgren's house about 3 p.m. April 29, and asked Lundgren to borrow a boat to get rid of a body. Lundgren's house at 7103 Tilton Court is on the waterfront at Lomond Lake. Yoon returned that night, pulling up in a van. Yoon said the man had been dead for four days. When Yoon unwrapped the body from green blankets, Lundgren saw it had no head. He asked what happened to it. Yoon said rigor mortis had set in and "we" could not get the body out of the trunk, so "we" cut the head off, the affidavit says. Yoon did not say who had helped him. Lundgren told Yoon that the killing must have been over drugs or money. He said Yoon replied that it was. Lundgren and Yoon tied half a cinder block and a rock to Campanio's waist and ankles with yellow nylon cord, the affidavit says. Then Yoon sent Lundgren out on the lake with the body, saying he couldn't swim. Lundgren shoved the body in, but it floated, the affidavit says. Yoon told him to get a knife and stab the body. When police pulled Campanio's body from the lake, they found more than 20 cuts in the back of Campanio's shirt. Yoon threw \$3,000 at Lundgren's feet and told him to take care of the blankets and knife, the affidavit says. Lundgren told police that he disposed of the items in city trash containers over the next two days. Police have not found the head. They do not know how Campanio died because his head is missing. The affidavit says that Campanio and Yoon met in New York, where they trafficked guns together from North Carolina. Later, Campanio moved to Florida and Yoon to Fayetteville. Yoon told police that Campanio sometimes stayed with him during trips to New York, the affidavit says. Campanio's girlfriend, Jeannette Chongas, told police that Campanio trafficked in guns and cocaine, and traveled to New York about once a month. According to the affidavit, she told police that Campanio left Miami on April 24, headed for New York, and was expected to stay with a friend named Yoon. Campanio had bricks of cocaine packed in his suitcase, she said. Chongas filed a missing person report on her boyfriend in Miami on April 29, the affidavit says. Yoon talked to police May 2. Police had found his work number written on an envelope found in Campanio's breast pocket. Yoon worked at Powers Jiffy Shop in Red Springs. Yoon told police that Campanio had been at his house on April 25. Campanio slept a few hours, made several phone calls and then left. Yoon said he last saw Campanio about 4 a.m. The affidavit says that Yoon is on federal probation. He was arrested by Secret Service agents two years ago and charged with passing counterfeit money in Fayetteville and South Carolina. In February 1995, Cumberland County sheriff's detectives seized about \$600 in fake \$20 bills from a house where Yoon had lived on Offing Drive in Water's Edge. On Wednesday, police searched Yoon's residences at 932 Inglewood Drive and 341 Waterdown Drive. They also searched the Jiffy Shop and Unique Photo shops at 609 Reilly Road and 5701 Yadkin Road. Lundgren told police that the van Yoon took the body in was marked with a Unique Photo logo. All the shops are owned by Yoon's half-brother, Hee Seok Soh, the affidavit says. Police searched a storage bin at Uncle Bob's Self Storage on Jack's Ford Drive. Detectives seized \$3,633 that they found on Yoon when he arrived at his house on Inglewood Drive during a police search. They also took guns, knives, phone calling cards, phone records and cellular phones, digital scales, film, video tapes, a full vacuum cleaner bag, and a variety of papers and clothes. They confiscated a box-spring mattress from the storage bin. Yoon is scheduled to make his first appearance in court Thursday morning.

The Fayetteville Observer

Lundgren charged in headless body case

An Observer-Times staff report | Friday, May 16th, 1997

David Owen Lundgren, who Fayetteville police say helped dispose of a headless body, was charged Thursday with being an accessory after the fact of first-degree murder. Lundgren, 21, of 7103 Tilton Court, is accused of helping Kun Young Yoon dump the body of Mauricio Raul Campanio into Lomond Lake. Yoon, 23, was charged Tuesday with murdering Campanio. Police said that Lundgren cooperated during the investigation. He turned himself in to detectives about 6:30 p.m. Thursday. He was released on \$10,000 bond.

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<https://www.wral.com/news/local/story/162688/>



