

Manhattan bail Project-
Official court transcripts-
October 1961 to June 1962

BEFORE JUDGES:

A. J. Bloch
Neal T. Bottiglieri
Louis A. Cioffi
Nicholas T. Delagi
Walter Gladwin
Manuel Gomez
David L. Malbin

Francis A. O'Brien
George S. Mader
Milton Solomon
Fredrick Strong
Norton R. Tolleris
T. V. Quinn
Louis S. Wallach

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT, BOROUGH OF MANHATTAN

----- X
IN THE MATTER OF :
BAIL PROCEDURES IN THE MAGISTRATES' COURT :
AND THE COURT OF SPECIAL SESSIONS. :
: :
----- X

New York, N.Y.,
October 16, 1961

B E F O R E :

ABRAHAM N. BLOCH
Chief City Magistrate.

A P P E A R A N C E S:

NORMAN OSEROW, ESQ.,
Assistant District Attorney
New York County.

JOHN MCCARTHY, ESQ.,
Legal Aid Society.

Joseph Di Matteo
Official Court Reporter.

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THE COURT: The Court wishes to make a brief announcement for the record.

Mayor Wagner announced on October 11, the start of a privately financed study on bail procedures in this Court and the Court of Special Sessions. This will be a one year project which will be financed by the Vera Foundation of which Mr. Louis Schweitzer is president. Law students of New York City University will make the study and the Institute of Judicial Administration of New York University has also joined in this study.

I think that the purposes of this will be that the more acute persons may be safely paroled or freed and those defendants who require substantial bail will also be so held by the information elicited through the work of the Vera Foundation. The recommendations will be communicated to the Legal Aid and the District Attorney's Office, and they in turn, if they agree, that information will be communicated by Legal Aid to the Court.

Mr. Ostrow, did you want to add anything?

MR. OSTROW: In behalf of the District Attorney's Office, I should like to welcome the Vera Foundation and its representatives to Court today and for the next several weeks. The representatives of this group will assist this Court by assisting the Legal Aid Society and the District Attorney's

Office in determining in an appropriate case whether bail or whether parole should be set. Very often a defendant comes before this Court and the District Attorney is unaware, Legal Aid is unaware, and the Court is unaware of certain factors that might make him a good risk for parole and certain factors that may not make him a good risk for bail. Certain times all we know about the defendant is the charge that's facing him and something about what the complainant or police officer says.

The Vera Foundation will, through a formal means of questionnaire, try to determine whether or not a defendant has roots, whether or not he's been employed in the community for a lengthy time and whether or not he's a fit subject to be out, not in prison, but out on the street during the time that his case finally goes to trial or some disposition is made, and we know that this group will certainly take a step forward in trying to determine and trying to put bail in its proper perspective in the Court rather than just as a means of punishment or for some other purpose. It will be as a true function should be, that of insuring that the defendant appears whenever his presence is required by the Court.

MR. MCCARTHY: I would like to join with the District Attorney in welcoming the Vera Foundation to Felony Court here in Manhattan. We have worked closely with them during the period of time that they have been in preparation for this

step, and I know well that the District Attorney's Office as well as your Honor as the Chief City Magistrate, has worked very closely with them, another reflection, I think, of the overall interest in justice both by the Court and the District Attorney's Office, and we're most happy to have the Vera Foundation to assist us in any way for the betterment of the defendant and for the end we all strive for, for better justice for all."

* * * *

The above is a correct transcript of the minutes in this case.

Joseph Di Matteo

Joseph Di Matteo
Official Court Reporter.

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT, BOROUGH OF MANHATTAN

----- X
THE PEOPLE OF THE STATE OF NEW YORK

vs.

LEO GUZMAN REYES,

DEFENDANT.

:
: Docket #14754
:
: Charge: Grand
: Larceny.

----- X

New York, N.Y.,
October 17, 1961

B E F O R E :

HON. GEORGE S. RADER
City Magistrate.

A P P E A R A N C E S :

FOR THE PEOPLE:

NORMAN OSTROW, ESQ.,
Assistant District Attorney
New York County

FOR THE DEFENDANT:

ALFRED JACOBSEN, ESQ.,
Legal Aid Society.

Court Officer Robert Hertel.

Joseph Di Matteo
Official Court Reporter.

COURT OFFICER ROBERT HERTEL: Docket #14754,
Leo Guzman Reyes, charged with Grand Larceny.
Short affidavit, your Honor. Defendant is
represented by Legal Aid.

THE COURT: What do you wish to do, sir?

MR. JACOBSEN: Your Honor, it's a short
affidavit. I believe the People want more time.

MR. OSTROW: People request Monday, the
23rd of October.

MR. JACOBSEN: We're willing to go along with
Monday. As to the matter of bail, your Honor,
I've spoken to the people from the Vera Society
and they have investigated the matter and spoke
to the district attorney. This is the defendant's
first offense.

THE COURT: What does he do for a living?
Who does he live with?

MR. JACOBSEN: He has a good employment
record which they have verified.

THE COURT: Give me the facts. I have to
pass judgment myself, too, you know.

MR. JACOBSEN: Your Honor, the defendant has
been in the United States Army for two years and
has received an honorable discharge. He was
formerly working at his wife's grocery store and he

has papers in for a job in the merchant marine.
This has been verified.

THE COURT: Who does he live with?

MR. JACOBSEN: I understand that he has
relatives in the city that he can live with.

MR. OSTROW: Your Honor, I understand that
he lived with his wife up until yesterday and
had been in business with his wife.

THE COURT: Any objection to parole?

MR. OSTROW: No objection.

THE COURT: Defendant is paroled. I must
advise the defendant if he fails to appear here
on the adjourned date, he will be charged with
the additional crime of parole jumping.

* * *

The above is a correct transcript of the minutes taken in
this case.

Joseph A. Mattie
Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT, BOROUGH OF MANHATTAN

----- X
THE PEOPLE OF THE STATE OF NEW YORK :
vs. :Dockets #14778,
SERGIO RIVERA : 14779
LUIS RIVERA, :
DEFENDANT. : Charge: Felonious
: Assault & 1897 P.L.
----- X

New York, N.Y.,
October 17, 1961

B E F O R E :

HON. GEORGE S. RADER
City Magistrate.

A P P E A R A N C E S :

FOR THE PEOPLE:

NORMAN OSTROW, ESQ.,
Assistant District Attorney
New York County.

FOR THE DEFENDANTS:

ROBERT B. SCHWARTZ, ESQ.,
88 Baxter Street
New York, New York

DEFENDANTS PRESENT.

Court Officer Robert Hertel.

Joseph Di Matteo
Official Court Reporter.

COURT OFFICER ROBERT HERTEL: Docket #11773
114779, Sergio Rivera and Luise Rivera, charged with
Felonious Assault & Violation Section 1397 of the
Penal Law. Now a full affidavit on the complaint
of Nicholas Scopetta of the SPCC. Both defendants
represented by counselor Robert B. Schwartz of
88 Baxter Street, New York City.

Officer Versheck & Mr. Scopetta, you both
swear to the truth to the affidavit you signed?

OFFICER VERSHECK: I do.

MR. SCOPETTA: I do.

COURT OFFICER ROBERT HERTEL: You waive the
reading and the defendants' rights?

MR. SCHWARTZ: Yes, your Honor. Your Honor,
this is an application to adjourn this matter to
November 1st, the date which I had already discussed
with the officer. I've just been retained in this
matter. It happens to involve some very serious
allegations and I would like some time to do a
little checking to find out exactly what the story
is. Furthermore, Judge, if I might be heard on
the question of bail for Sergio Rivera. I believe
that bail was fixed in his case in the sum of two
thousand dollars.

THE COURT: All right, tell me something about

Sergio.

MR. SCHWARTZ: Your Honor, the defendant is a married man with two children.

THE COURT: Rivera is out on bail. We have no problem with regard to Rivera.

MR. SCHWARTZ: You mean Luis Rivera. There are two Riveras.

THE COURT: It's Sergio that we're now considering.

MR. SCHWARTZ: Sergio is a married man with two children. He's been gainfully employed for two years. He's been at his last employment for a year and a half. Up to the time of this arrest he has had one prior arrest, your Honor, which resulted in a DOR.

THE COURT: At which time both of them were involved similarly at the same time.

MR. SCHWARTZ: And the disposition of this case, Your Honor, was the same as the both defendants. They were Dor'd in Special Sessions. The case was reduced and Dor'd as to both of them in Bronx County.

THE COURT: As a matter of fact, I don't look upon a Dor as a complete exculpation.

MR. SCHWARTZ: For the purposes of this

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application, may I say, Your Honor, I know the defendant and I know the family. The defendant, as I know him, is not a violent man. I'm sure that he will appear each and every time his case is called.

THE COURT: Whom is he employed by?

MR. SCHWARTZ: Mr. Joe Balla.

THE COURT: What does he do and how long has he been employed there?

MR. SCHWARTZ: Two years. He's a spray painter with a machine.

MR. OSTROW: Your Honor, this is a case that we discussed the other day. The defendant Sergio is the one with the gun. I think you went through that and you're aware of that fact. The other defendant was the one who did not have the gun, and for that reason the difference in bail was set originally.

THE COURT: How do you explain the gun?

MR. SCHWARTZ: I don't explain the gun. It's in the complaint.

THE COURT: Was a gun involved in the previous charge where they were Dor'd?

MR. SCHWARTZ: I don't believe there was any gun.

THE COURT: You don't know?

MR. SCHWARTZ: I don't know that as a fact.

THE COURT: You don't want to ask him so that he can tell me?

MR. SCHWARTZ: No gun, Your Honor.

THE COURT: Where there's a gun involved, I can't see bail of less than two thousand dollars.

MR. SCHWARTZ: Your Honor, you said--

THE COURT: I'll make that bail 15 hundred dollars.

MR. SCHWARTZ: Thank you.

COURT OFFICER ROBERT HERTEL: You can communicate free of charge in the office of the warden.

* , * *

The above is a correct transcript of the minutes taken in this case.

James H. [Signature]
Official Court Reporter.

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT, BOROUGH OF MANHATTAN

----- X
THE PEOPLE OF THE STATE OF NEW YORK
vs.
OLIVER MORRIS,
DEFENDANT.
----- X

: Docket #14854
: Charge: Rape.
:

New York, N.Y.,
October 19, 1961

B E F O R E :

HON. GEORGE S. RADER
City Magistrate.

A P P E A R A N C E S :

FOR THE PEOPLE:

NORMAN OSTROW, ESQ.,
Assistant District Attorney
New York County.

FOR THE DEFENDANT:

ALFRED JACOBSEN, ESQ.,
Legal Aid Society.

Court Officer Robert Hertel.

Joseph Di Matteo
Official Court Reporter.

COURT OFFICER ROBERT HERTEL: Docket #14854,
Oliver Morris, charged with Rape as a felony on
the complaint of Patrolman William Rooney.
You swear to the truth of your affidavit, officer?

PTL. ROONEY: Yes.

COURT OFFICER ROBERT HERTEL: Can you afford
a lawyer?

THE DEFENDANT: No, I can't.

COURT OFFICER ROBERT HERTEL: This defendant
says that he cannot afford a lawyer. It's on a
short affidavit.

THE COURT: Legal Aid.

COURT OFFICER ROBERT HERTEL: You waive the
reading of the complaint?

MR. JACOBSEN: Yes.

THE COURT: Where is the complainant?

PTL. ROONEY: She won't come down.

MR. OSTROW: We have a subpoena..

THE COURT: What date?

MR. OSTROW: The 23rd.

THE COURT: Defendant is paroled. I must
advise him that if he fails to appear he will
be charged with the additional crime of parole
jumping.

The above is a correct transcript of the minutes. *W. J. K. [Signature]*
Official Court Reporter.

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK

FELONY COURT : BOROUGH OF MANHATTAN

THE PEOPLE OF THE STATE OF NEW YORK : Docket #15214
#15215

on the complaint of :

ANNA COLON :

vs. :

ERNESTO INGLES,
JOSE MORALES.

: Charge:

: 1308 PL

: Hearing

100 Centre Street
New York, New York
October 27, 1961

B E F O R E:

HON. DAVID MALBIN,
City Magistrate

A p p e a r a n c e s:

NORMAN OSTROW, ESQ.
Assistant District Attorney
For The People

JOHN McCARTHY, ESQ. .
Legal Aid Society
For The Defendants.

Joseph Wilson,
Bridge Officer

Esther Pointer, C.S.R.
Official Court Reporter

BRIDGE OFFICER WILSON: Docket #15214 and #15215, Ernesto Ingles and Jose Morales, both charged with 1308 of the Penal Law. New arraignment on the complaint of Anna Colon.

Det. Nolan and Anna Colon both swear to the truth of the affidavits.

Legal aid, Mr. McCarthy, assigned.

Public reading of the complaint waived.

Case waived to Special Sessions.

* * * * *

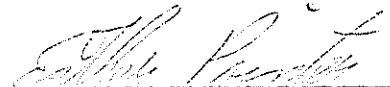
MR. MCCARTHY: In so far as the defendant Ingles is concerned, Judge, he has worked at the Hotel Commodore for the past seven years, married, has three children; while they are separated, he contributes regularly to their support. He has had steady employment. I understand it is verified by the Vera Foundation. The recommendation--I understand their recommendation was parole, if the Court please.

THE COURT: I will--he will be paroled. If he fails to appear in the court of Special Sessions on the adjourned date, an additional charge of parole jumping will be against him.

Morales, no bail.

BRIDGE OFFICER WILSON: Morales, you may telephone
or write free from the warden's office.

(The above is a partial transcript of the minutes in
this case.)



Esther Pointer, C.S.R.
Official Court Reporter

no mention of people

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT :: BOROUGH OF MANHATTAN

THE PEOPLE OF THE STATE OF NEW YORK : Docket #15322
on the complaint of : Charge:
RAY ELDER : Felonious Assault
vs. :
RUFUS WHITE : Hearing

100 Centre Street
New York, New York
October 30, 1961

B E F O R E:

HON. MILTON SOLOMON,
City Magistrate

A p p e a r a n c e s:

NORMAN OSTROW, ESQ.
Assistant District Attorney
For The People

C. W. LEIBOVITZ, ESQ.
Legal Aid Society
For The Defendant

Joseph Wilson,
Bridge Officer

Esther Pointer, C.S.R.
Official Court Reporter

BRIDGE OFFICER WILSON: Docket #15322, Rufus White, charged with Felonious Assault on the complaint of Ray Elder.

Legal Aid represents this defendant, Mr. Leibovitz.

MR. LEIBOVITZ: Marked ready for a hearing?

MR. OSTROW: Marked ready for a hearing.

MR. LEIBOVITZ: The application is to reduce this to Assault Third.

MR. OSTROW: The People consent.

THE COURT: One thousand dollars.

BRIDGE OFFICER WILSON: Your bail is one thousand dollars, for the Court of Special Sessions.

You may telephone or write free from the warden's office.

(The above is certified to be an accurate transcript of the minutes in this case.)

Esther Leitch

 ESTHER LEITCH, C.S.J.
 CLERK OF THE COURT

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK

DELINQUENT COURT : BOROUGH OF MANHATTAN

-----X

THE PEOPLE OF THE STATE OF NEW YORK

: Docket #15464
#15465

on the complaint of

:

PTL. WEISENBERGER

: Charge:

vs.

:

1141 PL &

: Vagrancy

RAYMOND COHEN

:

Hearing

-----X

100 Centre Street
New York, New York
November 2, 1961

B E F O R E:

HON. MILTON SOLOMON,
City Magistrate

A p p e a r a n c e s:

NORMAN OSTROW, ESQ.
Assistant District Attorney
For The People

BERT MALKOWITZ, ESQ.
233 Broadway
New York, New York
For The Defendant

Gennaro Lupi,
Bridge Officer

Esther Pointer, C.S.R.
Official Court Reporter

BRIDGE OFFICER LUPI: Docket #15464, Raymond Cohen, charged with 1141 of the Penal Law. Represented by Bert Malkowitz of 233 Broadway. Docket #15465, Raymond Cohen also has a technical charge of Vagrancy. Also represented by Counselor Malkowitz.

Officer swears to the truth of both affidavits. Counselor waives the reading of both charges. November 17th set for hearing, on both cases.

MR. MALKOWITZ: May I be heard, if Your Honor please, on the question of parole?

THE COURT: Yes.

MR. MALKOWITZ: Your Honor, this defendant is a commercial artist and a man whom I personally have known for fifteen years. He is gainfully employed.

THE COURT: How did he get pictured?

MR. MALKOWITZ: These were reels of film. He is employed by the Hartford Textile Company as their advertising manager.

THE COURT: What do they advertise?

MR. MALKOWITZ: They advertise textiles, Your Honor, textile products.

THE COURT: What bail?

MR. MALKOWITZ: This man pays fifty dollars

alimony to his wife and child, Your Honor.

THE COURT: Is that my fault?

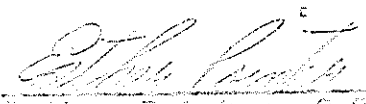
MR. MALKOWITZ: If Your Honor please, the Victim Foundation has made a recommendation for parole.

MR. OSTROW: The People would consent to parole.

THE COURT: The defendant is paroled on consent of District Attorney.

Mr. Defendant, I have got to tell you that because you are being paroled, you have to be back here on November 17th or any other date. If you don't come back, you will be guilty of another crime.

)(The above is a partial transcript of the minutes in this case.)


Esther Levine, C.S.R.
Official Court Reporter

Refuse

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT : BOROUGH OF MANHATTAN

-----X
THE PEOPLE OF THE STATE OF NEW YORK :
on the complaint of :
HARRY BLIWITZ :
vs. :
JOSE RIVERA, :
ROBERTA RIVERA. :
-----X

#45554
Charge:
Grand Larceny
Hearing

100 Centre Street
New York, New York
October 31, 1961

BEFORE:

HON. MILTON SOLOMON,
City Magistrate

A p p e a r a n c e s:

NORMEN OSTROW, ESQ.
Assistant District Attorney
For The People

Robert Herter,
Bridge Officer

John Durante
Official Spanish Court Interpreter

Esther Pointer, C.S.R.
Official Court Reporter

BRIDGE OFFICER HEPTER: Docket #15353 and #1534,
Jose Rivera and Roberta Rivera, charged with Grand Larceny on
the complaint of Harry Blywitz. (phonetic spelling.)

DET. Sanders and Harry Blywitz both swear to the
truth of the affidavits.

Spanish Interpreter used.

Complaint read to defendants.

MR. OSTROW: Your Honor, these defendants are going
to get their own attorney.

Now as Legal Aid is not in this case, I received a
summary from the Vera Foundation as to Roberta.

It seems this defendant has lived at 230 West 131st
Street for five years. Prior to that he lived at 206 West 86th
Street for about one year. He currently is employed at the
garment center transfer as delivery boy and has worked there for
a period of seven years. Prior to that he was at Coney Express
in the same capacity for about three years. He is married and
lives with his wife. He has three children. The employer was
contacted by the Vera Foundation and he gives a strong recom-
mendation and says that Rivera is his best employee.

THE COURT: I see this complaint here where they
both admit having stolen over a--

MR. OSTROW: I know, over a period of about two years.

THE COURT: What do you want to do? Are you making a
suggestion here of some kind on the question of bail?

MR. OSTROW: Yes. I would think that although the amount in the Complaint may be a substantial one, it is the People's feeling at this point, and I say it in all fairness to the defendant, that it is going to be impossible for us to prove such an amount, even though they admit taking it over such a period but of course there will be no way of proving it.

THE COURT: Five hundred dollars each defendant.

MR. OSTROW: I would think the defendant Roberta Rivera can be parolled in his own custody.

THE COURT: I am going to make it five hundred dollars each defendant.

(A date was set for a hearing. The defendant was informed of his right to communicate.)

(The above is a partial transcript of the minutes in this case.)


Esther Pointer, C.S.R.
Official Court Reporter

4 parole
7 bail

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK

FELONY COURT : BOROUGH OF MANHATTAN

THE PEOPLE OF THE STATE OF NEW YORK	:	Warrant No. 7-5355
on the complaint of	:	
PTL. DONALD EBEBECKE	:	<u>Charge:</u>
vs.	:	1897 PL &
GEORGE FIELDS	:	722 Subd.2 PL
	:	Hearing

100 Centre Street
New York, New York
October 31, 1961

B E F O R E:

HON. MILTON SOLOMON,
City Magistrate

A p p e a r a n c e s:

NORMAN OSTROW, ESQ.
Assistant District Attorney
For The People

Robert Herter,
Bridge Officer

Esther Pointer, C.S.R.
Official Court Reporter

BRIDGE OFFICER HEPTER: Docket #15357, George Fields, charged with Violation of Section 1397 of the Penal Law as a Misdemeanor and Docket #15358, George Fields, charged with Violation of Section 722, Subdivision 2 of the Penal Law, both on the complaint of Ptl. Donald Ebbecke.

Complaints sworn to by officer.

Complaints read to defendant.

Defendant informed of his rights.

MR. McCARTHY: Your Honor, might I intrude, speaking amicus curiae? The Vera Society has a recommendation in this charge and even though Legal Aid does not represent the defendant, they have asked me to bring it.

They recommend a parole for this defendant. He has been steadily employed for two years. The employment has been verified. He works for the E.N. Taxi Service at 538 West 132nd Street. He has lived at his present address for five years. His previous address, he lived at for three years. He has had this present job for two years; prior to that he worked for the J.L. Taxi Service, 707 Lenox Avenue as a taxi driver.

THE COURT: I am going to set bail, Counselor.
This is on an officer.

MR. McCARTHY: As long as you have their recommendation, Judge. They recommend parole.

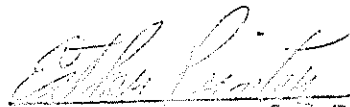
THE COURT: I will parole the defendant on the Disorderly Conduct charge. That's with the understanding you must

be here in this court at ten o'clock on November 9th. If you are not here, there may be an additional charge against you known as parole jumping. In the meantime, the charges are still pending against you.

Five hundred dollars on the other charges.

