

# Newsday

## Gunfire Outside Club Kills One, Injures One

By Sean Gardiner, STAFF WRITER | December 31<sup>st</sup>, 2000

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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.

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Photo from the murder lineup at 114<sup>th</sup> 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 .  
Docket No. 4:12-MJ-06032-BD  
PLAINTIFF, . (Indictment returned in case  
number 4:12-CR-00263-JLH)  
VS. .  
RAMI HASAN, . Little Rock, Arkansas  
September 17, 2012  
DEFENDANT. . 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:

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Kemp - Cross

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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 30<sup>th</sup>, 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 5<sup>th</sup> 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 30<sup>th</sup> 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 30<sup>th</sup>, 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 30<sup>th</sup> 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 30<sup>th</sup> of 2000.

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

25 THE COURT: 22.