Headless Body Was Just the Beginning of Strange Saga

Posted May 16, 1997



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FAYETTEVILLE — What began with the discovery of a headless body in a neighborhood lake has become a tangled tale of drugs, money and several suspects. A second suspect, David Lundgren, was arrested Thursday in connection with the death of Mauricio Raul Campanio. Investigators believe the crime was linked to what is known as the "drug pipeline" that runs along Interstate 95, through Fayetteville. They say Kun Young Yoon, who was arrested and charged with murder on May 14, was delivering drugs to Cumberland County. "Basically, from what we understand, the victim was bringing some drugs from Florida to New York," said Fayetteville police Det. Katherine Guilette. "Fayetteville is a stopping point, and the suspect is someone who lives here in Fayetteville that he brought drugs to." Authorities do not, however, think that the decapitation was intended to send some sort of message to others involved in drug trafficking. Apparently it became a necessity. "He had a couple of days where, I guess, he wasn't sure of how to dispose of the body," Guilette said. "And once he did make a decision on what he was going to do and tried to get the body out of the car, rigor mortis had set in, and he was not able to get the body out of the trunk without cutting off the head." Detectives say Yoon then took the victim to Lundgren's home on Lomond Lake. According to court papers, the two carried the body down to a gazebo, tied weights to it, and loaded it in a boat. Police say Lundgren told them that he was the one who threw the body overboard. Lundgren has been charged with being an accessory after the fact. Police are currently looking into the possibility of other activity in the vicinity of the Village Gate apartment complex, where officers arrested Yoon. Relatives of Yoon say they were shocked when he was arrested and that they don't believe he was involved in the crimes.

The Fayetteville Observer

3rd arrest made in case of headless body in lake

By Michelle Brien Staff writer | Friday, May 23rd, 1997



A third person has been arrested in the death of a man whose headless body was found in a lake. Yoon Sil Yang, also known as Karen Yang, 21, of 224 Waterdowne Drive, was arrested about 9:30 p.m. Thursday and charged with being an accessory after the fact of first-degree murder. Magistrate's records say that Yang helped conceal evidence. Yang was accompanied by two lawyers as she appeared before a magistrate about 11 p.m. at the Law Enforcement Center. Her mother and her aunt were also with her. Bail was set at \$15,000. The body of Mauricio Raul Campana was found May 1 in Lomond Lake in the Devonwood subdivision. Campana, 29, lived in Miami. His head has not been found. Kun Young Yoon, 23, of Inglewood Drive, has been charged with first-degree murder in the case. Yoon is Yang's boyfriend, according to a search warrant affidavit filed May 14. According to the affidavit, Yang talked to investigators on May 2. She told them that she and Yoon found Campana sleeping in a car outside their apartment when they returned from work about 12:30 a.m. She told investigators that Campana came into their apartment. Yang said she went to bed once they went inside, and didn't know anything that happened after that. David Owen Lundgren, 21, of Tilton Court, has also been charged with being an accessory in the killing. Fayetteville police say Lundgren helped dump the body into the lake. In the affidavit, Lundgren said Yoon told him that he cut off the head because the 3rd arrest made in case of headless body in lake body had stiffened in a trunk and he couldn't get it out. Police collected more evidence in the case Thursday, but would not say what they had found. Investigators went to the Powers Jiffy Shop in Red Springs, where they had previously executed a search warrant. Both Yoon and Yang were employed by Powers Jiffy Shop and Unique Photo, records said.

The Fayetteville Observer

Police Yoon killed someone in self-defense five years ago

By Michelle Brien Staff writer | Saturday, May 24th, 1997

The suspect charged with murdering a man whose headless body was found in a lake killed somebody in self-defense five years ago. Kun Young Yoon, 23, was charged by Fayetteville police on May 14 with killing Mauricio Raul Campana and then throwing his corpse in Lomond Lake in Devonwood subdivision. Campana's body was found by two fisherman May 1. Five years ago, Yoon shot and killed a man who had broken into his apartment. Yoon, then 18, told sheriff's deputies that he returned from a camping trip April 20 to find the door to his apartment on Wimbledon Circle standing open. Yoon dropped his sleeping bag and bag of clothes in the house, then returned downstairs. Two men were in the hallway, he said, one of them pointing a shotgun at him. Yoon said he fired his pistol twice at the intruders. He hit 19-year-old Terry Tyron Campbell. Campbell died outside Yoon's apartment. Yoon was a senior at Westover High School. Sheriff's detectives charged four other Westover students with breaking into Yoon's apartment that night. Campbell was not a student at Westover. Yoon was not charged. David Owen Lundgren and Yoon Sil "Karen" Yang were charged as accessories after the fact in the death of Campana. Owen lives near Lomond Lake, and police say he helped dump the body. Yang is Yoon's girlfriend, and police say she helped dispose of evidence.

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The Fayetteville Observer

Stab wounds likely cause of man's death

An Observer-Times Staff Report | Thursday, August 7th, 1997

A headless man found in Lomond Lake in May probably died from stab wounds, according to a medical examiner's report. Raul Mauricio Campana's body showed at least 48 stab wounds, grouped on the back with cuts on the right hand and the right thigh, the medical report said. Twelve of the wounds "have the potential to be fatal by entering a body cavity." Two of those wounds penetrated a lung. Two boaters fishing on the lake in Devon wood subdivision discovered Campana's body on May 1. Campana's head has not been found. He was 29 and lived in Miami. Three people have been charged in the murder. Kun Young Yoon, 23, of Inglewood Drive, is charged with first-degree murder. Yoon Sil "Karen" Yang, 21, of Waterdowne Drive, and David Owen Lundgren, 21, of Tilton Court, both were charged as accessories. Fayetteville police have refrained from releasing a cause of death for Campana, saying it could not be known without examining the head. In an affidavit filed with a search warrant in May, Lundgren told police that Yoon cut Campana's head off because the body had stiffened in a car trunk and he could not get it out. Lundgren also said that he dumped the body in Lomond Lake, and then stabbed it repeatedly at Yoon's direction when the body would not sink.