BRIDGE OFFICER HERTER: You may communicate with friends or relatives or Counsel free of charge from the office of the warden.

(The above is a partial transcript of the minutes in this case.)


Esther Pointer, C.S.R.
Official Court Reporter

MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

----- X
THE PEOPLE OF THE STATE OF NEW YORK :

On the Complaint of :

Frank Lusberg, :

vs. :

Nolan Williams, :

Defendant :

DOCKET NO.: 15,706

CHARGE: Grand Larceny

----- X
November 9, 1961

BRIDGEMAN: Jerry Lupa

BEFORE:

HON. FREDERICK L. STRONG,

City Magistrate

APPEARANCES:

NORMAN OSTROW, ESQ.
Assistant District Attorney
New York County, New York
For the People

BERNARD CURLEY, ESQ.
Legal Aid Society,
100 Centre Street, New York 13, N.Y.
Attorney for Defendant

William R. Lewis
Official Court Reporter

BRIDGEMAN LUPA: Docket Number 15,706, Nolan Williams, charged with Grand Larceny on the complaint of Frank Lusberg. Step up, please. Mr. Curley of Legal Aid.

MR. CURLEY: Your Honor, can we have the second call?

BRIDGEMAN: What you want? second call? All right, second call. Go ahead.

* * *

BRIDGEMAN: Docket Number 15, 706, Nolan Williams, charged with Grand Larceny, represented by Legal Aid. Frank Lusberg, step up here, please. Frank Lusberg, raise your right hand. Do you swear the affidavit you signed is true?

MR. LUSBERG: I do.

BRIDGEMAN: Waive the public reading Legal Aid?

MR. CURLEY: I do, yes. Application for reduction to Petty Larceny, Your Honor.

MR. OSTROW: The People consent.

MR. CURLEY: Waive the reading of the new charge, and waive to General Sessions. I respectfully request parole of this defendant. Represented by the Vera Foundation who is in Court this morning, and they have made an investigation of this defendant. He lives at--222⁴ Madison--531 West 43rd

Street with common-law wife, one child. He was employed by a firm for a year and a half and I respectfully request the Court to parole him. He has no previous record.

MR. OSTROW: People would consent to parole, Your Honor.

THE COURT: Parole to the Court of Special Sessions. If you don't appear, there will be an additional charge against you for parole jumping.

BRIDGEMAN: All right, you are paroled for Special Sessions. Step out, please.

I hereby certify the foregoing is a complete and correct transcript.

William R. Lewis

William R. Lewis
Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

-----x

The People of the State of New York	:	Docket: 16276
on complaint of	:	Charge: Felonious
Flora Wood Harris	:	Assault
- against -	:	
HARVEY HARRIS,	:	
Defendant.	:	

-----x

November 21, 1961

B e f o r e :

HON. DAVID MALBIN,
City Magistrate

A p p e a r a n c e s :

For the People:
NORMAN OSTROW,
Assistant District Attorney

For the Defendant:
BERNARD CURLEY, ESQ.,
Legal Aid Society

Sylvia Noveck,
Official Court Reporter

(PARTIAL TRANSCRIPT)

MR. CURLEY: I have an application for parole on information supplied by the Vera Society.

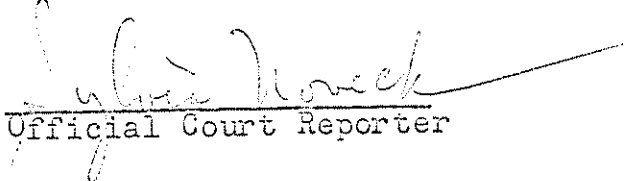
THE COURT: Does he work?

MR. CURLEY: Yes. He works for . . .

THE COURT: All right, paroled. If you fail to appear in the Court of Special Sessions there will be an additional charge of parole jumping.

* * *

The above is certified to be a correct transcript of the minutes in this case.


Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

-----x

The People of the State of New York	:	
on complaint of	:	
Irving Altman	:	Docket: 16218
- against -	:	Charge: Grand
GEORGE ORTIZ,	:	Larceny
Defendant.	:	

-----x-

November 21, 1961

B e f o r e :

HON. DAVID MALBIN,
City Magistrate

A p p e a r a n c e s :

For the People:
NORMAN OSTROW,
Assistant District Attorney

For the Defendant:
AUSTIN CANADE, ESQ.,
Legal Aid Society

Sylvia Novack,
Official Court Reporter

(partial transcript)

MR. CANADE: Your Honor, on the question of bail, I have a report here from the Vera Foundation which specifies that the defendant presently is unemployed but previously had worked as a shipping clerk for three years at a place of business on East 30th Street. He lives at 385 Livonia Avenue. I'd like to request \$500 bail or parole.

THE COURT: What is that report?

MR. CANADE: Vera Foundation, which makes recommendations as to bail.

THE COURT: All right, \$500.

MR. OSTROW: I would recommend a \$1,000.

THE COURT: It's been statistically studied and they came to the conclusion of \$500. Five Hundred dollars.

* * *

The above is certified to be a correct transcript of the testimony in this case.

Arthur Nowack
Official Court Reporter

Refuse

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

----- x

The People of the State of New York	:	Docket: 16265
on complaint of	:	
W. Pierson	:	Charge: Robbery
- against -	:	
MARTIN McMANUS,	:	
Defendant	:	

----- x

November 21, 1961

B e f o r e :

HON. DAVID MALBIN,
City Magistrate

A p p e a r a n c e s :

For the People:
NORMAN OSTROW,
Assistant District Attorney

For the Defendant:
BERNARD CURLEY, ESQ.,
Legal Aid Society

Sylvia Noveck,
Official Court Reporter

(partial transcript)

MR. CURLEY: I make this application on behalf of the Vera Foundation, Your Honor, application that this defendant be paroled. The information I have on him, supplied by the Vera Foundation, he lives at 261 Hamilton Avenue, Staten Island, lived there for one year; previously lived for seven years at 116th Street, Richmond Hill, Queens. He isn't employed at the present time because he has been too ill since 1954 but he has been employed for a good many years for Simbel Brothers, about fifteen years. He has been married for 29 years and his wife is presently at Seaside Nursing Home in Staten Island. He moved there to be near her. They have no children. He has lived in New York for 33 years. Father Riley of St. Peter's Church says he will insure Mr. McManus' return to Court on the day he is supposed to be here. His only previous conflict with the law was a grand larceny which was dismissed and that was 30 years ago.

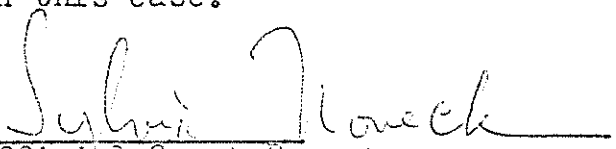
MR. OSTROW: I am going to recommend \$2,500 bail.

THE COURT: Yes, the only difficulty is - I have due respect for the Father - Father is not going to walk around with him. He may get some

impulse again. I'm sorry, I'll have to deny the application. Same bail.

* * *

The above is certified to be a correct transcript of the testimony in this case.


Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

-----x
The People of the State of New York :
on complaint of :
A. Gonzales : Docket: 16255
- against - : Charge: Fel.
AL DIAZ, : Assault
Defendant. :

-----x
November 21, 1961

B e f o r e :

HON. DAVID MALBIN,
City Magistrate

A p p e a r a n c e s :

For the People:
NORMAN OSTROW,
Assistant District Attorney

For the Defendant:
BERNARD CURLEY, ESQ.,
Legal Aid Society

Sylvia Noveck,
Official Court Reporter

(partial transcript)

MR. CURLEY: This is a recall at the request of the Vera Foundation; application for parole at their request. This defendant lives at 47 First Avenue, lived there two and a half years and previously lived at 58th Street for six years. He does construction work and he is a member of the Building Construction and Common Laborers' Union, Local 731 at 229 East 58th Street. He has been married for 26 years, has two children and he fully supports them.

THE COURT: All right, the application for parole will be granted.

* * *

The above is certified to be a correct transcript of the testimony in this case.


Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK

FELONY COURT: BOROUGH OF MANHATTAN

----- x

The People of the State of New York :
on complaint of : Docket: 16316
Eduardo Fecundo : Charge: Felonious
- against - : Assault
Ruben RENTA, :
Defendant :

----- -x

November 22, 1961

B e f o r e :

HON. DAVID MALBIN,
City Magistrate

A p p e a r a n c e s :

For the People:
NORMAN OSTROW,
Assistant District Attorney

For the Defendant:
AUSTIN CANADE, ESQ.,
Legal Aid Society

Sylvia Noveck,
Official Court Reporter

(partial transcript)

MR. CANADE: On behalf of the Vera Foundation I am going to ask to request that defendant be paroled in his own custody. I'd like to make known to the Court defendant has presently been living at 280 Madison Avenue, apartment 15A. His present employment is five months at 52 Broadway, in the stockroom. He has worked as a factory worker at Brooklyn Folding Box for one and a half years. He is married, has a wife and child, and if the Court could see fit we would like to have the defendant paroled in his own custody.

THE COURT: All right, the defendant will be paroled. If he fails to appear at Special Sessions on the date required or if he fails to answer any mandate of the Court there will be an additional charge of parole jumping.

* * *

The above is certified to be a correct transcript of the testimony in this case.

Edward M. ...
 Official Court Reporter

CITY MAGISTRATES COURT OF THE CITY OF NEW YORK

FELONY COURT: BOROUGH OF MANHATTAN

----- x

The People of the State of New York :

on complaint of :

Patrolman of the City of NY :

- against - :

ALEXANDER WOODS, :

Defendant :

Docket: 16329

Charge: Felonious
Assault

----- x

November 22, 1961

B e f o r e :

HON. DAVID MALBIN,

City Magistrate

A p p e a r a n c e s :

For the People:

NORMAN OSTROW,

Assistant District Attorney

For the Defendant:

George Calabrese, Esq.

LEGAL AID SOCIETY

Sylvia Noveck,
Official Court Reporter

(partial transcript)

MR. CALABRESE: This defendant has no record, married, two children, been living in the same house for a year and a half. He has been working for the last four years for the same employer. I understand that the complainant is out of the hospital. Application for parole.

THE COURT: All right, the defendant will be paroled. If he fails to appear on the adjourned date there will be an additional charge of parole jumping. November 27.

* * *

The above is certified to be a correct transcript of the minutes in this case.


Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK

FELONY COURT: BOROUGH OF MANHATTAN

-----x

The People of the State of New York :
on complaint of : Docket: 16323
Detective Robert Hanigan : Charge: Forgery,
- against - : Grand Larceny
JOHN A. PANARELLO, :
Defendant. :

-----x

November 22, 1961

B e f o r e :

HON. DAVID MALBIN,
City Magistrate

A p p e a r a n c e s :

For the Defendant:
(none)

For the People:
NORMAN OSTROW,
Assistant District Attorney

Sylvia Noveck,
Official Court Reporter

(partial transcript)

THE COURT: The case will be adjourned to permit you to get your own lawyer. What is that 722?

MR. OSTROW: That was dismissed. The People have no objection to parole.

THE COURT: Defendant is paroled. Return here on Friday. If you fail to return there will be an additional charge of parole jumping. Have him here Friday morning.

* * *

The above is certified to be a correct transcript of the testimony in this case.

Sylvia Koveck
Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

-----x

The People of the State of New York :
on complaint of :
B. Berger : Dockets: 16536
 : 16538
- against - : 16537
WILEY MICKENS, :Charge: 1308 P.L.
HENRY MICKENS, :
WILLIE MICKENS, :
Defendants. :

-----x

November 28, 1961

B e f o r e :

HON. GEORGE RADER,
City Magistrate

A p p e a r a n c e s :

For the People:
NORMAN OSTROW,
Assistant District Attorney

For the Defendant:

Sylvia Noveck,
Official Court Reporter

(partial transcript)

MR. CURLEY: Your Honor, I would be perfectly willing to go along on that day (December 4) if the Court would parole the defendants. I have a recommendation from the Vera Foundation as regards the defendant Willie Mickens.

THE COURT: What about the others?

MR. CURLEY: I don't have reports on the others. The Vera Foundation informs me that the boys . . .

THE COURT: In other words, they make a recommendation only as to Willie Mickens?

MR. CURLEY: Yes. the other two defendants are in the control section. The other boys have excellent records themselves.

THE COURT: I don't follow when you say the other two boys are in the control section; what do you mean by that?

MR. CURLEY: The representative of the Vera Foundation informs me they are at the present time trying to divide up these cases to determine - it's in a preliminary stage.

THE COURT: In other words, whatever reason there may be they have a recommendation only as to Willie Mickens?

MR. CURLEY: Yes. That is purely as a mechanical thing. The young lady informed me the other boys, too, have excellent records and I have investigated them.

THE COURT: So far as we know we have only one recommendation in this case from the Vera Foundation and that is Willie Mickens?


MR. CURLEY: That's right. About the other two boys, Henry is employed by Shaw Parcraft, they manufacture lamp shades in Passaic, New Jersey. He has been employed there five years. The other boy, Wiley, is employed by the Mt. Vernon Wiping Cloth Company for two and a half years. All three of them live at home with their parents. They have no previous records.

* * * *

THE COURT: Each of the defendants is paroled.

* * * *

The above is certified to be a correct transcript of the testimony in this case.


Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

----- x

The People of the State of New York :
on complaint of : Docket: 16574
Joyce Benton : Charge: Felonious
- against - : Assault
ZOLLIE BENTON, :
Defendant. :

----- DE

November 29, 1961

B e f o r e :

HON. GEORGE RADER,
City Magistrate

A p p e a r a n c e s :

For the People:
NORMAN OSTROW,
Assistant District Attorney

For the Defendant:

Sylvia Noveck,
Official Court Reporter

(partial transcript)

MR. McGUIRK: He claims he is still living with his wife, Your Honor.

THE COURT: You are paroled. I must advise you if you fail to appear you will be charged with the additional crime of parole jumping. You are to appear here again on December 1st, Friday, without fail.

* * *

The above is certified to be a correct transcript of the minutes in this case.

Sylvia Koneck
Official Court Reporter

NEW YORK CITY MAGISTRATES COURTS
FELONY COURT : BOROUGH OF MANHATTAN

----- X
In the Matter of :
THE PEOPLE OF THE STATE OF NEW YORK : Docket #16955/61
: Charge:
-against- :
DELIA HARRIS, : Violation of Section 1897
Defendant. : of the Penal Law and
: Felonious Assault
----- X

----- X
In the Matter of :
THE PEOPLE OF THE STATE OF NEW YORK : Docket #16956/61
: Charge:
-against- :
CORNELIUS FREEMAN, : Violation of Section 1897
Defendant. : of the Penal Law and
: Felonious Assault
----- X

Thursday - December 7, 1961

B e f o r e :

HON. NICHOLAS F. DELAGI
City Magistrate.

Appearances :
For the People:
NORMAN OSTROW
Asst. District Attorney

For the Defendants:
TERENCE MCGUIRK
Legal Aid Society

Leon Siegel,
Official Court Reporter.

COURT OFFICER REICH: Docket 16955 and 16966, defendants Delia Harris and Cornelius Freeman, charged with violations of Section 1897 of the Penal Law and with felonious assault. Will you raise your right hand and swear to the truth of the contents of your affidavit?

MR. MCGUIRK: Waive the public reading. There is a conflict of interest here. Each defendant is a complaining witness against the other. It is one reason why I shouldn't represent both. In addition to that, one defendant says he has been steadily employed for six years and the other says he has been steadily employed for two years, so I don't think we should represent either.

THE COURT: Who is Cornelius Freeman? Legal Aid makes an application to this Court to be relieved of assignment. They claim you are in a position to engage your own lawyer. Do you wish an adjournment to get a lawyer?

MR. FREEMAN: Yes.

THE COURT: And the same statement was made in connection with Delia Harris. Do you want to get your own lawyer?

DEFENDANT HARRIS: Yes.

THE COURT: All right. Legal Aid is relieved of assignment. You may have an adjournment to counsel, to obtain counsel. What date?

MR. OSTROW: December 12.

MR. McGUIRK: On the question of bail, Your Honor, in the case of defendant Cornelius Freeman, we have a recommendation from the Vera Foundation. He has lived at present address, 6 Bradhurst Avenue, apartment 85, in Manhattan, for two years. He has worked for six years at Presstype, Inc and his employer says his job is still open for him.

THE COURT: Who had the starter's pistol?


OFFICER: Harris had the pistol.

MR. McGUIRK: Freeman had the pocket knife.

THE COURT: Bail five hundred dollars each. December 12.

, * * *

A true and correct transcript
of minutes in above matters.


Official Court Reporter.

NEW YORK CITY MAGISTRATES COURTS
FELONY COURT : BOROUGH OF MANHATTAN
----- X

In the Matter of
THE PEOPLE OF THE STATE OF NEW YORK
-against-
GENEVA CAMPBELL,
----- X
Defendant.
: Docket #16970/61
: Charge:
: Felonious Assault

Thursday - December 7, 1961

B e f o r e :

HON. NICHOLAS F. DELAGI
City Magistrate.

Appearances :
For the People:
NORMAN OSTROW
Asst. District Attorney

For the Defendant:
TERENCE McGUIRK
Legal Aid Society

Leon Siegel,
Official Court Reporter.

COURT OFFICER REICH: Docket 16970, defendant Geneva Campbell, charged with felonious assault. Raise your right hand. Do you swear to the truth of the statements contained in your affidavit?

MR. MCGUIRK: Waive public reading. Request reduction from felonious assault to simple assault.

THE COURT: Any objection?

MR. OSTROW: No. People consent.

THE COURT: All right - assault third and 1897, misdemeanor.

MR. MCGUIRK: Waive further examination.

THE COURT: Five hundred dollars bail. Defendant will be notified when to appear in the Court of Special Sessions. Bring the lady back.

MR. MCGUIRK: It has just been brought to my attention, Your Honor, that the Vera Foundation has made a recommendation of parole in the case of this defendant. She has been employed over three months as a domestic servant.

THE COURT: How long has she lived at this address?


MR. MCGUIRK: She claims two years, with her family.

THE COURT: All right. I will parole you. You understand, Miss Campbell, you are not required to put up any bail but when required to appear in the Court of Special Sessions you must do so. Should you fail to appear you face another charge of jumping parole. Do you understand?

DEFENDANT: Yes.

* * *

A true and correct transcript
of minutes in the above matter.


Official Court Reporter.

Refused

CITY MAGISTRATES' COURTS OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

-----X

The People of the State of New York :

on complaint of :

Alfred Simmons :

- against - :

AUSTIN BELL, :

Defendant :

-----X

December 13, 1961

B e f o r e :

HON. FREDERICK STRONG,

City Magistrate

A p p e a r a n c e s :

For the People:
NORMAN OSTROW, ESQ.,
Assistant District Attorney

For the Defendant:
SOLOMON KATZ, ESQ.,
Legal Aid Society

Sylvia Noveck,
Official Court Reporter

(partial transcript)

2

COURT OFFICER: Austin Bell, Docket
17250, charge of felonious assault, on complaint
of Alfred Simmons.

* * *

MR. KATZ: Your Honor, I'd like to
make a request for parole. The defendant has lived
with his common-law wife for the past five years
at the same address; he helps to support her. He
is a longshoreman, has been employed for 21 months
at the Longshoreman's Office. They do have a child.

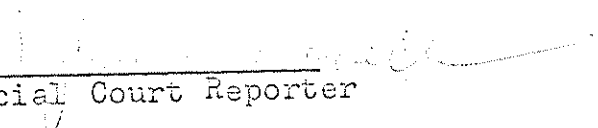
* * *

MR. KATZ: Your Honor, the defendant
was paroled at his previous arrest and showed up for
trial.

THE COURT: In view of his record the
bail is \$500.

* * *

The above is certified to be a correct transcript
of the minutes in this case.


Official Court Reporter

CITY MAGISTRATES' COURTS OF THE CITY OF NEW YORK

FELONY COURT: BOROUGH OF

----- x

The People of the State of New York :

on complaint of :

Patrolman John Brown :Docket: 17295

- against - :

JOHN EDLER, : Charge: Felonious

: Assault

Defendant :

December 14, 1961

B e f o r e :

HON. FREDERICK STRONG,

City Magistrate

A p p e a r a n c e s :

For the People:

NORMAN OSTROW, ESQ.,
Assistant District Attorney

For the Defendant:

none

Sylvia Noveck,
Official Court Reporter

(partial transcript)

2

THE COURT: December 20. There is a Vera Foundation report, they are recommending parole.

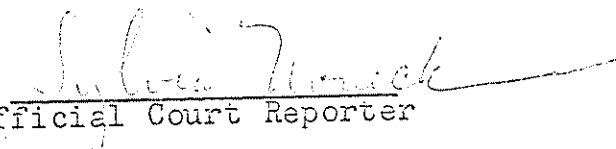
MR. OSTROW: The circumstances seem to be of an altercation, Your Honor, a fight involving these three gentlemen, these two in the complaint.

* * *

THE COURT: You are paroled. If you don't appear you will face an additional charge of jumping parole.

* * *

The above is certified to be a correct transcript of the minutes in this case.


Official Court Reporter

CITY MAGISTRATES' COURTS OF THE CITY OF NEW YORK

FELONY COURT: BOROUGH OF MANHATTAN

-----x

The People of the State of New York	:	
on complaint of	:	
Ptl. George White	:	Docket: 17291
- against -	:	Charge: Felonious
JUANITA KING,	:	: Assault and viol.
Defendant	:	Section 1897, P.L.

-----x

December 14, 1961

B e f o r e:

HON. FREDERICK STRONG,
City Magistrate

A p p e a r a n c e s :

For the People:
NORMAN OSTROW, ESQ.,
Assistant District Attorney

For the Defendant:
none

Sylvia Noveck,
Official Court Reporter

COURT OFFICER: Docket 17291, Juanita King, charged with felonious assault and violation of Section 1897 of the Penal Law, on complaint of Patrolman George White.

(Defendant was arraigned and advised of her rights)

COURT OFFICER: What do you wish to do?

THE DEFENDANT: I'd rather have it to a higher court.