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The Fayetteville Observer

Bones found at Lomond Lake sent to state lab

An Observer-Times Staff Report | Tuesday, May 19th, 1998

Fayetteville police detectives are waiting for laboratory results to determine whether bones found Sunday at Lomond Lake are human. Gregory Graham, 35, of Fayetteville told police that he, his sons and a friend of his sons' were fishing about 5:45 p.m. when one of the boys found some bones near the edge of the lake. Graham called police, and officers found more bones when they arrived. Investigators collected the bones and sent them to the State Medical Examiner's Office for tests, said Sgt. Robert Rivera. Rivera said it's too early for police to know whether Sunday's bone discovery is related to the death of Mauricio Raul Campanio, whose decapitated body was found in the lake on May 1, 1997. The lake is off Reilly Road in western Cumberland County. Police charged Kun Young Yoon, 23, of Fayetteville, with first-degree murder in Campanio's slaying.

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The Fayetteville Observer

Lawyer: Yoon pleads guilty to '97 murder

By Missy Stoddard Staff Writer | March 10th, 2000

A man charged with killing and decapitating a man in 1997 so the body could be removed from a trunk pleaded guilty to second-degree murder on Tuesday, one of his lawyers said. Superior Court Judge Frank Floyd scheduled sentencing for Kun Young Yoon on March 27. According to a court affidavit filed in May 1997, Yoon met the victim, 29-year-old Mauricio Raul Campana, in New York. The two trafficked guns from North Carolina. Campana's girlfriend told police Campana also trafficked drugs. A friend of Yoon said in the affidavit that Yoon told him the killing was over drugs or money. Yoon is accused of killing Campana on April 29, 1997, and dumping the body in Lomond Lake in the Devonwood subdivision. According to the affidavit, Yoon shoved the body into the lake, but he had to stab it so it would become water-logged and sink. The body was found with more than 20 stab wounds. The affidavit said Yoon cut off Campana's head, because rigor mortis set in and the body was stiff. He was unable to remove the body from his trunk. Yoon and a friend tied a cinder block and a rock to Campana's waist and ankles with yellow nylon cord before dumping him into the lake, according to the affidavit. Fishermen discovered the body on May 1, 1997.

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The Fayetteville Observer

Killer gets up to 12 years

By Matt Leclercq Staff writer | March 28th, 2000

A man who murdered and decapitated a man in 1997 was sentenced Monday to a maximum of 12 years in prison. Kun Young Yoon pleaded guilty to second-degree murder earlier this month for the death of 29-year-old Mauricio Raul Campana. His sentence ranges from 9 1/2 years to 12 years and two months in prison, according to the plea agreement terms imposed by Superior Court Judge Frank Floyd. Because Yoon was imprisoned soon after the killing, he will also receive credit for time already served, prosecutors said. Floyd also ordered Yoon to pay Campana's family \$14,000 in restitution for funeral and travel costs. According to court affidavits, Yoon killed Campana because of drugs or money. The two trafficked guns from North Carolina. Fishermen discovered the Miami man's headless body floating in Lomond Lake in the Devonwood subdivision on April 29, 1997. The lake is off Reilly Road in western Cumberland County. Before the sentencing, Campana's parents and sister tearfully told the courtroom how much they missed him. Campana's sister, Rosa, translated for her parents, who speak Spanish. God's justice is really what matters, and she hopes he will remember, Rosa Campana said, translating for her mother, Teresa Campana. She's more leaving it up to God to do what he needs to do. The lawyers reached the plea agreement after nearly three years of negotiations, said Coy Brewer, a court-appointed lawyer representing Yoon. Robby Hicks, an assistant district attorney who presented the case in court on Monday, said numerous lawyers had been involved in the case before him. As a result, he said, he could not explain why prosecutors made the deal. Yoon was originally charged with first-degree murder. "There were a lot of circumstances surrounding this. ... So many different lawyers were involved," Hicks said. "This agreement was offered at some time, and eventually we were able to extend it again." - **Evidence** - A medical examiner's report said Campana probably died from stab wounds. He was stabbed at least 48 times, the report said. Two others - Yoon Sil Yang and David Owen Lundgren - have been charged as accessories after the fact of murder. Lundgren pleaded guilty and is awaiting sentencing, said Elaine Kelley, an assistant district attorney. According to a court affidavit, Lundgren said Yoon told him that he cut off Campana's head because the body had stiffened in a trunk, and he couldn't get it out. Fayetteville police said Lundgren helped dump the body into the lake by tying a cinder block and a rock to Campana's waist and ankles. Yoon had to stab the body so it would become waterlogged and sink, court affidavits said. Yang, also known as Karen Yang, was Yoon's girlfriend. She is awaiting trial on the accessory charge. Magistrate's records said Yang helped conceal evidence. In 1992, Yoon, then 18, shot and killed a man who had broken into his apartment. He told sheriff's deputies that two men were in his hallway, and one was pointing a gun at him. He fired twice and killed Terry Tyron Campbell. Yoon was not charged in that case. Staff photo by Tracy Wilcox

The Fayetteville Observer

Skull was man in his 30s

By Amneris Solano Staff writer | April 4th, 2003

A human skull found in an empty house on Cliffbourne Drive belonged to a man in his 30s, authorities said Wednesday. Workers cleaning the house at 7536 Cliffbourne Drive on Tuesday found the skull in the attic. The skull was in a bag. Authorities are investigating a connection to the discovery of the headless body of a man in Lomond Lake in the Devonwood subdivision in 1997. We are not ruling it out, but we are not excluding any other possibilities, said Lt. Sam Pennica of the Cumberland County's Sheriff's Office. Fishermen found the body floating in the lake off Reilly Road in western Cumberland County. The house on Cliffbourne Drive is about a mile from the lake. Three people were charged in the killing of 29-year-old Mauricio Raul Campana of Miami. In 2000, Kun Young Yoon pleaded guilty to second-degree murder and was sentenced to up to 12 years in prison. The skull was sent to the state medical examiner in Chapel Hill on Wednesday morning. An initial examination shows no signs of trauma, Pennica said. He said the preliminary analysis shows that the skull had been outdoors at some time. The preliminary analysis ruled out the possibility that the skull was used for medical purposes, Pennica said. An autopsy report could be finished in three weeks, lawmen said. It's a mystery, Pennica said. If you find something like this laying in the woods, that is not uncommon. But to find it packed up in an attic of a residence is. The house on Cliffbourne Drive is in the La Grange neighborhood off Reilly Road near Benjamin J. Martin Elementary School. The home, which had been rented, was repossessed by the Department of Veterans Affairs, authorities said. Pennica said he did not know how long the skull had been in the attic. He said it was hidden, and that several families could have lived in the home without realizing the skull was there. Heidi Ostwald lives next door to the house. She said the house has been empty for about 10 months. The people who had lived there left for several months at a time and often had loud parties late at night, she said. Other than that, Ostwald said, she has seen no strange happenings at the house. She said she was surprised to learn about the skull. It's eerie, she said. It was spooky.

The Fayetteville Observer

Investigators await identification on skull

By Robert Boyer | May 1st, 2003

Investigators may soon know whether a skull found April 22 matches the headless body of a man who was murdered in 1997. Lt. Sam Pennica of the Cumberland County Sheriff's Office said detectives are in the process of getting the New York dental records for Mauricio Raul Campana, whose decapitated body was found in Lomond Lake in the Devonwood subdivision in April 1997. But Pennica and the Fayetteville police detective who investigated Campana's death say it is unlikely that the skull found at a house a mile from the lake matches the body. Pennica declined to elaborate, but Fayetteville police Sgt. Alex H. Thompson said he and another detective recovered 11 skull fragments thought to be Campana's from a vacant lot in Red Springs. Two tests comparing DNA from the skull pieces and Campana's mother did not match, Thompson said. But information from an acquaintance of the girlfriend of Kun Young Yoon about the location and condition of the crushed and charred skull were correct, Thompson said. You have to ask yourself this -- if it's not (Campana's) head, whose head was it, and how did it get there? Thompson said. Factually, the case revealed that it was Campana's head. Kun Young Yoon pleaded guilty in March 2000 to second-degree murder and was sentenced to 9 1/2 / to 12 years in prison. His girlfriend, Yoon Sil Yang, and David Owen Lundgren were charged with accessory after the fact. According to court records, Lundgren, who is 27, pleaded guilty Jan. 8, 2001, and received an eight-to 10-month prison sentence and 36 months probation. Prosecutors dismissed the charge against Yang, who is 27, after she completed an undisclosed court-mandated program. Pennica said the 15-year-old dental records should determine whether the skull was Campana's. (Campana) had braces, Pennica said. There are plenty of X-rays. Distinctive tooth shapes, markings and extractions will be compared to the skull. We're right on the verge of knowing something, Pennica said. We hope to know something within a week. Photos of Campana will be sent to Chapel Hill. Examiners will superimpose the photographs over the skull to help identify it. A cleaning crew found the skull at a house at 7536 Cliffbourne Drive. The rental house had been vacant for about a year after the owner defaulted on a VA loan, Pennica said. A real estate agent had it cleaned after it was repossessed. – **Questioning** - Detectives questioned several tenants and Timothy Harlan, the former homeowner. No one owns up to owning a skull, Pennica said. Harlan, who is in the Army, is training in Georgia, Pennica said. Investigators plan to interview him when he returns to his Fayetteville residence. Pennica said about eight people lived in the house before Harlan. Medical examiners have determined that the skull probably is that of a South American man in his 30s, Pennica said. Campana, a native of Ecuador, lived in Miami. The skull showed evidence of having been outside for some time. Investigators said previously that the skull did not have traumatic or suspicious marks. Pennica said he has asked District Attorney Ed Grannis to research whether charges can be filed for possessing a skull.