COURT OFFICER: Can you afford a lawyer?

THE DEFENDANT: Sure.

COURT OFFICER: She wants an opportunity to get her own lawyer.

THE DEFENDANT: In Ohio.

COURT OFFICER: In Ohio, did you say?

THE DEFENDANT: Mr. Olds - I have some contacts here.

COURT OFFICER: You mean he is in Ohio?

THE COURT: I think it would be a good idea to have a checkup at the hospital at this time to see what your present condition is.

THE DEFENDANT: Don't need no checkup. I come here nice and peaceful on two weeks' vacation. I'll get in contact with my lawyer, that's all I want.

THE COURT: Where is he?

THE DEFENDANT: Here, here in New York.

I got contacts here.

THE COURT: Well, I should think you should have a checkup in a hospital, too.

THE DEFENDANT: I think you should have something done, too, you know.

THE COURT: What are you looking for now?

THE DEFENDANT: I'm hunting for my lawyer's telephone number here in New York City.

THE COURT: After discussing the matter with the representatives of the Vera Foundation . . .

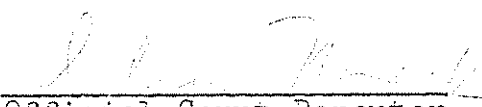
THE DEFENDANT: Here it is, 37 West 14th Street, New York 11, New York.

THE COURT: Defendant is committed to the Department of Hospitals for observation.

(defendant leaves the courtroom cursing)

* * *

The above is certified to be a correct transcript of the testimony in this case.


Official Court Reporter

CITY MAGISTRATES' COURTS OF THE CITY OF NEW YORK

FELONY COURT: BOROUGH OF MANHATTAN

----- x

The People of the State of New York :

on complaint of :

Warren Harrigan ;Docket: 17290

- against - :Charge: Felonious
Assault

GEORGIABELLE RINDLE, :

Defendant :

----- -x

December 14, 1961

B e f o r e :

HON. FREDERICK STRONG,

City Magistrate

A p p e a r a n c e s :

For the People:

NORMAN OSTROW, ESQ.,
Assistant District Attorney

For the Defendant:

AUSTIN CANADE, ESQ.,
Legal Aid Society

Sylvia Noveck,
Official Court Reporter

THE COURT: The Vera Foundation has recommended parole.

MR. CANADE: Your Honor, I feel it is a well-founded recommendation in this case. Defendant has been in no trouble whatsoever. She lives alone, that's the reason for the knife in her pocket. She never had it open.

* * *

THE COURT: All right, I'll take a chance and parole you. You will be notified when to appear in the Court of Special Sessions.

* * *

The above is certified to be a correct transcript of the testimony in this case.


Official Court Reporter

CITY MAGISTRATES COURTS OF THE CITY OF NEW YORK
FELONY COURT, BOROUGH OF MANHATTAN

-----X
THE PEOPLE OF THE STATE OF NEW YORK : Dockets #17343-44
: Charge: D.C.-8
:
:
:
-against- :
NATALE BILETTA and :
ZELBERT QUICK, :
Defendants. : ARRAIGNMENT
-----X

Dec. 15, 1961

B e f o r e:

HONORABLE T. VINCENT QUINN,
City Magistrate

A p p e a r a n c e s:

NICHOLAS DI SESSA, Esq.
Attorney for Biletta
51 Chambers Street
New York, N. Y.

ERNEST HAMMER, Esq.
Assistant District Attorney
Attorney for People

BRIDGEMAN: Jack Jaeger.

Louis F. Lanuto
Official Court Reporter

BRIDGEMAN: Felony Decrets #17343-44;
Natale Biletta and Zelbert Quick; 722-8.

What is your name?

MR. QUICK: Quick.

BRIDGEMAN: Do you speak English?

MR. BILETTA: No.

BRIDGEMAN: Biletta doesn't speak English.

MR. HAMMER: Your Honor, I'm informed that
one of the defendants does not speak English;
he speaks Italian. Do you speak Italian? Is
there a lawyer here that speaks Italian?

THE COURT: Mr. DiSessa, do you speak
Italian; do you speak Italian?

MR. DI SESSA: Oh, yes.

THE COURT: Which one doesn't speak English?

BRIDGEMAN: This man (indicating).

THE COURT: Would you inform this man of
the charges against him?

BRIDGEMAN: Officer, do you swear to the
truth of the affidavit?

THE OFFICER: Yes.

(After a short period of time, the case was
recalled.)

BRIDGEMAN: Recall; Felony Dockets #17343-44; Natale Biletta and Zelbert Quick; 722-8; the officer swore to the affidavit.

Mr. DiSessa?

MR. DI SESSA: Yes.

BRIDGEMAN: As to the defendant Biletta, do you waive the public reading of the complaint, at this time?

MR. DI SESSA: I do.

BRIDGEMAN: Thank you.

Mr. Quick, the officer states at 7:15 p.m., December 14, 1961, Delancy subway station, IND subway, men's toilet, in the county of New York, that Natale Biletta and Zelbert Quick, acting together, did loiter about a public place for the purpose of soliciting males to commit a lewd or indecent act. Do you know what you are charged with?

MR. QUICK: Yes.

BRIDGEMAN: On this charge, you have the right to an adjournment at any stage of the proceedings and before any further proceedings

to get a lawyer or witnesses in your behalf; you may communicate with friends or relatives free of charge; you can have an adjournment for any reason.

MR. DI SESSA: Your Honor, I acted as interpreter for this defendant here and he desires to plead not guilty and wants an adjournment.

THE COURT: That's Mr. Biletta.

THE OFFICER: The 29th?

THE COURT: All right.

MR. DI SESSA: I also informed the other defendant about it and he says he wants to get his own lawyer. The 29th is a Friday.

THE COURT: Are you going to continue with this defendant?

MR. DI SESSA: If you want me to.

THE COURT: Do you want me to assign you?

MR. DI SESSA: If you want; makes no difference. He may want to get his own lawyer.

THE COURT: Well, suppose I put it to get attorney. December 29th. Any records?

MR. HAMMER: Your Honor, on the question

of bail, the defendants have no prior records, according to the yellow sheet and Mr. Simon Klein, of the Vera Foundation, informs me he has verified the following information: that Zelbert Quick, has lived at the same address with his wife and three children for the past eleven years; that he supports his wife and children; that he's been employed at the Knitap Novelties Co., 163 Bowery, for seven years; and as to Natale Biletta, he also informs me he's verified this information -- that Mr. Biletta has been in the United States for six years and has lived with his sister and husband and their family at 445 East 52nd Street, in Brooklyn, for the entire six years; and that he's been employed for the past five years as a tailor at the Fanet Coat Company in Brooklyn and is expected at work today.

On that basis, the People would consent to parole in these cases, Your Honor.

THE COURT: All right, each defendant is paroled with the understanding that if they fail to appear in this Court on December 29th or whenever required to do so by the Court, that they'll

be charged with parole jumping. Will you explain that?

MR. DI SESSA: Yes, I'll explain that.

THE COURT: Paroled.

- - - - -

The above is an accurate copy of the minutes in this case.

Louis F. Lantini

Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK

PERMANENT COURT OF SESSIONS

THE PEOPLE OF THE STATE OF NEW YORK : Docket: 17,441
-against- : Charge: Grand
JOSEPH SIMS, JR., : Larceny
Defendant. :

-----X
100 Centre Street,
New York, New York
December 18, 1961.

BEFORE:

HON. NEAL P. BOTTIGLIERI,
City Magistrate.

APPEARANCES:

NORMAN OSTROW, ESQ.,
Assistant District Attorney
for the People.

AUSTEN CANADE, ESQ.,
Legal Aid Society
for the Defendant.

BRIDGEMAN: BILL REICH.

Max Tussman, C SR
Official Court Reporter

COURT OFFICER: Recalling Docket 17,441, Joseph Sims, who is charged with grand larceny.

MR. CANADE: This case was recalled for the purpose of bail only. The Vera Foundation would like to recommend, in addition to Legal Aid for the purpose of this -- that the defendant be placed on parole. This is based on the information which is before the Judge. As you can see, I understand that, from the defendant, he has been employed here at the Five Seasons for four months -- my copy says as of last Friday.

MR. HARRIS: (Vera Foundation) We are not positive of his present status because the employer was not there.

MR. CANADE: As you can see by the Vera Foundation, he is the sole support of his wife and two children, and even though he has been living at the present address for relatively a short time, he did live for three years at a prior address, both of them in New York. His cousin, Pastor Woods, will vouch for his presence in court if the Court could see fit.

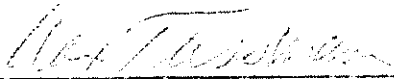
to place the man on parole. I am sure the defendant would be present in court when necessary.

THE COURT: Overruled, or rather your application is denied. Same bail, being \$1,000.

COURT OFFICER: Same bail, \$1,000. You may communicate free of charge from the office of the warden.

* * *

The above is a correct transcript of the minutes taken in this case.



Official Court Reporter

CSR

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
PELONY COURT, BOROUGH OF MANHATTAN

-----X
THE PEOPLE OF THE STATE OF NEW YORK :

-against-

ULYSSES WILLIS,

Defendant

: Docket 17705

: Fel. Asslt.

-----X
New York, New York

December 29, 1961

B e f o r e :

HON. NEAL P. BOTTIGLIARI

City Magistrate

A p p e a r a n c e s :

JOHN S. CHATFIELD,
Assistant District Attorney
For the People

SOLOMON H. KATZ,
Legal Aid Society
For the Defendant

William Rich
Court Officer

William Bonifacio
Official Court Reporter

COURT OFFICER RICH: Docket 17705, Ulysses Willis, Felonious Assault on the complaint of Virginia Edwards. Do you swear to your affidavit? Raise your right hand.

MISS EDWARDS: I do.

COURT OFFICER RICH: You are charged with felonious assault on December 11, 1961 at about 3:30 A.M. In premises 191 Lenox Avenue in an apartment thereat at the above said time and location, defendant did strike deponent a number of blows about her face and head with a bottle held in his hand necessitating treatment for injuries sustained by deponent at the Harlem Hospital, Manhattan. On this charge you have a right to communicate with relatives or friends by letter or telephone, free of charge. You have a right to the aid of counsel at every stage of these proceedings and before any further proceedings. You have a right to an adjournment to procure counsel. You may have your case heard in this Court or you can waive that and go directly to the Grand Jury. What do you wish to do?

THE DEFENDANT: I want a Legal Aid lawyer.

COURT OFFICER RICH: Put him inside, Officer. Legal Aid will speak to him.

THE COURT: He'll take a reduction now. G'mon.

MR. KATZ: Yes, Your Honor. I'd like to make an application to reduce to Assault 3rd Degree. I have a

communication from the Vera Foundation recommending parole, Your Honor. I'd like to read it to you. It states: "Mr. Willis has been working at the same firm for the past ten years. His employer states that he's an excellent worker and that he's needed on the job. Mr. Willis has a wife and six children who receive a portion of his salary each week and are partially dependent on this support for their maintenance. Mr. Willis has no prior record."

THE COURT: What's the relationship between these two?

MISS EDWARDS: None. I've known him for about two years and in June he attacked me on the stairs, cut me with a knife and we were in the same court and he was supposed to stay away from this house. And he came through a window at 3:30 in the morning and I was inside in bed with my daughter and he struck me about the head. I had laceration of the head and face. This man attacks me on the street. I've had a summons for him since October and he couldn't be found.

MR. KATZ: Your Honor, the defendant informs me that he's lived and had relations with this woman and he's had keys to the apartment for the last two years.

THE DEFENDANT: I support this woman.

THE COURT: How did he get into the apartment?

MISS EDWARDS: Through a fire escape window had been previously in October and forced his way in and he took some things out of the house which among the things he might have taken the keys. If he had any he didn't use them that night because he came in through the fire escape window.

MR. KATZ: Your Honor, the defendant informs me that the night the alleged attack took place the complainant was drinking heavily.

MISS EDWARDS: I was in bed with my daughter.

MR. KATZ: In view of the fact there's no apparent injuries I still would recommend simple assault.

THE COURT: I'll parole him. I'm going to parole you with the understanding that you are going to stay away from this woman, you understand? My advice to you is you better stay away from her. All right, paroled to the Court of Special Sessions. Application to reduce is granted. If you fail to appear when you're told to appear, in addition to this charge other charges may be made against you.

The above is a correct transcript of the minutes taken in this case.

William E. ...
Official Court Reporter

CITY MAGISTRATES' COURTS OF THE CITY OF NEW YORK

FELONY COURT: BOROUGH OF MANHATTAN

----- x

The People of the State of New York :
on complaint of : Docket: 17297
William Ruaine :
- against - : Charge: Forgery
GEORGE OSTERBERG, :
Defendant :

----- -x

December 14, 1961

B e f o r e :

HON. FREDERICK STRONG,
City Magistrate

A p p e a r a n c e s :

For the People:
NORMAN OSTROW, ESQ.,
Assistant District Attorney

For the Defendant:
none

Sylvia Noveck,
Official Court Reporter

(partial transcript)

2

recommending parole. Do you have any objection?

MR. OSTROW: I have no objection.

THE COURT: Defendant is paroled,
January 4.

* * *

The above is certified to be a correct transcript
of the minutes in this case.


Audrey M. Wood
Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
VEHICLE ACCIDENT CLERK, DISTRICT

----- X

THE PEOPLE OF THE STATE OF NEW YORK :

On the complaint of :

OFFICER O'SULLIVAN :

vs. : Docket #13

WILBERT GARRETT, :

DEFENDANT. :

----- X

New York, N.Y.,
January 2, 1962.

B E F O R E :

HON. LOUIS A. CIOFFI
City Magistrate.

A P P E A R A N C E S :

FOR THE PEOPLE:

CARL D'ANGELO, ESQ.,
Assistant District Attorney
New York County.

SIMON CHREIN
representing Vera Foundation.

Court Officer Raymond Burke.

Joseph Di Matteo
Official Court Reporter.

COURT OFFICER RAYMOND BURKE: Wilbert Garrett, Docket #13, driving while intoxicated. Patrolman O'Sullivan, 23rd Precinct. Officer, you swear to the truth of your affidavit?

PTL. O'SULLIVAN: I do.

COURT OFFICER RAYMOND BURKE: Patrolman Michael O'Sullivan, being duly sworn, states on January 2, 1962 at about 125th Street and Amsterdam Avenue, defendant Wilbert Garrett violated provisions subdivision 2, Section 1192, Vehicle and Traffic Law, State of New York, in that he operated a motor vehicle along 125th and Lenox Avenue, a public highway, City, County and State of New York while he was in an intoxicated condition as appears from the following: the patrolman did observe the defendant operating a motor vehicle at the aforesaid time and place and during a conversation with the defendant, deponent did observe that his breath smelled of alcohol, his speech was slurred, his eyes watery and was unsteady on his feet.

You may communicate with friends or relatives by letter or telephone free of charge from the office of the Warden. You are entitled to the aid of counsel at this and every stage of these proceedings

and before any further proceedings you may have an adjournment to procure counsel and to summon witnesses on your behalf. You may have a preliminary examination on this charge in this court or waive such examination and have your case sent directly to the Court of Special Sessions for trial, or if you wish, you may consent to have this case tried by a Magistrate of this Court sitting as a Court of Special Sessions. Listen to the Judge.

THE COURT: I must advise you that a plea of guilty to this charge is equivalent to a conviction after trial. If you are convicted not only will you be liable to a penalty but in addition your license to drive a motor vehicle or motorcycle and your certificate of registration, if any, are subject to suspension and revocation as prescribed by law. You understand me?

THE DEFENDANT: Yes.

THE COURT: What do you wish to do?

MR. CHREIN: My name is Simon Chrein. I'm from the Vera Foundation. We investigate the backgrounds of people who are arrested and we gather information which might be useful, Your Honor, in determining whether he will be paroled or in setting bail, and we have investigated his

background and we've determined that he's living at the same address for 16 years and he has a responsible position for 16 years.

THE COURT: Has he ever been convicted of any crimes?

MR. CHREIN: Felonious Assault in 1954.

THE COURT: What's your application?

MR. CHREIN: We make an application to consider paroling this defendant in view of the fact that he has a steady job for 16 years and steady residence. We interviewed him when he was brought into the cells.

THE COURT: Do you have any legal status?

MR. CHREIN: The status is amicus curiae.

THE COURT: What do you wish to do, Mr. Garrett? My own advice to you is to get a lawyer. This is a serious charge, driving while intoxicated. What do you wish to do?

THE DEFENDANT: I'd like to get a lawyer.

THE COURT: What date?

PTL. O'SULLIVAN: After the 25th of January I'm going on vacation.

THE COURT: January 25th all right?

PTL. O'SULLIVAN: Yes, sir.

THE COURT: Is that all right with you?

THE DEFENDANT: Yes.

THE COURT: Will you have enough time to get an attorney?

THE DEFENDANT: Yes.

THE COURT: What was the disposition of the Felonious Assault in 1954?

THE DEFENDANT: It was dismissed. She dropped the charges.

MR. CHREIN: Our record shows that he did 60 to 90 days--

THE COURT: Does your record show something in Raleigh, North Carolina?

MR. CHREIN: He served 66 of the 90 days.

THE COURT: Our records show that in 1954 he had a Felonious Assault. In 1958 in Raleigh North Carolina, I don't know what the charge was but he apparently served 90 days.

MR. CHREIN: That was for intoxication.

THE COURT: 1959, intoxicated driver and Felonious Assault. I have no disposition of it.

PTL. O'SULLIVAN: There was a dismissal, sir. I checked it this morning.

THE COURT: Now he's got another one and you're recommending parole?

MR. CHREIN: On the basis that he would

show up for trial.

THE COURT: Bail is five hundred dollars bond or fifty dollars cash. If he's working he can afford to post fifty dollars cash.

COURT OFFICER RAYMOND BURKE: You can make a telephone call from the office of the Warden.

* * *

The above is a correct transcript of the minutes taken in this case.

Official Court Reporter.

Refuse

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT, BOROUGH OF MANHATTAN

----- -x

THE PEOPLE OF THE STATE OF NEW YORK :

-against- :

YVAN RAKOS, :

Defendant. :

Docket 789
Grand Larceny and
Sec. 408

----- -x

New York, New York

January 15, 1962

B e f o r e:

HON. WALTER GRADWEN,
City Magistrate

A p p e a r a n c e:

NORMAN OSTROM,
Assistant District Attorney
For the People

Jennaro Lupo
Court Officer

William Bonifacio
Official Court Reporter

COURT OFFICER LUPPO: Docket 789, Yvan Rakos, charged with Grand Larceny and 4.08 on the complaint of Ernest Yumann and Officer Swenns. Raise your right hands. Do you swear to the truth of your affidavits?

MR. YUMANN: I do.

OFFICER SWENNS: I do.

COURT OFFICER LUPPO: Ernest Yumann says that on January 14, 1962 at 10 A.M., at 161st Street between Fort Washington Avenue and Riverside Drive, you did unlawfully take a 1960 Rambler sedan valued at about \$2,500 belonging to him. On this charge you have a right to communicate with relatives or friends by letter or telephone, free of charge. You have the right to the aid of counsel at every stage of these proceedings and before any further proceedings. And you have a right to an adjournment to obtain counsel. You may have a hearing in this Court or waive that and go to the Grand Jury. Do you want time to get your own lawyer?

THE DEFENDANT: Yes.

COURT OFFICER LUPPO: The officer requests the 24th.

THE COURT: Is that satisfactory to you?

THE DEFENDANT: Yes.

MR. OSTROW: Your Honor, this defendant is not represented. I can state for the record anyway that I'm informed by the Vera Foundation that the defendant is

employed as a research chemist at Columbia University and he's also a student at that university. As is indicated by the yellow sheet he has no prior criminal record. And their recommendation is for parole.

THE COURT: Do you have any objection?

MR. OSTROW: I do have an objection, Your Honor.

THE COURT: All right, \$500 bail.

COURT OFFICER LUPO: Telephone or write free from jail.

The above is a correct transcript of the minutes taken in this case.

William J. ...
Official Court Reporter

refuse

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
PELONY COURT, BOROUGH OF MANHATTAN,

-----X

THE PEOPLE OF THE STATE OF NEW YORK :
 : 810 Docket-1308 P.L.
 -against- :
 :
 CONRAD MATTHEWS, :
 :
 Defendant :

-----X

New York, New York
January 16, 1962

B e f o r e :

HON. WALTER GLADWIN
City Magistrate

A p p e a r a n c e s :

NORMAN OSTROW,
Assistant District Attorney
For the People

SOLOMON KATZ,
Legal Aid Society
For the Defendant

Jennaro Lupi
Court Officer

William Bonifacio
Official Court Reporter

COURT OFFICER LUPI: Recall on Docket 810, Conrad Matthews, 1308 of the Penal Law. This case was previously arraigned and adjourned to the 19th and held in \$500 bail, represented by Legal Aid. Defendant is inside.

MR. KATZ: Your Honor, I'd like to make an application at this time to reconsider the possibility of paroling the defendant. You previously set bail at \$500. I'm informed by the Vera Foundation that he is the sole support of his wife and one child. Employed by the J & H Lathe Processing Company of Passaic, New Jersey. His supervisor, Mr. Rappatine, told the Vera Foundation that he's a machine mechanic and is being trained to take over a department. Mr. Matthews is a veteran and has no previous record.

THE COURT: He lives in New Jersey.

MR. KATZ: That is correct, Your Honor.

MR. OSTROW: Well, Your Honor, the detective is not here who knows.

THE COURT: I wouldn't go along with it anyway. He's away out of the state. The application is denied and the \$500 bail stands.

The above is a correct transcript of the minutes taken in this proceeding.

William B. ...
Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT, BOROUGH OF MANHATTAN

-----x

THE PEOPLE OF THE STATE OF NEW YORK :

-against- :

MONROE HENDERSON, :

Defendant :

Docket 899

Fel. Asslt. and 1897

-----x

New York, New York

January 17, 1962

B e f o r e :

HON. WALTER GLADWIN,

City Magistrate

A p p e a r a n c e s :

NORMAN OSTROW

Assistant District Attorney
For the People

ROBERT FERRARI

Legal Aid Society
For the Defendant

Jennaro Tappi
Court Officer

William Bonifacio
Official Court Reporter

COURT OFFICER LUPE: Docket 899, Monroe Henderson. Felonious Assault and 1897 on the complaint of Ethel Patton, who hasn't signed her affidavit. Represented by Legal Aid. Ethel Patton, sign your affidavit. Ethel Patton, raise your right hand. Do you swear to the truth of the affidavit you just signed?

MISS PATTON: I do.

MR. FERRARI: Application to reduce to 1897 and Assault Third.

MR. OSTROW: People consent.

MR. FERRARI: Waive the reading of the reduced charges and waive to the Court of Special Sessions.

THE COURT: All right, no objection by District Attorney, motion granted. Do you waive to Special Sessions?

MR. FERRARI: I do, waive to Special Sessions. I have an application. The defendant is currently employed by Columbia University as a cafeteria worker. This is the information supplied by the Vera Foundation. He's been on the job six months. His supervisor characterized him as conscientious and is currently due for a salary increase. Unless he goes back to work in a day or two he'll have to be replaced. This is a common law situation and no previous record of any kind.

MR. OSTROW: I have no objection to parole.

THE COURT: All right, no objection by District

Attorney, paroled with the admonition that if he doesn't show up when required to do so, he'll be a parole jumper and liable for an extra charge against him. Paroled for Special Sessions.

The above is a correct transcript of the minutes taken in this case.

William Brown
Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT, BOROUGH OF MANHATTAN

-----X

THE PEOPLE OF THE STATE OF NEW YORK :
-against- :
MARTIN KING, :
Defendant :

Docket 929
1140 P.L.

-----X

New York, New York
January 18, 1962

B e f o r e :

HON. WALTER GLADWIN
City Magistrate

A p p e a r a n c e s :

NORMAN OSTROW,
Assistant District Attorney
For the People

DEMITRIUS FOTOPOLIS,
Legal Aid Society
For the Defendant

Jennaro Lupi
Court Officer

William Boniface
Official Court Reporter

COURT OFFICER LUPI: Docket 929, Martin King, represented by Legal Aid. 1140 of the Penal Law. Officer, swear to the truth of your affidavit?

PATROLMAN WALKER: I do.

MR. FOTOPOLIS: Waive the reading and waive to Special Sessions. I'd like to ask for parole. I have here a statement from the Vera Foundation stating that Mr. King has been employed by Sanson Sandwich Shop, 76 Fulton Street for a year. He has been living with his common law wife who is presently pregnant. He also does part time work for the Academy Agency and he's never been arrested before, Your Honor.

MR. OSTROW: No objection to parole, Your Honor.

THE COURT: All right, paroled to the Court of Special Sessions with the admonition that he is doesn't show up when he's supposed to, he may be liable for an extra charge known as parole jumping.

The above is a correct transcript of the minutes taken in this proceeding.

William B. ...
Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT : BOROUGH OF MANHATTAN

X-----X

THE PEOPLE OF THE STATE OF NEW YORK

on the Complaint of

PATROLWOMAN HELEN BROWN

vs.

ROBERT LAWTON

: Docket #1826

: Charge:
: Violation of
: Section 1140
: of the Penal
: Law

X-----X

New York, N. Y., February 1, 1968

Before

HON. FRANCIS X. O'BRIEN

City Magistrate

Appearances:

HON. FRANK S. HOGAN, District Attorney, New York
County, by NORMAN OSTROW, ESQ., Assistant
District Attorney, for the People.

Defendant in person.

Jacob Klein, C.S.R.
Official Court Reporter

COURT OFFICER LUPI: Docket number 1818--
Robert Lawton--charged with 1140 of the Penal Law, on
the complaint of Officer Helen Brown, Policewomen's
Bureau.

(The public reading of the charge and
the advice to defendant as to his rights omitted from
this transcript at the request of Vera Foundation.)

(The balance of the transcript is as
follows:)

MR. OSTROW: February seventh.

THE COURT: What day, February seventh?

MR. OSTROW: Yes.

THE COURT: Bail five hundred dollars.

MR. OSTROW: Your Honor, this defendant
is not represented. He is going to get himself his
own lawyer, so, for that reason, I will make the
recommendation as amicus curiae.

I have a recommendation from the Vera
Foundation. Mr. Lawton is in business for himself--

THE COURT: I have read it.

MR. OSTROW: Oh, you have read it. I have
a copy. I will read it. ^(Reading) He owns his 1950 Inter-
national truck. He lives with his wife at the above

address and contributes to her support and also supports his two children.

Although Mr. Lawton only lives at the above address for three months, he has previously lived at 2027 Pacific Street, Brooklyn, for over three years.

Previous record indicates that 1960 had unlawful entry and 1961, disorderly conduct.

What was the disposition of that?

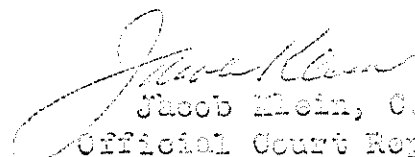
THE COURT: Unlawful entry was thirty days in the Workhouse, and there was a driving while intoxicated.

MR. OSTROW: I would think, from the recommendation, the only thing that discourages me, is his prior record that he might have.

THE COURT: A more important thing is he indecently exposed himself to a policewoman. Bond is five hundred dollars.

COURT OFFICER LUFT: Bond is five hundred dollars. Adjourned to the next day. Telephone or arrive, free, from the jail.

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Jacob Klein, C.S.R.
Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT : BOROUGH OF MANHATTAN

X-----X

THE PEOPLE OF THE STATE OF NEW YORK

on the Complaint of

OWEN EDWARDS

vs.

FREDDIE BRACEY

: Booklet #1021

:
: Charge:
: Felonious
: Assault

X-----X

New York, N. Y., February 1, 1963

Before

HON. FRANCIS X. O'BRIEN

City Magistrate

Appearances:

HON. FRANK S. HOGAN, District Attorney, New York
County, by NORMAN OSTROW, ESQ., Assistant
District Attorney, for the People.

ANTHONY F. MARRA, ESQ., Legal Aid Society, by
JOHN J. McCARTHY, ESQ., of counsel, for
defendant Freddie Bracey.

Jacob Klein, G.S.R.
Official Court Reporter

COURT OFFICER LUPI: Docket number 1981--
Freddie Bracey--charged with felonious assault--on the
complaint of Owen Edwards.

Step up here, please (indicating).

(The complainant was duly sworn to his af-
fidavit of complaint.)

Legal Aid, please.

MR. McCARTHY: (Reading) "Mr. Bracey is
currently living with his sister and her family at above
address. He has been living with his sister. For the
year before that, he lived at 63 East 117th Street,
New York City, for over a year, with his aunt.

COURT OFFICER LUPI: Mr. McCarthy, do you
waive the reading of this complaint (indicating)?

MR. McCARTHY: Yes, I do. This case is
Bracey.

MR. OSTROW: Thirteenth of February.

MR. McCARTHY: I would request for the parole
of the defendant.

THE COURT: I am reading the report. You
may as well read ahead, though.

MR. McCARTHY: I think one thing that is
outstanding from the report of Vera, which contains the

verified information that defendant is living with his sister and he is taking care of his own four-month-old child that the mother has abandoned, and he is working and he is trying to take care of his own child. He hasn't fallen back on the welfare agencies or thrown the child away for adoption. I think that speaks very well for him.

THE COURT: What is this, an adjournment or a waiver?

MR. McCARTHY: An adjournment, to see what the condition will be.

MR. OSTROW: I want to see what his condition is like on the thirteenth.

THE COURT: Any objection to parole?

MR. OSTROW: No, I have no objection.

THE COURT: Thirteenth?

MR. OSTROW: Yes.

THE COURT: Thirteenth. Defendant paroled, on recommendation of the Vera Foundation.

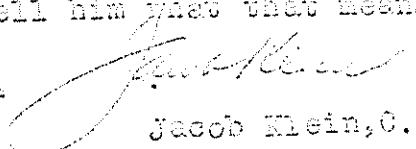
MR. McCARTHY: Could you make that the sixteenth?

THE COURT: Sixteenth.

(to Mr. McCarthy) Tell him what that means.

MR. McCARTHY: Yes.

---000---


Jacob Klein, C.S.R.
Official Court Reporter

COURT OFFICER LUPI: Docket numbers 2058 and 2059--Thomas Wilson and James Brown--charged with grand larceny.

Defendants represented by Legal Aid.

THE COURT: Yes, Counselor?

MR. EDELBAUM: Motion to reduce to petit larceny, your Honor.

THE COURT: The People?

MR. OSTROW: No objection.

MR. EDELBAUM: Waive further action in this Court for the Court of Special Sessions.

THE COURT: Motion is granted. Charge reduced.

COURT OFFICER LUPI: Waive the public reading of the reduced charge?

MR. EDELBAUM: Waive the public reading of the reduced charge.

Your Honor, you have a recommendation in your hand from the Vera Foundation.

(Reading) "Mr. Wilson has been married for six years and supports his wife and two children. A third child is expected.

His wife is in Court.

He and his family have lived at the above

address for two years and lived at their previous address, also in Brooklyn, for over two years.

Three weeks ago he began work for the Grand Waste Paper Company, having worked previously for five years until the second week of January, 1962, with Frank Penimore, as a driver and paper bailer.

He has no previous record."

Recommend parole.

THE COURT: All right, I will fix parole on the defendant.

Are you the defendant Wilson (indicating)?

DEFENDANT THOMAS WILSON: Right here.

THE COURT: You understand that you are not required to post any bail here today. I am paroling you for the Court of Special Sessions. If you fail to appear when notified in that Court, you face another charge; you understand that?

DEFENDANT THOMAS WILSON: Yes.

request of the Vera Foundation.)

---000---

Jacob Klein
Jacob Klein, C.S.R.
Official Court Reporter

CITY MAGISTRATE'S COURT OF THE CITY OF NEW YORK

FELONY COURT : BOROUGH OF MANHATTAN

THE PEOPLE OF THE STATE OF NEW YORK : Docket #8254

on the complaint of : Charge: Felonious
Assault

OTTELO BILLINGER (phonetic spelling) :

-against- :

PETER LEE : Arraignment

Defendant :

100 Centre Street
New York, New York
February 28, 1962

Before:

HON. FRANCIS X. O'BRIEN
City Magistrate

Appearance:

NORMAN OSTROW, ESQ.
Assistant District Attorney
For the People

NICHOLAS BRUCHNER, ESQ.
Legal Aid
For the Defendant

Gennaro Lupi
Bridge Officer

Parthina Shelton, CSR
Official Court Reporter

BRIDGE OFFICER LUPL: Docket #3254,

Peter Lee, charged with felonious assault. Legal Aid.

Peter Lee. Ottello Billinger, step up here please.

Ottello Billinger, raise your right hand please.

Lingfield, you both swear to the truth of the affidavit you signed?

MR. BILLINGER: I do.

PTL. LINGFIELD: I do.

BRIDGE OFFICER LUPL: Waive the reading, Counselor?

MR. BRUCKNER: Waive. Reduce to assault, third?

MR. OSTROW: No objection.

THE COURT: Motion granted.

MR. BRUCKNER: Assault, three. Your Honor, this defendant has never been in trouble before in his life. He is married and Vera Foundation has recommended a parole on this man.

at Rug Market, 53 Centre Street, Rockville Centre.

* * *

Certified to be a true and accurate
transcript of the minutes in this case.

Parthine Shelton
Parthine Shelton, CSR
Official Court Reporter

3/17/62

FELONY COURT : BOROUGH OF MANHATTAN

THE PEOPLE OF THE STATE OF NEW YORK : Docket #3257

on the complaint of : Charge: Grand Larceny

PTL. :

against :

Rinaldo Gondolo :

Arraignment

Defendant :

100 Centre Street
New York, New York
February 20, 1962

Before:

HON. FRANCIS X. O'BRIEN
City Magistrate

Appearances:

NORMAN OSTROW, ESQ.
Assistant District Attorney
For the People

NICHOLAS BRUCKNER, ESQ.
Legal Aid
For the Defendant

Gennaro Lupi
Bridge Officer

Reuthina Shelton, CSR
Official Court Reporter

BRIDGE OFFICER LUPI: Docket #3257,
Rinaldo Condulo (phonetic spelling), charged with
grand larceny. Short affidavit. Legal Aid.
Officer, raise your right hand. Do you swear to the
truth of the affidavit you signed?

THE COMPLAINANT: I do.

BRIDGE OFFICER LUPI: Waive the reading,
Counselor?

MR. BRUCHNER: Waive the reading.

BRIDGE OFFICER LUPI: What date, gentlemen?

MR. BRUCHNER: Your Honor, I have a
recommendation here from the Vera Foundation which
indicates -- says -- The interpreter has already
spoken to him. He can understand.

THE COURT: I know. He says he can't under-
stand. Ask him where he works, John.

MR. DURRANTE: Park Sheraton Hotel.

THE COURT: How long has he worked there?

MR. DURRANTE: Almost three years.

THE COURT: What does he do?

MR. DURRANTE: Dish washer, Your Honor.

THE COURT: What day?

MR. BRUCHNER: March 5th.

THE COURT: March 5th. Defendant paroled
in his own custody.

BRIDGE OFFICER LUPE: All right, he is
paroled. Tell him he is to be back here on March 5th.

* * *

The above is certified to be an accurate
transcript of the minutes in this case.

Parthina Shelton
Parthina Shelton, CSR
Official Court Reporter

3/17/62

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK

FELONY COURT : BOROUGH OF MANHATTAN

- - - - - X

THE PEOPLE OF THE STATE OF NEW YORK : Docket #3374 &
3375

on the complaint of :

PTL. LEO GEZYZAK : Charge: Grand
Larceny

-against- :

PATRICK PETAPELLI, Jr. and :
GARY FISCOR :

: Hearing

-defendants-

- - - - - X

100 Centre Street
March 2, 1962

Before:

HON. FRANCIS X. O'BRIEN
City Magistrate

Appearance:

NORMAN OSTROW, ESQ.
Assistant District Attorney
For the People

DIMITRIUS FOTOPOLUS, ESQ.
Legal Aid
For the Defendant

Gennaro Lupi
Bridge Officer

Parthian Shelton, CSR
Official Court Reporter

BRIDGE COURTNEY LUPPI: Page 6 #3375

#3375, Patrick McLaughlin, Jr. and Gary Plesant, charged with grand larceny. Represented by Legal Aid, Dimitrius Fotopolus. On the complaint of Henry Tillinger and Officer Gezyzak, 108 Precinct. Mr. Tillinger and Officer raise your right hand please. Do you both swear to the truth of the affidavit you signed?

MR. TILLINGER: I do.

PTL. GEZYZAK: I do.

BRIDGE OFFICER LUPPI: Legal Aid, you waive the reading?

MR. FOTOPOLUS: Waive the reading. Ready for a hearing.

PTL. L E O G E Z Y Z A K, called as a witness, and having first been duly sworn by the Court, testified as follows:

Ptl. Leo Gezyzak, Shield 962, 108 Precinct.

MR. OSTROW: Mr. Fotopolus, will you stipulate that if Mr. Tillinger were called as a witness for the People -- That's Henry Tillinger of 33-25 90th Street, Jackson Heights, Queens. -- he would testify that he is the registered owner of a 1958

Company - Fiat Automobili.

Chevrolet, sedan, license plate T 90088 New York Registration and he parked that automobile in a parking lot at 28th Street between Second and Third Avenues on March 1, 1962, at about 9:30 in the morning and gave no one permission or authority to take the car therefrom or to dispose of it in any way and that when he returned to that parking lot, it was about 9:30 p.m. on the same day, he found the automobile missing and reported the same to the police immediately and that the value of the car is something over \$100?

MR. FOTOPOLUS: Oh, yes, I so stipulate.

DIRECT-EXAMINATION BY MR. OSEROW:

Q Now, Officer, where did you arrest these defendants?

A At mid-town tunnel toll plaza on Long Island City.

Q What time was that and --

A At about 11 p.m. on March 1st.

Q And which defendant was driving the car?

A Fitapelli.

Q And the other defendant, where was he?

A He was sitting next to him in the front.

Q You had a conversation with Fitapelli?

Ceszyzak - Direct

A Yes, I did.

Q What did he say?

A He took the car from the parking lot in Manhattan, and he also stated that his friend there did not know that the car was stolen, that he picked him up about a block or two away.

Q And what did Fiscor say?

A He stated that he didn't know the car was stolen.

Q Did you ask him if he knew Fitapelli?

A Yes, I did.

Q What did he say?

A He stated he knew him for about two or three years.

Q Did you ask him if he was with Fitapelli that night?

A Yes, I did.

Q What did he say?

A He said he was with him when he picked him up with the car.

Q Did he say where that was?

A He didn't know exactly the location. He just said he picked him up.

Czyzak - Direct

5

Q Did defendant Fittelli say what time it was when he had taken the car from the lot?

A I asked him about what time. He stated about 10 o'clock.

Q P.m., is that right?

A At 10 p.m. on March 1st.

Q Did you ask Fiscor if he knew whether Fittapelli had a car or not?

A Did I ask him if he knew he had a car?

Q Yes.

A No, I did not.

Q You did ask him how long he knew him, is that right?

A Yes, I did.

MR. OSTROW: You may inquire.

MR. FOTOPOLUS: No questions, Your Honor.

MR. OSTROW: People's case.

MR. FOTOPOLUS: As to each party, I move to dismiss on the ground the State failed to make out a prima facie case, Your Honor.

THE COURT: Denied.

MR. FOTOPOLUS: As to both parties?

THE COURT: Both parties, yes.

MR. FOTOPOLUS: I --

THE COURT: You waive further examination?
You make a motion to reduce?

MR. FOTOPOLUS: Waive further examination.

THE COURT: All right, Grand Jury, bail
\$500 each.

MR. FOTOPOLUS: Your Honor, I have a
recommendation on the question of bail. I would like
to make a recommendation from Vera Foundation
referable to Laurick Henry, III. Defendant lives at
the above address with his wife and children. He was
living there the past 20 years; that he has been
employed by Lipsick Construction Company, 205
West 51st Street.

THE COURT: Is he working there?

MR. FOTOPOLUS: Yes. He is also a member
of good society with the local branch of the Union.

MR. FOTOPOLUS: Defendant is 51 years old.

THE COURT: What is he doing with Legal Aid?

MR. FOTOPOLUS: And Legal Aid would like to
ask to be relieved.

THE COURT: \$500 each. Why doesn't Legal

Ceszyzak - Direct

Q Did defendant Fitapelli say what time it was when he had taken the car from the lot?

A I asked him about what time. He stated about 10 o'clock.

Q P.m., is that right?

A At 10 p.m. on March 1st.

Q Did you ask Piscor if he knew whether Fitapelli had a car or not?

A Did I ask him if he knew he had a car?

Q Yes.

A No, I did not.

Q You did ask him how long he knew him, is that right?

A Yes, I did.

MR. OSTROW: You may inquire.

MR. FOTOPOLUS: No questions, Your Honor.

MR. OSTROW: People's case.

MR. FOTOPOLUS: As to each party, I move to dismiss on the ground the State failed to make out a prima facie case, Your Honor.

THE COURT: Denied.

MR. FOTOPOLUS: As to both parties?

THE COURT: Both parties, yes.

Aid check?

MR. OSTROW: For the record, Your Honor, I have no objection to parole.

THE COURT: I know you haven't. \$500 each.

BRIDGE OFFICER LUPE: Put both in. Telephone or write free from jail.

* * *

The above is certified to be an accurate transcript of the minutes in this case.

Parthina Shelton
Parthina Shelton, CSR
Official Court Reporter

3/25/62

CITY MAGISTRATES' COURTS OF THE CITY OF NEW YORK

FELONY COURT : BOROUGH OF MANHATTAN

----- X
THE PEOPLE OF THE STATE OF NEW YORK

-against-

WILLIAM BARREIRA,

Defendant.

Docket:
#3592

Charge:
Rape

----- X

100 Centre Street
New York 13, N.Y.
March 6, 1962

B e f o r e :

HONORABLE LOUIS S. WALLACH,
City Magistrate.

A p p e a r a n c e s :

For the People
NORMAN OSTROW, ESQ.,
Assistant District Attorney.

For the Defendant
ROBERT P. BURNS, ESQ.,
Legal Aid Society.

William Reich,
Court Officer.

Theodore Martin,
Court Reporter.

COURT OFFICER: Docket #3592, William Barreira, charged with rape on the complaint of Nicholas Scopetta, corroborating affidavit by Patrolman Raymond Shedlick and by Dolores Gonzalez. Raise your right hands. Do all three of you swear to the truth of the affidavits you signed?

MR. SCOPETTA: Yes.

PATROLMAN SHEDLICK: Yes.

MISS GONZALEZ: Yes.

COURT OFFICER: Defendant is represented by Legal Aid.

MR. BURNS: Waive the public reading.
Application for an adjournment.

THE COURT: "Defendant lives at the same address." What does that mean?

MR. OSTROW: "At the above address," it says, your Honor.

MR. BURNS: Application for adjournment to April 26, Judge.

THE COURT: Why? Are they going to get married?

MR. BURNS: Yes, they are.

THE COURT: How old are you?

MISS GONZALEZ: Fifteen.

MR. SCOPETTA: She will be sixteen April 12,
your Honor.

THE COURT: All right. What date?

MR. BURNS: April 26.

THE COURT: You want to marry this girl?

MR. BARREIRA: Yes, your Honor.

THE COURT: Do you want to marry him?

MISS GONZALEZ: Yes.

THE COURT: You like him?

MISS GONZALEZ: Yes.

THE COURT: Is your mother here?

MRS. GONZALEZ: Yes.

THE COURT: Are you going to let her marry him?

MRS. GONZALEZ: Yes. He is a nice boy.

THE COURT: Who is the other lady? Are you
going to let your son marry that girl?

MRS. BARREIRA: Yes.

THE COURT: Paroled. If you won't be here on
April 26, a warrant will be issued for your arrest
and further you will be charged with parole jumping.