<https://www.wral.com/1090065>



Six-Year-Old Murder Case May Be Tied To Skull Found In Fayetteville Attic

Posted April 24, 2003



FAYETTEVILLE, N.C. — A human skull found in the attic of an unoccupied house belonged to a man in his 30s and may be left over from an old murder, authorities said. It was quite a first day on the job for Eva Call. As part of a cleaning crew, Call was in an abandoned house on Cliffbourne Drive Tuesday afternoon in Cumberland County when she came across a skull in the attic. "We thought it could have been for medical school because there was a lot of medical supply signs," she said. "It's kind of creepy. You wouldn't believe what we find in these houses. Nothing like this," said Kathy Linton, a member of the cleaning crew. Detectives are now working on an identity. One lead they are following is tied to a case worked by Fayetteville Police in 1997 when Mauricio Campana, an alleged drug dealer from Miami, was killed. Investigators say Kun Young Yoon murdered Campana and left him in the trunk of a car for two days. He eventually drove him to a home on Lomond Lake where two more people helped get rid of the body. Once the suspects got the victim out of the car, they allegedly brought him down to a dock, put him in a boat and dumped the body in the middle of the lake. Two fishermen later found Campana's headless body. Yoon is currently serving time for murder. Yoon Sil Yang spent time on probation. David Lundgren, who stayed at the lakehouse, served less than a year in prison. The house, now vacant, is only about a mile away from where the cleaning crew made the discovery. Detectives have talked to the people who used to live in the house where the skull was found and, so far, they have not been able to tie the cases together. "We are not ruling it out, but we are not excluding any other possibilities," said Lt. Sam Pennica of the Cumberland County's Sheriff's office. Pennica said it is unclear how long the skull had been in the attic. He said that it was hidden, and that several families could have lived in the home without realizing the skull was there. Investigators at the Sheriff's Office have looked through the old case. They think they may have some DNA from Campana's headless body they can compare to the skull. The skull was sent to the state medical examiner's office in Chapel Hill on Wednesday. Authorities said an autopsy report could be finished in about three weeks.

<https://www.wral.com/news/local/story/105018/>



Investigation Of Skull Found In Home Hits 'Frustrating' Delay

Posted April 25, 2003

FAYETTEVILLE, N.C. — The Cumberland County Sheriff's Office wants to know if a skull found in an empty home this week matches a headless body found in a nearby lake six years ago. One test could give investigators the answer. The problem is, months could pass before that test is complete. Cumberland County investigators wonder if the skull belongs to Mauricio Campana, whose decapitated body was found in a lake in 1997. The two locations - the lake and the attic where the skull was found - are just a mile apart. Detectives hope a DNA test will provide answers. But the State Bureau of Investigation's Crime Lab may not get to the test for more than five months. "It becomes frustrating," said Lt. Sam Pennica of the Sheriff's Office. "When you are working cases like this, you want to get answers as quick as you can so the case can proceed. Not having an ID on the skull slows things down almost to a standstill." For months now, the state crime lab has come under scrutiny. Thousands of pieces of evidence are on shelves waiting to be tested. Murders and police shootings get top priority. But the lab's assistant director said this case doesn't meet the criteria for a rush job. "Those cases where they are getting ready for trial and the district attorney doesn't have the evidence to put a person who's committed a heinous crime behind bars, that's a priority for us," Bill Weis said. Weis said the lab will remain swamped until it gets more resources. The state is funding and training more lab technicians, and the General Assembly is considering bills that would provide more support. That doesn't do much for Cumberland County investigators, who say they don't have the time to wait; If the skull doesn't match the headless body, they could have a new murder case on their hands. Facing a tight budget, the sheriff may consider using a private lab. "What would have to be done in this case could run up to \$3,000," Pennica said. The Sheriff's Office is looking at several other options. It's trying to track down Campana's dental records. It's also sending his picture to the medical examiner's office. The picture will be superimposed over the skull to check for similarities in the bone structure. It's not an exact science, but it will let investigators know if there's a chance the skull is Campana's.