*

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certified to be a true and correct
transcript of minutes in this case

Herbert Martin

Court Reporter

CITY MAGISTRATE'S COURTS OF THE CITY OF NEW YORK

VELOCITY COURT : BOARD OF DISTRICTS

----- X

THE PEOPLE OF THE STATE OF NEW YORK : Docket #8599

on the complaint of : Charge: Grand Larceny

DETECTIVE KEENAN :

-against- :

JOHN SABANOFFSKY : Recommendation

defendant :

----- X

100 Centre Street
New York, New York
March 7, 1962

Before:

HON. NEAL BOFFILICHERI
City Magistrate

Appearances:

NORMAN OSTROW, ESQ.
Assistant District Attorney
For the People

Gennaro Lupi
Bridge Officer

Parthina Shelton, CSR
Official Court Reporter

BRIDGE OFFICER LUPPI: Recall Docket

#3599, John Sabanofsky, charged with grand larceny. The case was adjourned for 3/9/62. Held in \$3,500 bail.

MR. OSTROW: Your Honor, I'll put the recommendation on the record. Defendant is not represented. Recommendation from the Vera Foundation. "This defendant has been employed as an iron worker at the Water Iron Works, 501 East 74th Street for the past 16 years. This defendant has been married for 16 years. He has three children ages 14, 8 and 16. He has been living at the present address for the past three years. He is a disabled veteran and receives \$55 a month from the Veterans Administration and has no prior record. The Vera Foundation recommendation is for parole." He originally set -- as you originally set \$3,500 in this case. Now, I believe that he is not here -- body. It's kind of difficult for people to consent to a parole when I haven't conferred fully with Keenan about the case.

THE COURT: Where is the officer?

MR. OSTROW: He is gone. The case was

recalled. It certainly isn't his fault. The recommendation wasn't made originally. I would have no objection if you reduced the bail at this point based on this recommendation, Your Honor. I wouldn't consent to parole not knowing all the facts of the case certainly, but I think with this background, I think that \$3,500 --

THE COURT: \$15,500 is involved.

MR. OSTROW: I know that, Your Honor.

THE COURT: Was that recovered?

MR. OSTROW: I believe the jewelry has been recovered.

THE COURT: You believe?

MR. OSTROW: I am not certain, but I know a received was also arrested in this case, Your Honor, in addition to this defendant. I have no objection to \$1,000 or \$1,500 bail, whatever the Court sees fit.


THE COURT: All right, \$1,000 bail.

BRIDGE OFFICER LUPY: All right, bail is

\$1,000.

* * *

Certified to be an accurate transcript
of the minutes in this case.



Parthina Shelton, CSR
Official Court Reporter

3/25/62

1 CITY MAGISTRATES COURT OF THE CITY OF NEW YORK
2 ELSONY COURT, BOROUGH OF MANHATTAN
3 ----- X

4 PEOPLE OF THE STATE OF NEW YORK

5 complaint Docket # 8715
6 PTL. ARENO Charge: Arson
7 against

8 HERBERT L E C U M B E R R I, :
9 Defendant
10 ----- X

11 March 9, 1962

12 Before:
13 HON: LOUIS B. WALLACE,
14 City Magistrate

15 Appearances:
16 NORMAN OSTROW, ESQ.
17 Assistant District Attorney
18 for the People

19
20 ROBERT P. BURNS, ESQ.
21 Legal Aid
22 for the Defendant

23
24 Albert J. Chiaravalle, CBR
25 Official Court Reporter

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COURT OFFICER REINO: Docket number
3715, Herbert Lecumberri, attempted arson on the
complaint of Fire Marshal, corroborating affidavit
Joseph Martin, another corroborating affidavit by
Patrolman Areno. Petit Larceny on Stephan Harris,
Herbert Lecumberri. Mr. Martin, Patrolman Areno
and Mr. Harris, raise your right hands; Fire Marshal
swear to the truth of the affidavit you sign/

MR. MARTIN: I do.
PTL. ARENO: I do.
MR. HARRIS: I do.

COURT OFFICER: Represented by
legal aid, Robert Burns. Do you waive the public
reading?

MR. BURNS: We do.

DISTRICT ATTORNEY: I have a recommen-
dation in this case to commit the defendant to the
Department of Hospitals. This charge involves arson
and he has previously been arrested for arson.

THE COURT: Were you ever in
a mental institution?

THE DEFENDANT: No.

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DISTRICT ATTORNEY: I am not going to put it on the record. Will you approach the bench Mr. Lunn.

(Bench discussion.)

THE COURT: From my observation of the defendant and from the nature of the crime, I am going to commit him to the Department of Hospitals for observation and report. The attorney for the defendant agree that he should be committed?

LEGAL AID: We have no comment.

THE COURT: Don't you ever come up and tell me anything. Everything you say will be said on the other side of the table. Don't ever come up when I am here.

DISTRICT ATTORNEY: Excuse me.

THE COURT: Defendant is committed. Put him back inside.

CERTIFICATION
I hereby certify the foregoing is true and accurate transcript of the proceedings reported.

Albert J. Charavak
ALBERT J. CHARAVAK
CERTIFIED SHD

W. J. ...
W. J. ...

CITY MAGISTRATES' COURTS OF THE CITY OF NEW YORK

ADOLESCENT COURT: : BOROUGH OF MANHATTAN

----- X

THE PEOPLE OF THE STATE OF NEW YORK :

On the Complaint of :

WALTER BERETTA :

-against- :

JESSIE COUNCIL, :

Defendant. :

Felony Court

: Docket: 3741

: CHARGE: 1308 of
the Penal Law

----- X

100 Centre Street
New York, New York
March 9, 1962

BEFORE:

HON. MORTON R. TOLLERIS,

City Magistrate.

APPEARANCES:

GERALD E. FOGERTY, ESQ.,
Assistant District Attorney
For the People.

BERNARD CURLEY, ESQ.,
Legal Aid Society,
For the Defendant.

SYLVIA JOHNSON,
Vera Foundation,
For the Defendant.

BRIDGEMAN: RICHARD OLENICK

Enid Love, C.S.R.
Official Court Reporter.

COURT OFFICER: This is docket 3741, Jessie Council, on a charge of 1308 of the Penal Law. Felony Court docket. This is on the affidavit of Detective Harold Robinson of the 19th Squad. Raise your right hand, Robinson of the 19th Squad, swear to the truth of your affidavit?

DETECTIVE ROBINSON: I do.

COURT OFFICER: Detective Harold Robinson of the 19th Squad, a police officer, being duly sworn says that Jessie Council now present is the person referred to as one other non-apprehended in the deponent's affidavit of March 2, 1962, hereunto annexed. On this charge you have the right to communicate with relatives or friends by letter or telephone free of charge. You have the right to the aid of a lawyer at every stage of the proceeding. Before any further proceedings you have the right to an adjournment to get your own lawyer. If you can't afford a lawyer the Court will appoint a lawyer to you free of charge.

THE COURT: What is this defendant's name?

DETECTIVE ROBINSON: Jessie Council.

THE COURT: Was he here on the 5th?

DETECTIVE ROBINSON: Yes.

THE COURT: Was the complainant here that

day?

DETECTIVE ROBINSON: Yes. Mr. Beretta from the Park Department signed the full affidavit.

THE COURT: I'm sure I received the oath on that day.

DETECTIVE ROBINSON: And it was adjourned to the 15th.

THE COURT: I adjourned it to the 15th. This defendant was not present that day?

DETECTIVE ROBINSON: He was not present. He was referred to as not apprehended, the only one not apprehended.

THE COURT: One other not apprehended? He is the one apprehended?

DETECTIVE ROBINSON: Yes. Now it's complete.

THE COURT: Let the record show the affidavit also does contain the name of Jessie Council in the body of it. And you wish to add this defendant to the complaint as one of the defendants, is that right?

DETECTIVE ROBINSON: Yes.

THE COURT: Arraign this defendant on this complaint.

COURT OFFICER: Yes, Your Honor. Walter Beretta of 3636 Graystone Avenue, County of Bronx,

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says that on February 2, 1962 at 243 West 16th Street in the County of New York, Lawrence Kumes, Julius Elby, John Williams, Abraham Melnick, while acting together and in concert with each other and one other not apprehended -- that should be this defendant.

THE COURT: Mr. District Attorney, does that amend this to include --

MR. FOGERTY: To include the name of this defendant. I will move to amend the complaint to strike out "one other not apprehended" and read instead, "Jessie Council."

THE COURT: I'll reserve decision on that motion. Is legal aid here? All right, let legal aid speak to this defendant. Legal aid, you have been assigned to the other -- to defendant number two in this case and I'm assigning you on behalf of this defendant, Jessie Council, who has just been apprehended on the same charge. This is now number four. In consideration of this case, I do not want to amend this affidavit in the absence of the complainant himself because he would have to consent to it. I think the wisest thing to do would be draw a short on this defendant only and then we can get the complainant in because the

complainant is the one who has to swear out a complaint against this fellow. I only have an affidavit which mentions an unnamed person even though it does mention it in the body of the affidavit. Says he helped one, Jessie Council, not apprehended.

DETECTIVE ROBINSON: My affidavit stated this is the man.

MR. FOGERTY: No, Your Honor. If Jessie Council is mentioned in the body of the complaint as the non-apprehended male I think that we could add him to this complaint then.

THE COURT: That's what I had in mind when I originally started because I had seen the name in there. In view of the fact this man is mentioned in the body of the complaint as one non-apprehended defendant and thereby named, I don't know why it wasn't included in the introductory paragraph. I think we can assume this same defendant -- I add the name to the complaint as a defendant. Since he is now before the Court I will assign legal aid on his behalf. Will you talk to him, Mr. Curley?

COURT OFFICER: Recalling docket 3741, Jessie

Council on a charge of 1308 of the Penal Law.
Defendant is represented by legal aid.

MR. CURLEY: I understand in this case, Your Honor, that the People want an adjournment until the 15th. The other defendants' cases have been adjourned to that date so that's agreeable.

THE COURT: Will you waive the reading of the rights and charges?

MR. CURLEY: I do, yes.

THE COURT: On both charges?

MR. CURLEY: Yes, sir. He is only charged with one, Your Honor. The other is a companion case.

THE COURT: Yes. This is docket 3741. You are asking for the 15th for the companion case?

MR. CURLEY: Yes.

THE COURT: Adjourned to the 15th.

MR. CURLEY: Your Honor, I have an application for parole in this case based on a report of the Vera Foundation which has checked this man's record. It seems that he lives at 171 Underhill Avenue, Brooklyn, New York. They have verified the following; that he has lived at the above address since November 24, 1961; he is employed at the Able Demolition Company of

2038 East 12th Street, Brooklyn; he is a steel burner and holds a Fire Department Permit which expires in February of 1965. Mr. Council is a member in good standing of the House Wrecker's Union, Local 95. He tells me he has a wife and one child, Your Honor, who lives with him at that address.

THE COURT: What happened in 1955?

MR. CURLEY: He did ten days on that and he was convicted, I believe, of drunken driving, and those are the only two things on his record. No crimes of similar nature to this one, Your Honor.

MR. FOGERTY: Your Honor, I think we could parole the defendant. We can find him through the union if he should fail to appear.

MRS. JOHNSON: I'm Mrs. Sylvia Johnson of the Vera Foundation.

THE COURT: Have you verified the facts?

MRS. JOHNSON: He has his union book with him, Your Honor. That shows his payment of dues, and we have verified that he is a member. We checked with the union, we called them.

THE COURT: Is he in good standing at this time?

MRS. JOHNSON: Yes.

THE COURT: How long have you been a member?

MR. COUNCIL: Since '61.

THE COURT: '61? What date in '61?

MR. COUNCIL: I think it was the first of
spring.

THE COURT: Spring of 1961?

MR. COUNCIL: Yes.

THE COURT: How long have you lived at 171
Underhill Avenue?

MR. COUNCIL: That's the date I moved in,
Your Honor, but I have the receipts here, all the
receipts since the date I moved in.

MRS. JOHNSON: Mr. Council has rent receipts
that show payment of rent for that address.

MR. FOGERTY: Your Honor, the defendant has
showed me his union book which indicates that he
was admitted to the union on August 26, 1961.

THE COURT: Are you married, single?

MR. COUNCIL: Married.

THE COURT: How many children?

MR. COUNCIL: One.

THE COURT: Living with you?

MR. COUNCIL: Yes.

THE COURT: The District Attorney feels that
he can be paroled?

MR. FOGERTY: Yes, Your Honor.

THE COURT: Now, that means you must be in court on the 15th without fail. If you fail to show up there will be another serious charge against you, violation of parole, you understand that?

MR. COUNCIL: Yes.

THE COURT: You know where to find him, officer?

DETECTIVE ROBINSON: Yes.

THE COURT: All right, paroled.

* * *

The above is a correct transcript of the minutes taken in this case

Emil Love CSR
Official Court Reporter

MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

----- X
THE PEOPLE OF THE STATE OF NEW YORK :

On the Complaint of :

Nicholas DeMaria a.
Detective and
Walter Tasker

vs.

Theodore Cobb, Patrick Gordon,
Fayette Davis, Joseph Carserius,
and James Rodgers, Defendants.

X
:
:
DOCKET NOS? 3898,
:
3901, 3899, 3904,
:
3900.
:
CHARGED: 1308 P.L.;
:
Gr. Larceny; Gr.
:
Larceny; 1308; Gr.
:
Larceny.

----- X
March 13, 1962

BRIDGEMAN: William Reich

BEFORE:

HON. GEORGE S. HALLER,

City Magistrate

APPEARANCES:

NORMAN OSTROK, ESQ.
Assistant District Attorney
New York County, New York
For the People

ROBERT P. BURNS, ESQ.
Legal Aid Society
100 Centre Street, New York, N.Y.
Attorney for Defendants

William R. Lewis
Official Court Reporter

BRIDGEMAN REICH: Docket Number 3898, Theodore Cobb, charged with violation of section 1308 of the Penal Law; Docket Number 3899, Fayette Davis charged with Grand Larceny; Docket Number 3900, James Rodgers, charged with Grand Larceny; Docket Number 3901 Patrick Gordon, charged with Grand Larceny; Docket Number 3904 Joseph Carserius (phonetic) on the charge of 1308 of the Penal Law.

THE COURT: I would like to be able to separate one from the other.

BRIDGEMAN: Theodore Cobb on the complaint of Walter Tasker with collaborating affidavit of Detective Nicholas DeMaria. You both swear to the truth of your affidavits you sign?

MR. TASKER: I do.

DETECTIVE DE MARIA: I do.

BRIDGEMAN: James Rogers, Patrick Gordon, and Joseph Carserius. Legal Aid, do you advise the public reading with respect to Theodore?

MR. BURNS: I do.

THE COURT: Hold it just a moment. Mr.

Ostrow;

MR. OSTROW: Yes, verify--you want to dispose of the case Your Honor?

MR. BURNS: With respect to defendant Gordon, application to reduce the charge to--from 2308 as a Misdemeanor?

THE COURT: What?

MR. BURNS: Theodore Cobb.

THE COURT: Theodore Cobb, 3898. Gordon?

MR. OSTROW: No objection.

THE COURT: Wait awhile. We have a Davis. Rogers, Cobb--I don't have a Cobb. I don't have a Cobb.

DETECTIVE DE MARIA: It is a Misdemeanor.

MR. BURNS: He is already on Misdemeanor.

THE COURT: He is on a--

MR. BURNS: I am sorry, Judge. With respect to Fayette Davis, there is an application to reduce the charge to Petty Larceny.

MR. OSTROW: No objection.

THE COURT: With respect to defendant's previous record...

MR. BURNS: I agree.

THE COURT: One at a time. What about bail for this man? Is there any recommendation here?

MR. BURNS: Recommendation for parole.

THE COURT: I want to know something about this

man, please.

THE COURT: Who does he live with?

MR. BURNS: Who is this?

THE COURT: This is Davis.

MR. BURNS: Defendant Davis has lived at 118-12 202nd Street, St. Albans, New York with his wife for the past ten years. He has been employed in the same employment since 1953; has no prior record.

THE COURT: He is paroled. I must advise you if you fail to appear, you will be charged with an additional crime of parole jumping. The next one.

MR. BURNS: Patrick--who is the next one?

THE COURT: Patrick Gordon.

MR. BURNS: Application to reduce the charge to Petty Larceny.

MR. OSTROW: No objection.

MR. BURNS: Waive public hearing on reduced charge. Also a similar application for parole consideration --he has been employed for the past ten years at the same employment and currently has been living with his wife for the past two years.

MR. OSTROW: No objection.

THE COURT: The defendant is paroled. I must

reading of the reduced charge?

MR. BURNS: Yes. There is an application for a minimum bail application.

THE COURT: He has a 1897 and 3305. He is not bailable. Wait awhile.

MR. BURNS: I didn't see the prior record. 1308 as a Misdemeanor.

MR. OSTROW: He is not bailable.

THE COURT: 408.

MR. BURNS: He is not bailable. I am sorry.

THE COURT: I will mark this 1308; no bail.

BRIDGEMAN: You are being held. You may communicate free of charge from the office of the Warden.

MR. BURNS: I waive further examination. Everyone is waived to Special Sessions. Code 1308 of the Penal Law as a Misdemeanor. We waive him to Special Sessions. Judge, a parole application with respect to Theodore Cole. I thought I had given to all the employees in the boat plant. He is not a parolee. He lives with his wife and family--same place at 5 Oswald Place, Roosevelt, Long Island.

THE COURT: I got to get some bail on him.

MR. OSTROW: No, he is amenable. I have no

objection.

THE COURT: I will parole him. I must advise him if he fails to appear, he will be charged with an additional crim for parole jumping.

I hereby certify the foregoing is a complete and correct transcript.

William R. Lewis

William R. Lewis
Official Court Reporter

MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

----- X
THE PEOPLE OF THE STATE OF NEW YORK :

On the Complaint of :

Samuel Rinaldi :

vs. :

Sidney Kessler, :

Defendant. :
----- X

DOCKET NO.: 3935

CHARGE: Grand
Larceny

March 14, 1962

BRIDGEMAN: William Reich

BEFORE:

HON. GEORGE S. RADER,

City Magistrate

APPEARANCES:

NORMAN OSTROW, ESQ.
Assistant District Attorney
New York County, New York
For the People

JOHN J. McARTHUR, ESQ.
Legal Aid Society
100 Centre Street, New York, N.Y.
Attorney for Defendant

William R. Lewis
Official Court Reporter

BRIDGEMAN REHCR: Docket Number 3935, Sidney Kessler, charged with Grand Larceny. The defendant is represented by Legal Aid. It is on the complaint of Samuel Rinaldi. Raise your right hand. Do you swear to the truth of the affidavit you signed?

M R. RINALDI: I do.

BRIDGEMAN: Legal Aid, you waive the public reading?

MR. McCARTHY: Yes, we do. The application here to reduce the charge to Petty Larceny.

MR. OSTROW: I have no objection.

MR. McCARTHY: Waive to Special Session on the reduced charge.

THE COURT: First, motion is to reduce?

MR. McCARTHY: Yes, sir, Your Honor, the District Attorney consented.

THE COURT: What did he consent to?

MR. OSTROW: Petty Larceny.

THE COURT: I haven't seen any papers, I don't know what it is. I don't have any papers up here. You got any papers there? You got papers on Kessler? Recall the case.

BRIDGEMAN: Recall Docket Number 3935, Sidney Kessler, charged with Grand Larceny and represented by Legal Aid.

MR. McCARTHY: I move to reduce the charge to Petty Larceny. Now, I move to reduce the charge to Petty Larceny.

MR. OSTROW: I have no objection.

BRIDGEMAN: You waive the public reading on the reduced charge?

MR. McCARTHY: Yes, we do and waive to the Court of Special Sessions. I am making an application for the defendant's parole, Judge. First I have a recommendation from the Vera Foundation to be paroled-- verified information that he lives at 1920 Marston Avenue in the Bronx, lives there for two and a half years with his wife and 19-year-old daughter and 15-year-old son; currently works for the West Parkam Therapeutic Center 28-433 West 203rd Street, New York, New York. He has been in prison about four months. He tells us that his boss says he has to be to work at 2 o'clock in order to keep his job.

THE COURT: What about the involvement in April of '55 with a fraud and Grand Larceny and '59 with a 1897 for which he got 50 days?

MR. McCARTHY: That is true. In the present case he has made restitution and he thinks he is about \$74 short of the total amount required.

THE COURT: That may be; in the present case \$268, but he has five other checks 4783. This man has shown a pattern of disregard for the law.

MR. McCARTHY: I would like to point out, Judge--you say "pattern--checks 1955," I think the only thing--

THE COURT: Not in 1955--in 1960.

MR. OSTROW: That is the current charge, Your Honor, the one in October. That is the charge.

THE COURT: No, wait awhile. You got one check for \$268.

MR. OSTROW: Several checks of small amounts. That is what happened.

MR. McCARTHY: As a total you have there, Your Honor. In other words, we have here a lump-sum; they have verified his employment.

THE COURT: He is paroled. I must advise him if he fails to appear, he will be charged with an additional crime of parole jumping.

BRIDGEMAN: You may go.

I hereby certify the foregoing minutes to be a true
and correct transcript.

William R. Lewis
William R. Lewis
Official Court Reporter

MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: SCHOOL OF JUDICATURE

----- X
THE PEOPLE OF THE STATE OF NEW YORK :

On the Complaint of :

Clarence Lodge :

vs. :

Rollie Brinson, :

Defendant. :

DOCKET NO.: 4027

CHARGE: Felonious
Assault

----- X
March 15, 1962

BRIDGEMAN: William Reich.

BEFORE:

HON. GEORGE S. RADER,

City Magistrate

APPEARANCES:

NORMAN OSTROW, ESQ.
Assistant District Attorney
New York County, New York
For the People

DIMITRIOS FOTOPOULOS, ESQ.
Legal Aid Society
100 Centre Street, New York, N.Y.
Attorney for Defendant.

William R. Lewis
Official Court Reporter

BRIDGEMAN REIGH: Docket Number 4027, Roll 112
 Brinson, charged with Felonious Assault and 1897 of the
 Penal Law, on the complaint of Clarence Lodge. Clarence
 Lodge, raise your right hand. Do you swear to the truth
 of your affidavit you signed?

MR. LODGE: Yes.

BRIDGEMAN: The defendant is represented by
 Mr. Dimitrios Fotopoulos of Legal Aid. Legal Aid, you
 waive the public reading?

MR. FOTOPoulos: Yes. I make application to
 reduce to Assault 3rd Degree and 1897 as a minor.

MR. OSEROW: No objection.

MR. FOTOPoulos: With regard to bail, I re-
 quest that the defendant be paroled. He is presently
 living at the same place for 16 months with his wife and
 three children. He is employed as a building superintendent.

THE CLERK: Mr. Reigh, do you have any further questions?

Is he the owner?

MR. FOTOPoulos: Mr. Raphael Brooks 60 West
 125th Street, New York City is the owner. The defendant
 has worked for Mr. Brooks for three years. There is a

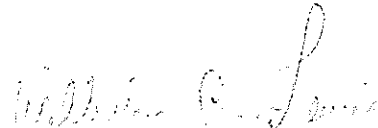
recommendation by the Vera Foundation.

THE COURT: He is paroled. I must advise him that if he fails to appear, there will be an additional crime lodged against him for parole jumping.

BRIDGEMAN: Counsel, do you waive the public reading on the reduced charge?

MR. FOTOPOULOS: Yes.

I hereby certify the foregoing minutes to be a true and correct transcript.



William R. Lewis
Official Court Reporter

MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

----- X
THE PEOPLE OF THE STATE OF NEW YORK :

On the Complaint of :

Patrolman Joseph D. McNamara :

vs. :

John Oliver Gee, :

Defendant. ::

DOCKET NO.: 4078

CHARGE: Violation
of 1897 of
P.L. as
Misdemeanor

----- X
March 16, 1962

BRIDGEMAN: William Reich

BEFORE:

HON. GEORGE S. RADER,

City Magistrate

APPEARANCES:

NORMAN OSTRAW, ESQ.
Assistant District Attorney
New York County, New York
For the People

WILFRED O'CONNOR, ESQ.
Legal Aid Society
100 Centre Street, New York, N.Y.
Attorney for Defendant

William R. Lewis
Official Court Reporter

BRIDGEMAN REICH: Docket Number 4078, John Oliver Gee, charged with violating 1897 of the Penal Law as a Misdemeanor on the complaint of Patrolman Joseph McNamara of the 28th Precinct. Officer, do you swear to the truth of your affidavit?

PATROLMAN McNAMARA: I do.

BRIDGEMAN: The defendant is represented by Legal Aid. Do you waive the public reading?

MR. O'CONNOR: Waive the public reading and ready for a hearing.

P A T R O L M A N J O S E P H D. McNAMARA, Shield Number 16386 28th Precinct, called as a witness on behalf of the People, being first duly sworn, testified as follows:

DIRECT EXAMINATION

BY MR. OSTROW:

Q All right, Officer--

THE COURT: What you have, open pocket knife?

MR. O'CONNOR: Regular pocket knife.

PATROLMAN McNAMARA: I have it with me.

THE COURT: Let me see it.

MR. OSTROW: You will concede all the testimony in the complaint?

MR. O'CONNOR: I concede all the testimony

in this complaint? I will concede nothing, Your Honor.
That is why I have a hearing.

MR. OSTROW: You concede everything in the
complaint the Officer will testify?

THE COURT: Without admitting the truth?

MR. O'CONNOR: Yes.

MR. OSTROW: I offer it in evidence.

MR. OSTROW (Continuing)

Q The defendant made no further statement about
the knife, Officer?

A Other than remained silent, no.

Q You ask him why he had it?

A No, sir.

Q You see him use it?

A He had it in his right hand.

Q What did he do with it?

A I informed him he was under arrest as I approached
and he had it open, the knife in his right hand. I said,
"drop that knife." The defendant ignored my warning and
I drew my revolver. I said, "drop the knife." He put it
in his right-hand pocket.

Q Had you seen him take the knife out of his right-
hand pocket?

A No.

Q Were you in a police car?

A Yes.

Q You pulled him over to the side?

A No, we had pulled to a stop, when we ordered to stop, the defendant refused to show his license and registration and took the defendant to the stationhouse where he produced the license and registration. I then started to issue a summons and the defendant walked away. He became loud and disorderly and refused--

Q He hadn't had the knife out until then?

A He proceeded about a block.

Q Officer, he didn't have the knife out?

A No.

Q He went back to his car?

A He left his car parked where it was, he never went back.

Q It wasn't until afterwards that he took the knife out; is that right?

A After I informed him he was under arrest, I saw the knife.

MR. OSTROW: You may inquire.

in this complaint? I will concede nothing, Your Honor.
That is why I have a hearing.

MR. OSTROW: You concede everything in the
complaint the Officer will testify?

THE COURT: Without admitting the truth?

MR. O'CONNOR: Yes.

MR. OSTROW: I offer it in evidence.

MR. OSTROW (Continuing)

Q The defendant made no further statement about
the knife, Officer?

A Other than remained silent, no.

Q You ask him why he had it?

A No, sir.

Q You see him use it?

A He had it in his right hand.

Q What did he do with it?

A I informed him he was under arrest as I approached
and he had it open, the knife in his right hand. I said,
"drop that knife." The defendant ignored my warning and
I drew my revolver. I said, "drop the knife." He put it
in his right-hand pocket.

Q Had you seen him take the knife out of his right-
hand pocket?

GROSS EXAMINATION

BY MR. O'CONNOR:

Q Officer, what time did you first apprehend this defendant?

THE COURT: I think I have all of that. After they had taken him to the police station.

MR. OSTROW: He wasn't in the police station.

THE COURT: After they had taken him to the police station and released him?

MR. O'CONNOR: He was not released, Your Honor.

THE COURT: All right, go ahead.

THE WITNESS: First I observed the defendant at approximately 2:45 A.M.

Q Doing what?

A What happened?

Q What did you observe him doing, Officer?

A I observed him proceeding southbound on St. Nicholas Avenue in a 1958 Plymouth, go by a sign and make a right turn. The defendant kept going southbound, violating the sign. Stopped the defendant, told him to pull over to the side.

Q Just a second. You stopped the defendant for a

traffic violation; is that correct?

A Yes.

Q All right. You pulled over to him?

A The defendant said, "What for?"

THE COURT: I got all of that.

Q Did you take the defendant to the police station?

A Yes.

Q At that time, you charged the defendant for violating a traffic ordinance; is that correct?

A I started to issue a summons to him.

THE COURT: For what?

THE WITNESS: For disobeying the sign.

Q Do you usually take everybody to the police station for disobeying a sign?

A When he wouldn't show his license and registration.

Q Did there come a time when he showed you his license and registration? Where was the license and registration?

A In the glove compartment.

Q At the time you saw the knife in his hand?

A No.

Q Did he not open the glove compartment of his car?

A He got the license and registration.

Q At the police station, correct?

A Right.

Q You went back out with him outside to get that information, did you not?

A Yes, sir.

Q And at that time these events took place; is that right?

A I was--

Q These events took place prior to the time you got to the police station?

A No. Which events are you talking about--I am not sure.

Q He had a pocket knife in his possession?

A Those events took place after that, when I started to issue the summons. The defendant walked away, we had to go after him and apprehend him. At this time I felt his behaviour--

THE COURT: Strike out what you "felt."

THE WITNESS: I observed that his behavior was indicative of intoxicated driving.

MR. O'CONNOR: Objection, Your Honor.

THE COURT: Sustained.

MR. OSTROW: He was arrested for that too.

THE COURT: For what?

MR. OSTROW: Driving while intoxicated.

THE COURT: All right, go ahead.

THE WITNESS: So I approached the defendant, I informed him that he was under arrest for driving while intoxicated. The defendant had the opened knife in his right hand.

Q That was all?

A I have already testified I asked him to drop it.

MR. O'CONNOR: No further questions.

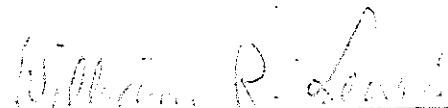
THE COURT: Step down.

MR. O'CONNOR: If that's the People's case, Your Honor, I move the charge be dismissed on the failure of the People to establish a prima facie case.

THE COURT: Motion granted.

MR. O'CONNOR: Thank you.

I hereby certify the foregoing minutes to be a true and correct transcript.



William R. Lewis
Official Court Reporter

MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

THE PEOPLE OF THE STATE OF NEW YORK

vs.

Accey Watkins,

Defendant.

X
:
:
:
:
:
:
:
:
:
X

DOCKET NO.: 4079

CHARGE: Forgery &
Grand
Larceny

March 16, 1962

BRIDGEMAN: William Reich

BEFORE:

HON. GEORGE S. RADER,

City Magistrate

APPEARANCES:

NORMAN OSTROW, ESQ.
Assistant District Attorney
New York County, New York
for the People

WILFRED O'CONNOR, ESQ.
Legal Aid Society
100 Centre Street, New York, N.Y.
Attorney for Defendant

William R. Lewis
Official Court Reporter

BRIDGEMAN REICK: Docket Number 4079, Acey Watkins, charged with Forgery and Grand Larceny, on a short affidavit by Detective Herbert Blabe. Do you swear to the truth of your affidavit you signed, Officer?

PATROLMAN BLABE: I do.

BRIDGEMAN: This defendant is represented by Legal Aid. Legal Aid, do you waive the public reading?

MR. O'CONNOR: I do. Acey Watkins. Waive the public reading, Your Honor.

THE COURT: What date?

MR. OSTROW: March 21st.

MR. O'CONNOR: Defendant consents to the 21st, Your Honor. As to defendant, we have a parole recommendation from the Vera Foundation, Your Honor. May I read it into the record, please?

THE COURT: Yes. How much is the amount involved, first?

PATROLMAN BLABE: \$300, Your Honor.

MR. O'CONNOR: Defendant Acey Watkins' address is 476 West 141st Street, New York City. The Vera Foundation has verified the following information: Residence: Mr. Watkins lives at the above address with grandmother. He lived there with her for over 20 years.

Employment: The defendant has been employed as a truck driver. He was laid off from his job two weeks' ago.

Support: Mr. Watkins has a child living with its mother at 3736 Amsterdam Avenue, New York City, and he contributes to the support of said child. Mr. Watkins has no prior record. Therefore, Your Honor, I would like to recommend parole for this defendant on the above charges.

THE COURT: The amount involved is \$300?

PATROLMAN BLABE: Yes.

THE COURT: His bail \$300 cash or \$500 bond.

BRIDGEMAN: You may communicate free of charge from the office of the Warden.

I hereby certify the foregoing minutes to be a true and correct transcript.

William R. Lewis
William R. Lewis
Official Court Reporter

MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

----- X
THE PEOPLE OF THE STATE OF NEW YORK :

vs. :

Louis Santiago, :
Defendant. :

DOCKET NO.: 4075

CHARGE: Violation of
Sec. 1308 of
Penal Law

----- X

March 16, 1962

BEFORE:

HON. GEORGE S. RADER,
City Magistrate

APPEARANCES:

NORMAN OSTROW, ESQ.
Assistant District Attorney
New York County, New York
For the People

William R. Lewis
Official Court Reporter

BRIDGEMAN REICH: Docket Number 4043, Louis Santiago, charged with the violation of Section 1308 of the Penal Law. This is on a short affidavit by Patrolman Franklin D. Dezago of the 25th Precinct. Officer, raise your right hand. Do you swear to the truth of the affidavit you signed?

PATROLMAN DEZAGO: I do.

BRIDGEMAN: Officer Dezago states that it is believed that you committed the crime violating Section 1308 of the Penal Law on March 15, 1962, at 8:50 P.M. on 132nd Street and Park Avenue, County of New York, in that you did unlawfully have in your possession a Smith Corona Typewriter Serial Number 88A4175144 valued more than \$100 property, knowing same to be stolen and obtained by means of larceny. On this charge you have the right to communicate to your relatives or friends by letter or telephone free of charge, you have the right to the aid of counsel at every stage of the proceedings, and before there are any further proceedings, you may have an adjournment to procure counsel. The People need more time for investigation in this matter. The defendant wants time to get his own lawyer. What date Officer?

PATROLMAN DEZAGO: April 9th.

THE COURT: I will consent when I find out what the disposition of his bail application is going to be. What about this defendant for bail? What do you do for a living?

MR. SANTIAGO: I work in a shoe factory supply company. I worked there for ten years.

THE COURT: Who do you live with? With whom do you live with?

MR. SANTIAGO: My wife.

THE COURT: Any children?

MR. SANTIAGO: Yes, five children.

THE COURT: How long you live at that address?

MR. SANTIAGO: Four years.

THE COURT: Defendant is paroled. I must advise him if he fail to appear, there will be an additional crime lodged against him.

MR. OSEROW: I would like to put on the record a recommendation from the Vera Foundation. He has been employed--in addition to the fact that you have already determined--he is also employed in the Shoe Service Supply, 235 Lynch Street, where he has been working for some ten years, his employer has been contacted and said

that he has been in the past an extremely reliable and punctual worker, and that in the other--in addition to the other factor that you mentioned, for that reason, I would consent to paroling him.

THE COURT: Thank you. What date?

PATROLMAN DEZAGO: 9th of April.

THE COURT: The defendant consents.

I hereby certify the foregoing minutes to be true and correct transcript.



William R. Lewis
Official Court Reporter

MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

----- X
THE PEOPLE OF THE STATE OF NEW YORK :
 :
 vs. : DOCKET NO.: 4249
 :
 Jaun Masses, :
 : CHARGE: Felonious
 Defendant. : Assault
 : and
----- X Malicious
 Mischief

March 19, 1962

BRIDGEMAN: William Reich

BEFORE:

HON. NICHOLAS F. DELAGE,

City Magistrate

APPEARANCES:

GERALD FOGERTY, ESQ.
Assistant District Attorney
New York County, New York
For the People

ROBERT P. BURNS, ESQ.
Legal Aid Society
100 Centre Street, New York 13, N.Y.
Attorney for Defendant.

William R. Lewis
Official Court Reporter

BRIDGEMAN REICH: Docket Number 4249, Jaun Masses (phonetic) charged with Felonious Assault and Malicious Mischief, on the complaint of Elizabeth Day right over here, please. Raise your right hand. Do you swear to the truth of the affidavit you signed?

MISS DOUGHERTY: I do.

BRIDGEMAN: The defendant is represented by Legal Aid.

MR. BURNS: Waive the public reading. I make an application to reduce the charge to Assault 3rd Degree.

THE COURT: The charge is Felonious Assault and Malicious Mischief.

MR. FOGERTY: Your Honor, the defendant won't sign his fingerprint card. The People are opposed.

MR. BURNS: He will sign it, he didn't understand.

THE COURT: Where is he to sign this? What is he supposed to sign?

PATROLMAN: He wouldn't sign his fingerprint card in the 20th Squad office. He refused to do it until he has spoken to a lawyer.

THE COURT: The prints are here.

MR. FOGERTY: He didn't sign the card, Your Honor.

THE COURT: What does that mean?

MR. FOGERTY: That his acknowledgement-- that they are his fingerprints.

THE COURT: Legal Aid represents the defendant.

MR. FOGERTY: Did you enter the apartment? The People will consent to reduction, Your Honor. As far as parole recommendation, the People would oppose, in view of the fact that the fingerprint card hasn't been signed. I don't know whether he was aware of the fact that he refused to sign the fingerprint record--the card in the 20th Squad.

THE COURT: \$500 bail.

BRIDGEMAN: Your bail is \$500. You may communicate free of charge from the office of the Warden. Counsel, you waive the public reading of the reduced charge?

MR. BURNS: Yes.

I hereby certify the foregoing minutes to be a true and correct transcript.

William R. Lewis

William R. Lewis
Official Court Reporter

BRIDGEMAN REICH: Docket Number 4391 through 93, Clarence Smalls, Elsie Basilion and Alfred O'Neill, charged with Burglary, Extortion, Assault 3rd Degree, on the complaint of Arnold Feldman and collaborating affidavit by Patrolman John Mannion of the 24th Precinct. Defendants are represented by Legal Aid. Mr. Feld and Officer Mannion, you both swear to the truth of the affidavits you signed?

MR. FELDMAN: I do.

OFFICER MANNION: I do.

BRIDGEMAN: Legal Aid, do you waive the public reading?

MR. CURLEY: Yes. I haven't had a chance to talk over this with the District Attorney.

BRIDGEMAN: Clarence J. Smalls, Elsie Basilion, and Alfred O'Neill, charged with Burglary, Assault 3rd Degree. Defendants represented by Legal Aid.

MR. CURLEY: I guess we better have a brief hearing on this.

THE COURT: Ready?

MR. OSTROW: No.

MR. CURLEY: In this case, Your Honor, I have

THE COURT: What day are you requesting?

MR. OSTROW: I am requesting the 26th of March.

MR. CURLEY: All right, the 26th of March.

THE COURT: What date, Gentlemen? 23rd.
Now, Smalls is not bailable, I don't think.

MR. CURLEY: I have an application for parole on behalf of Elsie Basilion. This is based on a report of the Vera Foundation. They reported she was residing at 319 West 94th Street, New York City. Resided at the above address for the last two weeks; before that, she lived at 145 East 23rd Street, New York City. Employment: Miss Basilion worked in the office at 155 West 42nd Street, New York City. Her address: 11 West 40th Street, New York City, Wellington. It is alleged that they will still give her an assignment. Miss Basilion has never been arrested before. On the basis of that--

MR. OSTROW: Irrespective of the charges, Your Honor, which I don't know how strong a case we have against this defendant, she lived at that address for two weeks; I understand that the previous address for three months, and at the address before that, I understand for eight years.

THE COURT: Not married, not living with her family? Is that right?

MR. OSTROW: That's right. That previous address I don't think has been verified. It can't be verified. No bail for the defendants.

I hereby certify the foregoing is a complete and correct transcript.

William R. Lewis

William R. Lewis
Official Court Reporter

CITY MAGISTRATES' COURTS OF THE CITY OF NEW YORK

FELONY COURT : BOROUGH OF MANHATTAN

----- x

THE PEOPLE OF THE STATE OF NEW YORK : Docket #4883

on the complaint of : Charge: Grand
Larceny

THE PEOPLE :

against :

MANUEL ORTIZ :

-defendant- : Recommendation

----- x

100 Centre Street
New York, New York
March 30, 1982

Before:

HON. MANUEL GOMEZ
City Magistrate

Appearances:

NORMAN OSTROW, ESQ.
Assistant District Attorney
For the People

AUSTIN CANADE, ESQ.
Legal Aid
For the Defendant

Gennaro Lupi
Bridge Officer

Parthina Shelton, CSR
Official Court Reporter

BRIDGE OFFICER: Docket #46883, Manuel

Ortiz, charged with grand larceny. On a short affidavit. Officer, swear the affidavit you signed is true. Can you afford a lawyer?

THE DEFENDANT: No.

BRIDGE OFFICER: Legal Aid.

THE COURT: Short form, stand by.

BRIDGE OFFICER: Waive the reading, Counselor?

MR. CANADE: Waive the reading.

The 3rd?

THE COURT: Which?

MR. CANADE: The 3rd.

THE COURT: April 3rd.

MR. CANADE: Kindly request parole, Your Honor.

THE COURT: Go into it.

MR. CANADE: The following has been verified by the Vera Foundation. Residence, Mr. Ortiz has been living at the above address for the past 5 years, 75 LaSalle Street, New York, with his mother who is present in Court. He's been living in New York for his entire life. He is helping to support his mother by contributing \$35 a week. Employment,

Mr. Ortiz has been working the last five months at A. Deara Manufacturing Company, 1115 Broadway, New York, and for prior reasons, request that defendant be paroled. I don't know what his record is, if he has any.

THE COURT: He has no previous.

Has he been cooperative, Officer.

OFFICER: Yes.

THE COURT: Any objection to parole?

MR. OSTROW: No objection.

THE COURT: Defendant is paroled.

You are advised to show up here April 3rd. Failure to do so besides this charge, you will face an additional charge on parole jumping.

* * *

The above is certified to be an accurate transcript of the minutes in this case.

Parthina Shelton
Parthina Shelton, CSR
Official Court Reporter

CITY MAGISTRATES' COURTS OF THE CITY OF NEW YORK

FELONY COURT : BOROUGH OF MANHATTAN

----- X

THE PEOPLE OF THE STATE OF NEW YORK :

on the complaint of : Docket #4850 &
4849

against : Charge: Sodomy,
Felony

LOUIS DUTLAIME and GEORGE VALCKING :

: Recommendation

----- X

100 Centre Street
New York, New York
March 30, 1962

Before:

HONORABLE MANUEL GOMEZ
City Magistrate

Appearances:

NORMAN OSTROW, ESC.
Assistant District Attorney
For the People

ROBERT P. BURNS, ESC.
Legal Aid Society
For the Defendant

Gennaro Lupi
Bridge Officer

Parthina Shelton, CSR
Official Court Reporter

BRIDGE OFFICER: Docket #4850 and 4849,
Louis Dutlaine and George Valcking, charged with
sodomy as a felony. Both defendants represented by
Legal Aid. Officer, swear to the truth of this
affidavit you signed?

OFFICER: I do.

BRIDGE OFFICER: Waive the reading,
Counselor?

MR. BURNS: Yes, we do, Your Honor.
With respect to the defendant Valcking, Legal Aid
Society is making an application to be relieved.
Defendant is employed, Valcking.

THE COURT: Legal Aid relieved.

MR. BURNS: And we'll continue
representing Dutlaine.

THE COURT: Now, as to the other
defendant, what date, Officer?

OFFICER: May I have the 4th, Your
Honor?

MR. BURNS: Neither of the men have
had any prior trouble. With respect to Dutlaine, I
have a recommendation for parole from Vera Foundation
which indicates as follows, that he has been residing
at 415 Central Park West, apartment 4V, the past year.