Reporter: [Melissa Buscher](#)

Photographer: [Michael Joyner](#)

Web Editor: Paul Ensslin

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Receiver's first name

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Agency name

CLB

Receiver's last name

Chongas

Operator number

306

Sender's name

[Redacted]

Time sent

12:44 AM Date 12/8/96

Sender's address

[Redacted]

I.D. Type

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(718) [Redacted]

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Expected payout location

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Optional services available at additional cost. Check services desired:

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If sending less than \$3,000, will the Receiver have valid identification?

Yes No If no, complete the I.D. question and if sending between \$500 and \$2,999 provide a physical description of the Receiver.

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I.D. question

Limit 4 words Question

Answer

Total amount received

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Customer's signature

[Redacted]

Agent's signature

M. [Redacted]

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 TOTAL DUE \$1,002.00
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@11:44AM SUN DEC 08, 1996
 G.L.B. C/O INC.
 98-25 HDG EXPLWAY, R.P. 11374
 (718) 699-0021
 THANK YOU!

AFFADAVIT OF DANNY CRUZ

State of New York)

County of Kings ss.:

Danny Cruz, being duly sworn, deposes and states:

1. My name is Danny Cruz. I am over 18 years of age. I reside in Queens County, New York. I am fully competent to make this affidavit and I have personal knowledge of the facts stated in this affidavit. To my knowledge, all of the facts stated in this affidavit are true and correct, and my opinions are based upon the facts as stated herein.

2. On November 4th, 1996 I was present with [REDACTED], James Barretto and Raoul Campana as Mr. [REDACTED] was attempting to record Mr. Campana concerning some homicide which occurred, which I did not witness and was only informed about from Mr. [REDACTED].

3. Mr. [REDACTED] picked me up with James Barretto, and we then proceeded to pick up Mr. Campana from Bayside, Queens. Mr. [REDACTED] informed both me and Mr. Barretto that he hid a tape recorder in the trunk, and that he would drive to a payphone on Xenia Ave and Horace Harding to ficticiously 'beep' someone, and after Mr. [REDACTED] asked Mr. Barretto to place his jacket in the trunk, this was the password for Mr. Barretto to start the recording device.

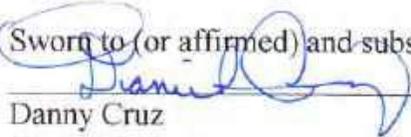
4. At that point, both myself and Mr. Barretto remained outside of the car at the payphone pretending to be waiting for a return call, while Mr. [REDACTED] had a conversation in the car with Mr. Campana.

5. After a short while, Mr. [REDACTED] thereby motioned to us to return to the car, and we then dropped off Mr. Campana back in Bayside. After dropping off Mr. Campana in Bayside, Mr. [REDACTED] then pulled over the car and retrieved the recorder from the trunk to play back the conversation he just recorded with Mr. Campana.

Handwritten signature/initials

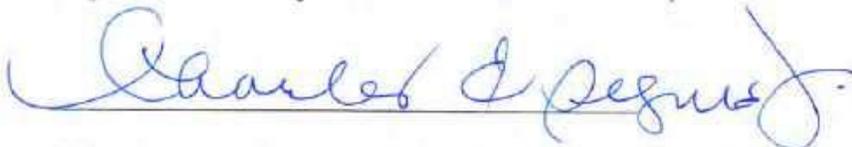
6. To the best of my recollection, this conversation appeared to involve Mr. [REDACTED] and Mr. Campana discussing a homicide. I have had an opportunity to one again review a copy of this recording again today, and I can confirm that this recording refreshes my recollection of the conversation, and is consistent in content to what I witnessed Mr. [REDACTED] record on that day in November of 1996.

(Sworn to (or affirmed) and subscribed before me on October 16th, 2015, by Danny Cruz.



Danny Cruz
Queens, New York

(Signature of Notary Public - State of New York)



(Print, Type, or Stamp Commissioned Name of Notary Public)

CHARLES E. SEGURE, JR.
Notary Public - State of New York
No. 01SE6136197
Qualified in Kings County
My Commission Expires November 21, 2017
Certificate On File KINGS County



--- Sent

From: [REDACTED]
Sent: Thursday, August 06, 2009 4:44 PM
To: ANTHONY.SCALIA@nypd.org
Subject: Re: (no subject)

Ok. Amazing. You don't need to actually meet Jimmy, but I would like you to talk to him and find out what agency Jimmy was with (if he wasn't DEA), the name of the other agent that was with him on that day and what agency he was with (I suspect the Asian guy was not DEA), and please find out what the official story is as to why they never called me back. John Hannah would probably not have much information on what happened after Jimmy took over, and if you talk to Jimmy, you may possibly find that he was pulled off and someone else took over, but once you reach the end of that chain (and take every name along the way), whoever is at the end of that chain, please have them confirm they never obtained these tapes. It is very important to me. I don't even want the names, I just want to know that someone out there in law enforcement has these names recorded somewhere. This is a transcript of the second tape, the one that has the more damaging evidence. A is for Alex and R is for Raoul: The conversation starts after we return back to my car from waiting outside at a payphone with two other friends of mine (who can corroborate the events of that day, as they were in on the plot to record Raoul). It is a continuation of a conversation we had the previous night.