Was employed in the checkroom, Mama Leone's Restaurant, 239 West 48th Street, where he worked until last week. He was laid off, approach of the slow season. Employer indicates he is a satisfactory employee, and they would have no hesitancy in re-employing him in the fall. He was a most satisfactory employee.

THE COURT: Dutlaime, with whom do you live at 4015 Central Park West?

THE DEFENDANT: I live alone, sir.

THE COURT: Is that a rooming house or a hotel?

THE DEFENDANT: It's an apartment building.

THE COURT: Well, what do you have there, an apartment?

THE DEFENDANT: I have a two and a half room apartment.

THE COURT: Three and a half?

THE DEFENDANT: Two and a half.

THE COURT: And how long have you lived there?

THE DEFENDANT: I lived there a year and a half.

THE COURT: You are not working now,

are you?

THE DEFENDANT: No, I was just recently laid off for the summer season, because this kind of work is very seasonal.

THE COURT: Valcking.

MR. BURNS: He is from North Belmore, Long Island.

THE COURT: With whom did you live there?

THE DEFENDANT: My parents.

THE COURT: And do you work?

THE DEFENDANT: Yes.

THE COURT: What kind of work do you do?

THE DEFENDANT: I work for a music publisher here in the City.

THE COURT: Any objection to paroling both defendants? One Vera report and one is Belmore, Long Island. However, if you want to consider that outside the jurisdiction.

MR. OSTROW: I have no objection.

THE COURT: All right, both defendants are paroled. You are advised to show up on April 4th. Failure to do so will mean that besides

this change, you will face an additional charge of violation of parole.

BRIDGE OFFICER: April 4th both be back here by 10 o'clock.

* * *

The above is certified to be an accurate transcript of the minutes in this case.

Parthina Shelton
Parthina Shelton, CSR
Official Court Reporter

CITY MAGISTRATES' COURTS OF THE CITY OF NEW YORK
FELONY COURT : BOROUGH OF MANHATTAN

----- X

THE PEOPLE OF THE STATE OF NEW YORK : Docket #4985
on the complaint of : Charge: Robbery
OSAC COFTS :
against :
ANTONIO ROJAS : Hearing

-defendant-:

----- X

100 Centre Street
New York, New York
April 2, 1962

Before:

HON. DAVID L. MALBIN
City Magistrate

Appearances:

NORMAN OSTROW, ESQ.
Assistant District Attorney
For the People

BERNARD CURLEY, ESQ.
Legal Aid
For the Defendant

Gennaro Lupi
Bridge Officer

Parthina Shelton, CSR
Official Court Reporter

BRIDGE OFFICER: Docket #4985, recall Antonio Rojas. Charged with robbery. Represented by Legal Aid. This defendant was held for the Grand Jury. Bail was \$5,000. Your Honor, this is a recall on this. We have an application by the Vera Foundation.

MR. CURLEY: Your Honor, in this case, I have an application for parole. It's based on a report of the Vera Foundation. This defendant has lived at 149 West 150th Street with his wife and mother-in-law since he was married five weeks ago. Before this he lived at 241 West 108th Street, New York City, with Delores Ruliyen. He had seasonal employment with two Kiddyco, 58 Broadway for one and a half years. He has been laid off this job one week. Mr. Rojas' wife Iris works at 58th Street and Seventh Avenue, dress factory. Mr. Rojas has been in the United States one and a half years. Prior to this he lived in the Dominican Republic. His wife is here in Court today. He has no previous record. Your Honor, this is a robbery case. Purely a question of identity. Defendant denies it and I think the case will eventually go to trial. He wants it to go to trial and wants to try and clear his name. He requests the Court to parole him based on the information I have given the

Court.

THE COURT: Application for parole denied.

MR. CURLEY: Will the Court consider a reduction in bail?

THE COURT: I think in a case of this nature, the seriousness of the case, I don't think permits a reduction here.

MR. CURLEY: I would like to point out, Your Honor, the defendant does have substantial roots here.

THE COURT: Yes, that's true. I agree with you there, but -- I agree he has no prior record, but that is not indicative. Everybody starts out with no record.

MR. OSTROW: Solely on the question of roots, I am of the opinion they are not substantial. Man lives in this country a year and a half, comes from Dominican Republic, not going into the charge at all, I mean of course I must take into consideration the Court of Appeals already held not only is the likelihood of defendant to appear when requested by mandate of the Court, but also the seriousness of the charge against him. There may be a motive to flee


jurisdiction.

MR. CURLEY: In this case, motive is, if anything, to show up and try and clear himself.

THE COURT: I am not prejudging. I am merely holding it is sufficient for hold to the Grand Jury. The question of bail I think is fair and excessive in a case of this type where a man is threatened with his life on a robbery charge.

* * *

The above is certified to be an accurate transcript of the minutes in this case.


Parthina Shelton, CSR
Official Court Reporter

5/22/62

CITY MAGISTRATES' COURTS OF THE CITY OF NEW YORK

FELONY COURT : BOROUGH OF MANHATTAN

----- X

THE PEOPLE OF THE STATE OF NEW YORK : Docket #5040
on the complaint of : Charge: Felonious
JEAN SILAS : Assault
against :
HAZEL HOLMAN :
-defendant- : Recommendation

----- X

100 Centre Street
New York, New York
April 3, 1962

Before:

HON. DAVID L. MALBIN
City Magistrate

Appearances:

NORMAN OSTROW, ESQ.
Assistant District Attorney
For the People

BERNARD CURLEY, ESQ.
Legal Aid
For the Defendant

Gennaro Lupi
Bridge Officer

Parthina Shelton, CSR
Official Court Reporter

BRIDGE OFFICER: Docket #5040, Fred

Loiman, charged with

by Legal Aid. Officer Scopetta, raise your right hand. Jean Silas, raise your right hand and Officer Cahiley raise your right hand. You all swear the affidavits you signed are true?

COMPLAINANTS: I do.

BRIDGE OFFICER: Waive the reading, Counselor?

MR. CURLEY: Waive the reading. I have an application for reduction, Your Honor, in this case, assault, third degree.

MR. OSTROW: I --

MR. CURLEY: Defendant informs me, Your Honor, that she was engaged in an altercation with the complaining witness and two other young girls. Says that they had an argument with her in the hallway of her own apartment house where the defendant lives.

THE COURT: Application granted. Reduced to assault, third.

MR. CURLEY: Waive the reading of the new charges. Waive to the Court of Special Sessions. Your Honor, I have an application for parole on behalf of this defendant based on a report of the Vera

Foundation. She lives at 45 East 131st Street and has been living there for the past three years. She is presently employed in Jaguar Embroidery, 315 West 31st Street, New York City. I have the following information. Supplementary information has not been verified. She told Vera Foundation she worked 18 months in present employment. Previous to that worked for five years for an embroidery company, 66 East 150th Street, New York.

THE COURT: All right, she will be paroled. Must appear in Special Sessions on the adjourned day. If she fails to, there will be an additional charge of parole jumping. Don't have any more trouble with these people.

THE DEFENDANT: I wasn't bothering them.

THE COURT: All right, don't be involved in any trouble.

BRIDGE OFFICER: All right, you must appear when notified. You are paroled until then.

* * *

The above is certified to be an accurate transcript of the minutes in this case.

5/26/62

Parthina Shelton
Parthina Shelton, CSR
Official Court Reporter

BRIDGE OFFICER: Docket #5038, Edward DAVIS, charged with felonious assault. Represented by Legal Aid. Ernestine Davis, step up here please. Raise your right hand. Swear the Affidavit you signed is true?

MRS. DAVIS: Yes, I do.

BRIDGE OFFICER: Waive the reading, Counselor?

MR. CURLEY: Waive the reading. Husband and wife situation. Application to reduce to assault, third.

MR. COTROW: I have no objections.

THE COURT: Assault, third. Waive examination?

MR. CURLEY: Waive the reading of the new charge. Waive to the Court of Special Sessions. I have an application for parole from the Vera Foundation.

THE COURT: All right, paroled. If you fail to appear, you will be charged with an additional charge of parole jumping.

BRIDGE OFFICER: Paroled for Special.

Step out.

* * *

The above is certified to be an accurate transcript of the minutes in this case.

Parthina Shelton
Parthina Shelton, CSR
Official Court Reporter

CITY MAGISTRATES' COURTS OF THE CITY OF NEW YORK

FELONY COURT : BOROUGH OF MANHATTAN

----- X

THE PEOPLE OF THE STATE OF NEW YORK : Docket #5018
on the complaint of : Charge: 4305
:
:
against :
JAMES SLADE : Recommendation

-defendant-

----- X

100 Centre Street
New York, New York
April 3, 1962

Before:

HON. DAVID L. MALBIN
City Magistrate

Appearances:

NORMAN OSTROW; ESC.
Assistant District Attorney
For the People

AUSTIN CANADE, ESQ.
Legal Aid
For the Defendant

Gennaro Lupi
Bridge Officer

Parthina Shelton, CSR
Official Court Reporter

BRIDGE OFFICER: Docket #5018, James Slade, charged with 4305. Yes, Counselor.

MR. CANADE: Your Honor, this defendant would like to get his own attorney. Therefore, I request to be relieved. I also have a recommendation from the Vera Foundation to parole.

MR. OSTROW: Your Honor, I understand from the nature of this charge and the conduct of defendant exhibited last night, that it appears that he may not be in such a state that he understands the proceeding now pending against him. I understand he did previously spend six months at New York Hospital.

THE DEFENDANT: Two and a half months.

MR. OSTROW: You said six months.

MR. CANADE: No.

MR. OSTROW: Two and a half months rather, for a rest cure for some reason and the conduct exhibited to the police last night and complainant in this case was not certainly that of a rational man. I would think that it might be appropriate to commit him to the Department of Hospitals for further observation.

MR. CANADE: Your Honor, I questioned

the defendant as to last night's conduct. He said he knew what he was doing. He was depressed at the time, but he didn't feel in anyway that there was any mental problem involved. He was released from the hospital. He did not escape. He has a very responsible job. He was director of Campus Illustrated Magazine. I have a whole report here on him. He is married.

MR. OSTROW: What do you want to do with this case?

MR. CANADE: I am getting off it either way.

THE COURT: How long is he married?

MR. CANADE: Since January, Your Honor. Very short time, two months.

THE COURT: Living with his wife?

MR. CANADE: Yes, sir.

THE COURT: Wife here?

THE DEFENDANT: Yes, she is.

THE COURT: Bring her up here.

BRIDGE OFFICER: Will the wife kindly step up here please.

MR. CANADE: She is an R.N. I understand.

BRIDGE OFFICER: Your name please.

MRS. SLADE: Mrs. James Slade.

THE COURT: Have you -- Is there anything unusual about your husband's actions since you have been living with him, anything unusual or irrational about his actions?

MRS. SLADE: No, sir.

THE COURT: Has he been under any serious or heavy strain of any kind?

MRS. SLADE: Occasionally.

THE COURT: What day do you want this case? When are you going to get a lawyer?

MRS. SLADE: This afternoon I'll get one.

THE COURT: All right, I'll put it down. Is Friday all right, this week?

MR. OSTROW: Yes.

THE COURT: All right, Friday. I want you to keep away from this lady who is making this complaint by all means. All right, I'll parole you to appear here on Friday. If you feel there is any depressive moods that you are in, I would suggest you go to a doctor today and find out. Maybe he'll suggest that you get some sort of treatment. All right,

I'll parole you. If you fail to come back on the 6th there will be an additional charge of parole jumping.

BRIDGE OFFICER: All right, paroled for the 6th.

* * *

The above is certified to be an accurate transcript of the minutes in this case.

Parthina Shelton
Parthina Shelton, CBR
Official Court Reporter

CITY MAGISTRATES' COURTS OF THE CITY OF NEW YORK

FELONY COURT : BOROUGH OF MANHATTAN

----- X

THE PEOPLE OF THE STATE OF NEW YORK : Docket #5105

on the complaint of : Charge: Felonious
Assault

FRED JACKSON :

against :

MARY DYSON :

-defendant-: Recommendation

----- X

100 Centre Street
New York, New York
April 4, 1962

Before:

HON. DAVID L. MALBIN
City Magistrate

Appearances:

NORMAN OSTROW, ESQ.
Assistant District Attorney
For the People

BERNARD CURLEY, ESQ.
Legal Aid Society
For the Defendant

Gennaro Lupi
Bridge Officer

Parthina Shelton, CSR
Official Court Reporter

BRIDGE OFFICER: Docket #5105, Mary Dyson, charged with felonious assault. Fred Jackson, step up here please. Legal Aid.

MR. OSTROW: That's the defendant. Step out. Did you get that? Step out, lady.

THE COURT: You get that way. Everybody else sit down.

MR. CURLEY: I have an application. Reduction to assault, third degree.

BRIDGE OFFICER: Just a minute, Counselor.

MR. OSTROW: 1897, no objection.

BRIDGE OFFICER: Fred Jackson, raise your right hand. Swear what you signed is true?

MR. JACKSON: Yes.

BRIDGE OFFICER: Waive the reading, Counselor?

MR. CURLEY: I do. In this case, Your Honor, I have an application for parole based on a report of the Vera Foundation that this defendant lives at 5 West 107th Street. She has lived at the above address for over one year with the complaining witness. Employed at the Sheraton-Atlantic Hotel at Sixth Avenue and 33rd Street, for the past 5 years as a housekeeper. Lived in New York the last ten years.

THE COURT: Reduced to assault,
third. You waive examination?

MR. CURLEY: Waive examination of
the new charge to Special Sessions.

THE COURT: Defendant will be
paroled. If she fails to appear in Special, she will
be faced with additional charge of jumping parole.

BRIDGE OFFICER: All right, step out,
lady.

* * *

The above is certified to be an accurate
transcript of the minutes in this case.

Parthina Shelton
Parthina Shelton, CSR
Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK

FELONY COURT: BOROUGH OF MANHATTAN

-----X
THE PEOPLE OF THE STATE OF NEW YORK :
 on the Complaint of :
 POLICEWOMAN PATRICIA TRACY :
 & :
 POLICEWOMAN HENRIETTA MULVANE :
 - vs. - :
 PATRICK J. DOUGHERTY, :
 Defendant :
-----X

DOCKET #6224
CHARGE:
1140 of the
Penal Law

BEFORE: DAVID L. MALBIN,
 City Magistrate

April 24, 1962

A P P E A R A N C E S:

FOR THE PEOPLE:

NORMAN OSTROW, ESQ.,
Assistant District Attorney

FOR THE DEFENDANT:

JOHN McCARTHY, ESQ.,
Legal Aid Society

BILL REICH,
Court Officer

Alan Schiffman,
Official Court
Reporter

COURT OFFICER: 1961 in Boston #6224

Patrick J. Dougherty, charged with 1140 of the Penal Law, on the complaint of Policewoman Patricia Tracy, and by Policewoman Henrietta Mulvane. Officers, do you swear to the truth of the affidavits you signed?

PTLWOM. MULVANE: Yes.

PTLWOM. TRACY: Yes, I do.

COURT OFFICER: Counselor, do you waive the public reading?

MR. McCARTHY: Waive to Special Sessions, Judge. Your Honor, I have a request from the defendant. He lives with his wife and two children, and he has been steadily employed by the Post Office since 1956, until '61. He says that he's working as an elevator operator.

THE COURT: Paroled to Special Sessions.

CERTIFIED TO BE A TRUE AND CORRECT TRANSCRIPT OF MINUTES IN THIS CASE.

Alan Schiffman
ALAN SCHIFFMAN,
Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT BOROUGH OF MANHATTAN

-----X
THE PEOPLE OF THE STATE OF NEW YORK
on the Complaint of
CHARLES FOX &
PTL. DANIEL O'CONNELL
-vs.-
ROBERT W. GRAUE,
Defendant
-----X

DOCKET #6296

CHARGE:
Attempted
Burglary

BEFORE: DAVID L. MALBIN,
City Magistrate

A P P E A R A N C E S:

April 25, 1962

FOR THE PEOPLE:

NORMAN OSTROW, ESQ.,
Assistant District Attorney

FOR THE DEFENDANT:

PHILIP EDELBAUM, ESQ.,
Legal Aid Society

Alan Schiffman,
Official Court Reporter

BILL REICH,
Court Officer

COURT OFFICER: This is Docket #6296, Robert W. Graue, charged with Attempted Burglary. This is on the complaint of Charles Fox. Mr. Fox, step up. And a corroborating affidavit by Patrolman Daniel O'Connell, 34th Pct. Do you swear to the truth of the affidavit you signed?

OFFICER O'CONNELL: YES.

MR. FOX: Yes.

COURT OFFICER: Robert Graue, you're charged with attempted burglary on April 24, 1962, at 7:50 P.M., at 675 Academy Street, in the County of New York. The Deponent states that he observed the defendant for a period ^{from} of/ten to 15 minutes, having been attracted to the peep hole on the door of his apartment, and during this time, defendant was observed by the deponent, and defendant did tamper with the peep holes on the doors of the adjoining apartments. Subsequently, the police arrived in answer to a call. The defendant was apprehended near apartment 5 H on the 5th floor. Now, on this charge you have a right to communicate with relatives or friends by letter or telephone free of charge. You have the

right to the aid of counsel at every stage in the proceedings, and before there are any further proceedings, you may have an adjournment to procure counsel. You may have the case heard in this court, or you may waive that and go to the Grand Jury. What do you wish to do? What do you want to do?

THE COURT: Is Legal Aid here?

COURT OFFICER: Leg^{al} Aid?

THE COURT: Legal Aid?

MR. EDELBAUM: What's the Docket number?

COURT OFFICER: The Docket number is 6296.

THE COURT: Application?

MR. EDELBAUM: Reduce the present charge to one of unlawful entry.

THE COURT: Attempted 405.

COURT OFFICER: Do you waive the public reading, counsel?

MR. EDELBAUM: Waive the public reading. Waive to the Court of Special Sessions for a new trial. Your Honor, I have a recommendation for parole by the Vera Foundation. Can I read the recommendation into the record?

THE COURT: I have a copy of it here. \$500 bail for Special Sessions.

COURT OFFICER: All right, you may
communicate free of charge from the office
of the warden. Put him in, officer, Come
here
back/for commitment.

* * * * *

CERTIFIED TO BE A TRUE AND CORRECT
TRANSCRIPT OF MINUTES IN THIS CASE.

Alan Schiffman

ALAN SCHIFFMAN
Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

----- X
THE PEOPLE OF THE STATE OF NEW YORK
on the Complaint of
DETECTIVE PAUL TARENTOLA,

-vs.-
JOSEPH GRAHAM,
Defendant
----- X

DOCKET #6357

CHARGE:
felonious assault.

BEFORE: DAVID L. MALBIN,
City Magistrate

A P P E A R A N C E S:

FOR THE PEOPLE:
NORMAN OSTROW, ESQ.,
Asst. District Attorney

April 26, 1962

FOR THE DEFENDANT:
SOL HORWITZ, ESQ.,
Legal Aid Society

ALAN SCHIFFMAN,
Official Court Reporter

BILL REICH,
Court Officer

COURT OFFICER: This is Docket #6357, Joseph Graham, charged with felonious assault. This is on a short affidavit by Detective Paul Tarentola, (Phonetically) of the 28th Squad. Officer, do you swear to the truth of the affidavit you signed?

PTL. TARENTOLA: Yes.

COURT OFFICER: Legal Aid, do you waive the public reading?

MR. HORWITZ: Waive the public reading. Defendant requests a hearing.

COURT OFFICER: What date, officer?

PTL. TARENTOLA: the 1st.

COURT OFFICER: The officer requests May 1st, your Honor.

THE COURT: Is the defendant out of the -- the complainant out of the hospital?

PTL. TARENTOLA: He's out of the hospital.

THE COURT: All right, May 1st. How did this happen, officer, do you know anything about it?

PTL. TARENTOLA: It happened in a bar & grill. He hit the complainant with a tire,

your Honor, on the head.

MR. HORWITZ: Is he in the hospital?

PTL. TARENTOLA: No, he's getting --- he's being X-rayed by private ---

THE COURT: All right, May 1st. \$1,000.

COURT OFFICER: All right, you may communicate free of charge from the office of the warden.

* * *

COURT OFFICER: This is a recall on Docket #6357, Joseph Graham, charged with felonious assault. Defendant is represented by Legal Aid. Vera Foundation has an application here.

MR. HORWITZ: Your Honor, would you please reconsider a question of parole. I now have a report before me from the Vera Foundation, stating that Mr. Graham is currently employed as an attendant by the New York Nursing Home, 30 West 74th Street, N.Y.C. At the same time, he also works every Saturday in a butcher shop owned by Jerry Blank at 2655 8th Avenue, N.Y.C. This is verified information, your Honor, and it states further, that

Mr. Graham is a member of Local 144 of the Hotel and Allied service employees Union, located at 797 8th Avenue, N.Y.C. Mr. Graham is a veteran of the U.S. Marine Corps, and saw service in Korea, being wounded in action. The Vera Foundation recommends a withdrawal.

MR. OSTROW: Does anybody know where he lives, and how long he's lived there?

THE COURT: How long has he been living on West 77th Street?

MR. HORWITZ: He lives there three months. He just moved there from living with his mother. He moved around the corner.

THE COURT: The reason I set bail was because he has a prior conviction, 1897.

MR. HORWITZ: He says it was a suspended sentence for disorderly conduct.

THE COURT: He got three months in the workhouse, and the sentence was suspended. All right, I'll parole him. If he fails to appear, there'll be an additional charge of parole jumping.

* * *

CERTIFIED TO BE A TRUE AND CORRECT
TRANSCRIPT OF MINUTES IN THIS CASE.