A: Listen. I'm goin' somewhere at five o'clock and I wanna know what you think. Now I need a favor from you, and I'm willing to do you a favor, but if you don't wanna do this, then don't discuss what I'm asking you with anyone. This between me and you. Don't go tellin your girl, don't go tellin your brother, don't go telling the world

R: Why would I tell my brother and my girl, you must be crazy man.

A: Nah, because, I'm serious about certain things. Certain things you don't fuck around with, you don't, it's not for the world to know, know what I mean. You like to tell people things, I don't...

R: Such as?

A: Huh?

R: That I like to tell people things...

A: I mean, you know what I mean. OK. I was thinkin' about what we talked about last night, and I need a favor from you, if you do me that favor then I could do you a favor.

R: What's the favor?

A: Sometime, when I come out of jail, I don't know when, not sure, I don't know how long, but I need a favor from you.

R: You gotta tell me what it is bro.

A: Ok, I'm gonna meet someone at five o'clock today, I called last night, after I spoke to you I went to call one of my friends to see if he was still around or whatever, I talked to him a little while, he's going to Pakistan...

R: Right...

A: On the 14th of (inaudible), and he has the means, and it's not even about money, know what I mean?

R: Right...

A: He's not gonna charge me no fuckin' money bro. Do you have enough numbers where you could reach him?

R: Yeah, definitely, I have the number where he's at, that if I call right now, you could reach him right now so if somebody that speaks the language finds out "hey where is this fucking place"

A: Nah, I mean, you're gonna have to call this kid, you're gonna have to tell him look, you know you go meet somebody or whatever, over there b, I mean, shit like that happens every day. The government's fucked up, you know?

R: I know, I know

A: So this is the thing, I'll do it for you, no money no nothing bro, I'm not asking you nothing now, understand, but for two reasons bro, number one, you owe me that favor back, sooner or later, that's the first thing. If you have a problem with that, tell me. I won't ask you anytime soon, but some day, if it's necessary, I mean, totally necessary, that I have a problem or something, and I need it done, which I might, I'm not sure, then I need for you to do it, or find somebody, it doesn't matter, you know, I don't care how it turns out, I'm not gonna give details, I'm just gonna point, and you take care of it, and I'll do Abid. I'll take care of him for you.

R: Is it now, or like, later?

A: No time soon bro, it may never even happen, but I'll tell you like before, I would never take a body for money, know what I mean? I mean, he's an asshole anyway, but I won't take him for money though, if you told me I'll pay you this much or that much.

R: Let's say....

A: If I do it, I'm not asking you nothing. I'm not asking you nothing, but, you owe me that favor back. Don't you think that's fair? I mean, anyway, if he comes over here you're gonna have to do him anyway, so your gonna have to do something in this country anyway, if he ever comes over here, right? And it's risky over here as it is.

R: Riskier

A: That's what I'm trying to get at. But if I take him out over there, it won't even be a problem. You were gonna do him anyway over here, so sooner or later, only if it's absolutely necessary, then I will ask you for that favor. I would never ever ask you for that favor if it wasn't necessary, and I wouldn't even do this for you if it wasn't absolutely necessary. I need to know, is this absolutely necessary? Is there any way that you're gonna have a problem with this kid if he comes back?

R: I think I would, because knowing the way he is.

A: Ok, you're not listening to me. It's more than just his word, you understand? He could say anything he fucking wants, anything, but, is there any other way that they can link you to this guy? Anything at all? See, I thought of something last night which you might not have even thought of. I'm just curious to see if you really are as smart as....

R: Ok lemme ask you something, this is the thing, I don't know...what is that? You were saying that maybe, what is it you were thinking?

A: Oh that, you could be linked to him?

R: Yeah.

A: OK, other than Abid, how can you be linked, think about it, it's the fucking easiest thing in the world, R: The person who did it.

A: ...and I know you missed it.

R: the person who did it?

A: No. Ok yeah, that's one thing, that's another way, OK, but there's another way without that guy.

R: Another way without that guy?

A: And I guess this something you didn't count on. You told it to me once, and I was thinking about everything last night, and there was one thing that just hit me right in the fuckin face, and I said "damn, this nigga never thought about that shit."

R: Um, [name removed] knowing?

A: Nope. Lotta people know, your girl knows, I don't know how many other people you told, I don't know how many people Abid told, know what I mean? That's not even the question.

R: So what's the question?

A: What physical evidence is there that can link you to that man?

R: Physical?

A: Yes, there is one thing b, that I know of, I don't know of anything else, but there is one thing that I know of, that could link you to that man, to him, specifically. Let's see if you've figured it out.

R: I can't think of anything physical.

A: You wanna know? Before you did it, you used to call him from Maria's. Remember that?

R: Call him?

A: You used to call Pakistan from Maria's.

R: Oh, right, oh you mean this other guy?

A: Him. It was him.

R: Him? Lemme see. Yeah we did call over there.

A: Now, phone records never go away bro, phone records never go away, but other than that I can't really think of any other evidence, physical evidence, they can get. They could subpoena phone records and they'll know that you had contact with this guy in the past through Maria's salon, you know what I mean?

R: So lemme ask you, let's say, Abid was out of the...

A: Ok, this is what I need to know, is there any other thing, other than the phone records, to link you to this man. I'll tell you this much b, I would never ask you to take a body for me, unless it was absolutely necessary.

R: From what I see, you're thinking about it already, and that's why I ask you how soon is it...

A: OK look, but this is the thing, it may never happen, it may never happen.

R: But if it happens how soon, (inaudible), oh ok...that's not a fucking problem bro

A: But, that's what I'm trying to explain to you, it may never happen because I will never do it unless it's absolutely necessary...

R: Look, whenever its time, you can't rush, you know, you know what was the biggest problem with this man? The rush, and like you said, sometimes you cannot rush man, and your right, that's why I'm saying right now, you know, I don't wanna rush and I let you take your fucking time and I'll let you do what you think is better. Why? Because you're in, your there, you know what I mean?

A: You're missing the whole point of this...

R: Why?

A: There's no rush right now, there's no rush for nothing. OK, I just need to know, you see, it's easy for me to do this, it's a coincidence the guy is going over there, and he's the one more capable than anybody to do it, understand? All Abid has to do is go meet him, and that's it kid. I mean there no fucking, nothing about it. It's easy for me to do this for you. I know I could do this. It's not a problem. But there's no amount of money you could pay me, but one day I might ask you for the favor, and I might never ask you, because I would never do it unless it was absolutely necessary. See I wouldn't even do it for you, if I knew that even if Abid got caught, and he ratted you out, if you had more than a sixty, seventy percent chance of beating the case without having to go to jail then I wouldn't do it. Understand? I will only do the nigga if it's absolutely necessary. And that's why I keep asking you, what fucking things have you left behind. I don't know details, details. You told me bits and pieces here and there. I remember everything. I have a photographic memory, ok, photographic memory, but other than the phone records, I can't think of anything.

R: I can't think of anything else besides the guy who was there at the time, I mean, the guy who did it, him. And then...

A: You see, if the guy who did it ever gets....what, what ever happened to the gun? Was the gun destroyed or gotten rid of at least?

R: It was the, the guy's gun.

A: Oh, it was his own gun?

R: Yeah, and we used those bullets, the ones that ah, not, not regular bullets, the blue ones.

A: Yeah, there's two kinds, there's the shotshells and the glazers. Remember the glazers with the blue tip that they explode or some shit. That one?

R: Yeah yeah.

A: Did you leave prints on the shells?

R: Me, I did not, I gave it to him. I made sure he was the one who put them there.

A: There's nothing really else. OK, when it happened was there any fucking eye witness, any kind of eye witness?

R: It was a fuckin deserted area in the (inaudible)

A: No eyewitnesses? Not even close?

R: Nah, not that I know of it was like fucking dead, snowing, raining, and you know what happened? Right after it happened, it snowed and it rained like crazy.

A: That's better for you.

R: It was like snowing like fucking crazy.

A: You got the number that I could reach him?

R: Yeah.

A: You got it with you now? You gotta pen, and a paper? And how is it at this number all the time?

R: I don't know, he there, I don't even know, I think it's a house where people stay, like kind of a hotel, I don't know exactly what it is.

A: I'm gonna write it on a dollar. You got a paper better?

R: Yeah.

A: This is what your job is bro, first of all, this never leaves this car. Understand? Never bro, never. This is nobody's business and nobody needs to know my business.

R: Trust me bro, I learned a lot, why? I learned a lot, I did a lot of stupid mistakes.

A: Don't tell your girl. You tell your girl b and she finds out you got girls left and right, she's gonna flip out and run to the police, like that day when you fuckin beat her up and she came out screaming in the hallway.

R: That's cause she knew what the hell was going on, you know.

A: But why you gotta tell a girl bro? I wouldn't even tell my brother. My brother would never put me in jail or nothing like that, but I would never tell my brother. It takes more than just fuckin talking about it, but still, that's enough, it could get you in trouble, you understand?

R: Of course.

A: So why you wanna even bother.

R: It's not worth it. It's 9242

A: 001? 001 9242

R: 728

A: 728

R: 5693

A: 5693. Abid. Chaudhry right?

R: Yeah.

A: C H A U D R Y, and he's at this number all the time?

R: Yeah