ALAN SCHIFFMAN,
Official Court Reporter

CITY MAGISTRATES COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

-----X
THE PEOPLE OF THE STATE OF NEW YORK :
 :
 on the Complaint of : DOCKET #6378-79
 :
 DOROTHY THOMAS :
 :
 & :
 :
 DETECTIVE HECT. : CHARGE:
 :
 -vs.- : Burglary.
 :
 RAYMOND FUENTES, & :
 :
 FRANCISCO RODRIGUEZ, :
 Defendants :
-----X

BEFORE: DAVID L. MALBIN,
City Magistrate

A P P E A R A N C E S:

FOR THE PEOPLE

April 26, 1962

NORMAN OSTROW, ESQ.,
Asst. District Attorney

FOR THE DEFENDANTS:

SOL HORWITZ
BERNARD CURLEY, ESQ.,
Legal Aid Society

BILL REICH,
Court Officer

ALAN SCHIFFMAN,
Official Court Reporter

COURT OFFICER: This is Docket #6378-79, Raymond Fuentes, and Francisco Rodriguez, charged with Burglary. This is on the complaint of Dorothy Thomas; corroborating affidavit by Detective Hecht of the 24th Squad. Do you swear to the truth of your affidavit?

OFFICER HECHT: Yes.

MISS THOMAS: Yes.

COURT OFFICER: Legal Aid, do you waive the public reading?

MR. HORWITZ: Waive the public reading.

MR. OSTROW: Well ---

MR. HORWITZ: Your Honor, I want a second call.

MR. OSTROW: Request April --- rather May 1st.

MR. HORWITZ: Would you call it again in ten minutes, your Honor?

THE COURT: No. There's an admission here, an absolute identification.

MR. HORWITZ: They asked to speak to me, your Honor. I just want an opportunity to talk to them.

THE COURT: All right.

MR. OSTROW: I'm going to request an adjournment in any event.

THE COURT: All right, you can talk to them when we adjourn the case. No bail on it; Fuentes.

MR. HORWITZ: On Rodriguez, your Honor, there's a report here from the Vera Foundation, as to his residence. Mr. Rodriguez has been living at the above address for a month. Prior to that, he lived at 78 Forsythe Street with his wife and two children. He's the sole support of his wife and two children. As to his employment, he has been unemployed for two weeks, but prior to that, he had worked for Dave Coe Embroideries at 39th Street and 8th Avenue for close to a year. He is currently collecting unemployment. The Vera Foundation requests his parole.

THE COURT: What happened to this case in March, for the purpose of bail?

MR. HORWITZ: The case was dismissed.

THE COURT: All right, \$1,000 bail, Rodriguez. Fuentes, no bail.

COURT OFFICER: All right, you may communicate free of charge from the office of the warden. Put them back, officer.

* * *

CERTIFIED TO BE A TRUE AND
CORRECT TRANSCRIPT OF MINUTES
IN THIS CASE.

Alan Schiffman
Alan Schiffman, Official Court

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

----- -X
THE PEOPLE OF THE STATE OF NEW YORK :
on the Complaint of : DOCKET #6251
CHRISTINE PAYNE, :
-vs.- : CHARGE:
REYNOLD MOORE, : Felonious Assault.
Defendant :
----- -X

BEFORE DAVID L. MALBIN,
City Magistrate

A P P E A R A N C E S:

April 24, 1962

FOR THE PEOPLE:

NORMAN OSTROW, ESQ.,
Assistant District Attorney

FOR THE DEFENDANT:

BERNARD CURLEY, ESQ.,
Legal Aid Society

Alan Schiffman,
Official Court Reporter

BILL REICH,
Court Officer

COURT OFFICER: This is Docket #6251, Reynold Moore, charged with Felonious Assault. This is on the complaint of Christine Payne. Christine Payne, do you swear to the truth of the affidavit you signed?

MISS PAYNE: Yes.

COURT OFFICER: Legal Aid, do you waive the public reading?

MR. CURLEY: I have an application for a reduction to assault in the 3rd degree, your Honor.

MR. OSTROW: No objection.

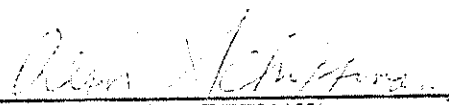
MR. CURLEY: We'll waive the reading of the new charge, and go to the Court of Special Sessions in this case, Your Honor. I have an application for a parole, based on a report of the Vera Foundation. This defendant lives at 120 West 118th Street. He has lived at the above address with his common-law wife and child. He has been residing there with his family for the past year. He has been employed during the past year as a musician in the African Room, 780 Third Avenue, New York City.

THE COURT: He'll be paroled. If he

fails to appear at Special Sessions, there will be an additional charge of parole jumping.

* * * * *

CERTIFIED TO BE A TRUE AND CORRECT
TRANSCRIPT OF MINUTES IN THIS CASE.



ALAN SCHIFFMAN,
Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

-----X
: THE PEOPLE OF THE STATE OF NEW YORK :
: on the Complaint of :
: ROBERT BOTNOWICK, :
: VS. :
: FRED GALLAGHER, :
: Defendant :
-----X

DOCKET #6264

CHARGE:
Grand Larceny

BEFORE: ABRAHAM M. BLOCH, (1st Call)
Chief City Magistrate
&

DAVID L. MALBIN, (2nd Call)
City Magistrate

April 25, 1962

A P P E A R A N C E S:

FOR THE PEOPLE:
NORMAN OSTROW, ESQ.,
Asst. District Attorney

FOR THE DEFENDANT:
JAMES PHILLIPS, ESQ.,
Legal Aid Society

ALAN SCHIFFMAN,
Official Court Reporter

BILL REICH,
Court Officer

COURT OFFICER: This is Docket #6264, Fred Gallagher, charged with Grand Larceny. This is on the complaint of Robert Botnowick. (Phonetically) Robert Botnowick, step up sir. Do you swear to the truth of the affidavit you signed?

MR. BOTNOWICK: Yes.

COURT OFFICER: The defendant is represented by Legal Aid. Do you waive the public reading, counsel?

MR. PHILLIPS: Yes, we do, your Honor. I make an application to reduce the charge of Grand Larceny to Petite Larceny.

THE COURT: The motion is to reduce to what, Petite Larceny?

MR. PHILLIPS: Yes.

MR. OSTROW: I have no objection.

THE COURT: Because he's a restaurant worker, is that what it is?

MR. OSTROW: Yes.

COURT OFFICER: Counsel, do you waive the public reading of the reduced charge?

MR. PHILIPS: Yes, I do. Waive further examination, your Honor. Waive to Special Sessions.

THE COURT: What's the Toledo, Ohio warrant about?

MR. PHILLIPS: The defendant states that that's been dismissed there, your Honor.

THE COURT: The defendant held for Petite Larceny; \$500 bail, Court of Special Sessions.

MR. OSTROW: Your Honor, I'd recommend \$1,000. I understand he lives in a room. I don't know if he has any roots in his community. I don't know if he's going anywhere, but he has no place to stay.

MR. PHILLIPS: Your Honor, the defendant has --- does expect to make restitution in this case as soon as he gets a job.

THE COURT: I'll go along with the recommendation of the District Attorney; \$1,000. That is still modest.

COURT OFFICER: All right, your bail is \$1,000. You may communicate free of charge from the office of the warden.

* * * * *

COURT OFFICER: This is a recall on Docket # 6264, Fred Gallagher, charged with Petite Larceny.

MR. PHILLIPS: Your Honor, we've had this case before. This is a mere application for parole on a report from the Vera Foundation.

The defendant has been working steadily prior to this. He's been working with the Industrial Freshway Corporation, and it has been reported that his conduct is very satisfactory. The defendant has no previous convictions.

MR. OSTROW: Unverified, your Honor, is the portion that the defendant is supporting a child in Cleveland, Ohio. His wife is deceased. Previous to the Industrial Freshway Corporation, he's been --- he was employed 13 months by Cuetips, Inc., in Long Island City. Where one Judge Bloch suggested \$500 bail, I recommended \$1,000. The defendant lives in a hotel room.

MR. PHILLIPS: Well, he lives by himself. It's not necessary to have a large apartment, your Honor.

MR. OSTROW: I didn't say that it's necessary to have a large apartment. I indicated he lives as a transient in a hotel, not in the same hotel all the time either.

MR. PHILLIPS: He's been --- He's lived there for six ---

THE COURT: The application to parole is denied. Judge Bloch -- to reduce is denied. Judge Bloch set bail.

MR. PHILLIPS: All right, thank you.

COURT OFFICER: All right, put him back,
officer.

* * * * *

CERTIFIED TO BE A TRUE AND CORRECT
TRANSCRIPT OF MINUTES IN THIS CASE.



ALAN SCHIFFMAN,
Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

----- X
THE PEOPLE OF THE STATE OF NEW YORK : DOCKET #6293
on the Complaint of :
MERCEDES JOHN & : CHARGE:
PTL. CHARLES FORD, : Grand Larceny
-vs.- :
JAMES BALDWIN, :
Defendant :
----- X

BEFORE: DAVID L. MALBIN,
City Magistrate

A P P E A R A N C E S:

FOR THE PEOPLE:

GERALD E. FOGERTY, ESQ.,
Assistant District Attorney

FOR THE DEFENDANT:

PHILIP EDELBAUM, ESQ.,
Legal Aid Society

BILL REICH,
Court Officer

Alan Schiffman,
Official Court Reporter

COURT OFFICER: This is Docket #6293, James Baldwin, charged with Grand Larceny, This is on the complaint of Mercedes John. (Phonetically) Corroborating affidavit by Patrolman Charles Ford. Mercedes John on this side please. Will you raise your right hands please. Do you swear to the truth of the affidavits you signed?

OFFICER FORD: Yes.

MISS JOHN: Yes.

COURT OFFICER: Legal Aid, do you waive the public reading?

MR. EDELBAUM: Waive the public reading.

THE COURT: What do you want to do?

MR. EDELBAUM: Waive further action of this Court to the Grand Jury.

THE COURT: All right, Grand Jury. A thousand dollars.

MR. EDELBAUM: Your Honor, there's a communication from the Vera Foundation. It states that Mr. Baldwin has never been arrested before, has lived at his present address with his wife and six year old son for the past three years, and has been employed as a truck driver for G & S Construction Company for

the last year.

THE COURT: Bail is \$500.

* * * * *

CERTIFIED TO BE A TRUE AND CORRECT
TRANSCRIPT OF MINUTES IN THIS CASE.

Alan Schiffman

ALAN SCHIFFMAN
Official Court Reporter

COURT OFFICER: Dockets 6751 and 6762, Lee Leslie and Mary McMillion, 1897 of the Penal Law on the complaint of Amando Rios. Defendants are represented by Legal Aid Society. Counsel, do you wish to waive the reading of the complaint and the rights of the defendants?

MR. O'CONNOR: Waive public reading of the rights and the complaint. Application, Your Honor, to reduce to assault 3rd Degree and 1897, misdemeanor. This is a domestic conflict, Your Honor. Complainant is common-law husband of the defendant. The co-defendant is her brother, brother of Mary McMillion.

MR. FOGARTY: Yes, People have no objection.

COURT OFFICER: Waive public reading of the reduced charges?

MR. O'CONNOR: Yes. Waive further examination to the Court of Special Sessions. Further application for parole for Mary McMillion. I have in my possession a recommendation by the Vera Foundation stating that the defendants have lived at the above address with Amando Rios for the past three months. Defendant was employed as a domestic by Mrs. Salley. Telephone number--

THE COURT: All right, paroled for the Court of Special Sessions. If you fail to appear other charges will be preferred against you.

MR. O'CONNOR: As to both defendants?

MR. FOGARTY: Your Honor, now the complainant's been

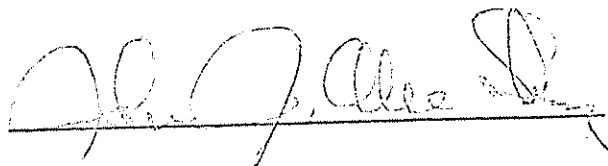
living with Cruz Rios. He's moved out, I don't know who is going to pay the rent there any more. Her roots aren't that good.

THE COURT: How bad are the injuries?

MR. FOGARTY: Minor.

THE COURT: All right, both paroled.

This is to certify that the above is a correct transcript of the minutes reported by me.

A handwritten signature in cursive script, appearing to read "J. J. Allen", is written over a horizontal line. The signature is located to the right of the certification text.

CITY MAGISTRATES COURT OF THE CITY OF NEW YORK

FELONY COURT: Borough of Manhattan

The People of the City of New York
vs. the complainant

FRED BUCKRICE

: Bookets 6717
: 6718

-against-

: Grand Larceny

CALVIN MC GEE and
EARL GREEN

Defendants

May 2, 1962
New York, New York

BEFORE:

HON. NEAL P. DOTTIGLIERI,
City Magistrate

APPEARANCES:

JAMES PHILIPS
Legal Aid Society
For Defendants

NORMAN OSTROW
Assistant District Attorney
For the People

WILLIAM REICH
Court Officer

John J. McSherry
Official Court Reporter

COURT OFFICER: Dockets 6717 and 6718, Calvin McGee and Earl Green, charged with Grand Larceny. This is on the complaint of

Officer Bashra, 25th Squad. Mr. Buckrice and Officer Bashra, do you both swear to the truths of your affidavits?

MR. BUCKRICE: Yes.

OFFICER BASHRA: Yes.

MR. PHILIPS: Waive public reading of the charges and the rights. Your Honor, in this case we'd like to make an application for reductions of the charges from Grand Larceny to Petty Larceny.

MR. OSTROW: People consent.

THE COURT: All right.

COURT OFFICER: Waive public reading of the reduced charges?

MR. PHILIPS: Waive public reading of the reduced charges. Waive further examination. Waive to Special Sessions. Your Honor, the question of defendant Green. We have a recommendation from the Vera Foundation for parole. He has resided at the above address all his life with his mother. His mother owns the building. The defendant helps his mother with the maintenance work. His mother will see to it that he returns for his appearance should he be paroled.

THE COURT: Reduced?

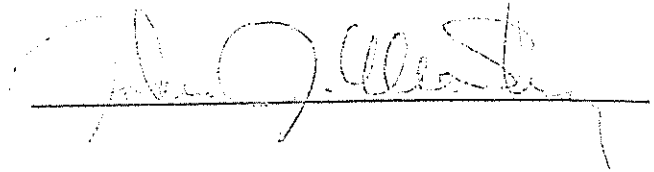
COURT OFFICER: Reduced, Judge.

THE COURT: Bail, \$1,500 each.

COURT OFFICER: You may communicate free of charge
from the office of the Warden. Put him inside.

* * * * *

This is to certify that the above is a correct transcript of the
minutes reported by me.

A handwritten signature in cursive script, written over a horizontal line. The signature is difficult to decipher but appears to be a name followed by a surname.

CITY MAGISTRATES COURT OF THE CITY OF NEW YORK

FELONY COURT; Borough of Manhattan

the complaint of

J. CARRASQUILLO

-against-

FREDERICK WEICHEL

Defendant

Bucket 6091

:
Att. Fel. Assit.
:
:
:
:
:

May 2, 1962
New York, New York

BEFORE:

HON. NEAL P. BOTTIGLIERI,
City Magistrate

APPEARANCES:

GERALD FOGARTY
Assistant District Attorney
For the People

WILFRED O'CONNOR
Legal Aid Society
For the Defendant

WILLIAM REICH
Court Officer

John J. McSherry
Official Court Reporter

COURT OFFICER: Docket 6691, application, Frederick Weichel, charged with 1897 of the Penal Law, assault 3rd degree. Represented by Legal Aid. Vera Foundation has a recommendation in this case.

MR. O'CONNOR: Vera Foundation recommendation for parole. Defendant, Frederick Weichel, 73 Third Avenue, New York, New York. Vera Foundation has verified the following facts: The defendant has resided at the above address, 73 Third Avenue, New York City, for the past year. He is employed as a superintendent of that building, and has been so employed for a year, for the year that he's been living there. The proprietor of the building spoke to me very highly of him and is willing to continue him in this job. As for the defendant's family, he has been living with Rosemary Weichel for the past two years and supports her. She is expecting a child in a very short time. Therefore, on this basis I would like to make an application for a parole of this defendant.

THE COURT: Is that supposed to be morally good that he's living with a woman with child?

MR. O'CONNOR: He has no prior.

THE COURT: Any objections?

MR. FOGARTY: I have no objections.

THE COURT: Paroled. If you fail to appear in this Court, rather, the Court of Special Sessions you will be required to appear for additional charges which will be placed against you.

THIS IS TO CERTIFY THAT THE ABOVE IS A CORRECT TRANSCRIPT OF THE MINUTES REPORTED BY ME.



CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

-----X
THE PEOPLE OF THE STATE OF NEW YORK :
 :
 on the Complaint of : DOCKET #6683
 :
 PTL. D'ANGELO, :
 :
 -vs.- : CHARGE:
 : Felonious Assault,
 THOMAS GREEN, : &
 : 1897 of the Penal
 Defendant : Law.
-----X

BEFORE: HON. NEAL P. BOTTIGLIERI,
City Magistrate

May 4, 1962

A P P E A R A N C E S :

FOR THE PEOPLE:

NORMAN OSTROW, ESQ.,
Assistant District Attorney

FOR THE DEFENDANT:
Defendant not represented

ALAN SCHIFFMAN,
Official Court Reporter

BILL REICH,
Court Officer

COURT OFFICER: This is Docket #6883, Thomas Green, charged with felonious assault, and violation of 1897 of the Penal Law. This is on a short affidavit, by Ptl. D'Angelo. Officer, do you swear to the truth of the affidavit you signed?

PTL. D'ANGELO: Yes, I do.

COURT OFFICER: Thomas Green, you're believed to have committed the crime of felonious assault and violation of 1897 of the Penal Law, on May 5, 1962, at 8:30 P.M., at 26 East 117th Street, in the County of New York. You did point a firearm in a threatening manner at the body of one Winston D. Medd, of 26 East 117th Street. The deponent found in your possession, a 22 caliber revolver. On this charge; you have the right to communicate with relatives or friends by letter or telephone free of charge; You have the right to the aid of counsel at every stage in the proceedings, and before there are any further proceedings. You may have an adjournment to procure counsel. People need more time for investigation in this matter. What date, officer?

PTE. D'ANGELO: Wednesday.

COURT OFFICER: The officer is requesting Wednesday.

THE COURT: Is that all right with you? Bail is \$1500; for the 9th.

MR. GOLDSTEIN: Your Honor, I have a recommendation.

MR. OSTROW: I wouldn't consent to it, based on this recommendation. I think it should be read into the record; that he's been living at his address for two months, and he has a wife who is expecting a baby, and that he injured --- he was injured on the job, and lost an eye, and he has no previous record.

THE COURT: Bail \$1500.

COURT OFFICER: Your bail is \$1500. You may communicate free of charge from the office of the warden.

* * * * *

CERTIFIED TO BE A TRUE AND CORRECT
TRANSCRIPT OF MINUTES IN THIS CASE.


ALAN SCHIFFMAN,
Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

----- -X
THE PEOPLE OF THE STATE OF NEW YORK
 on the Complaint of
 CARMEN LINDSEY,
 - vs. -
 RAPHAEL GONZALEZ,
 Defendant
----- -X

DOCKET
#6867

CHARGE:
1140 of the
Penal Law

BEFORE: HON. NEAL P. BOTTIGLIERI,
 City Magistrate

May 4, 1962

A P P E A R A N C E S:

NORMAN OSTROW, ESQ.,
Assistant District Attorney

FOR THE DEFENDANT:
Deft. not represented

ALAN SCHIFFMAN,
Official Court Reporter

BILL REICH,
Court Officer

COURT OFFICER: This is Docket #6867, Raphael Gonzalez, charged with violation of 1140 of the Penal Law. This is on the complaint of Carmen Lindsey. Carmen Lindsey, raise your right hand. Do you swear to the truth of the affidavit you signed?

MISS LINDSEY: Yes.

COURT OFFICER: Raphael Gonzalez; do you understand English?

MR. GONZALEZ: No.

COURT OFFICER: All right, put him back, Officer. Get the Spanish interpreter. The case will be recalled.

* * *

COURT OFFICER: This is recall on Docket #6867, Raphael Gonzalez, charged with violation of 1140 of the Penal Law. This is on the complaint of Carmen Lindsey. A Spanish interpreter has been called in in this case.

THE INTERPRETER: I advised the defendant of his rights. He wants time to get his own lawyer.

THE COURT: How much time does he need?

THE INTERPRETER: Two or three days.
Anytime next week.

THE COURT: What date next week?

MR. OSTROW: I'd like the week after,
your Honor.

THE COURT: The week after, all right.
What day?

MR. OSTROW: The 15th of May.

THE COURT: The 15th of May?

MR. OSTROW: Yes.

THE COURT: Bail \$500.

MR. OSTROW: Well, your Honor, on this ---
since the defendant is not represented in
this case, your Honor, I have a parole recommen-
dation from the Vera Foundation, which indicates
he's lived at 447 Claremont Parkway in the
Bronx, with his--- for a year and a half,
and that he's the sole support of his wife and
children, and has been married for at least
five years.

THE COURT: Is he living at home?

MR. OSTROW: Apparently for a year and
a half now. He's been employed for the past
- nine months at the Art Steel Master Corporation,

535 East 170th Street.

THE COURT: Ask him if he's been living with his wife.

THE INTERPRETER: Yes.

MR. OSTROW: I have no objection to parole.

THE COURT: If you fail to appear on the 15th, in addition to this charge, other charges will be preferred against you for your failure to appear.

* * *

CERTIFIED TO BE A TRUE AND CORRECT
TRANSCRIPT OF MINUTES IN THIS CASE.


ALAN SCHIFFMAN,
Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT: BOROUGH OF MANHATTAN

-----X
*
*
THE PEOPLE OF THE STATE OF NEW YORK *
*
*
on the Complaint of *
*
*
ROBER_T CHAVIS, *
*
*
vs. *
*
*
JOHN PHILLIPS, *
*
*
Defendant *
-----X

DOCKET #6889

CHARGE:

Felonious Assault,
&
1897 of the Penal Law.

BEFORE:

HON. NEAL P. BOTTIGLIERI,
City Magistrate

A P P E A R A N C E S:

May 4, 1962

FOR THE PEOPLE:
NORMAN OSTROW, ESQ.,
Asst. District Attorney

FOR THE DEFENDANT:

WILFRED R. O'CONNOR, ESQ.,
Legal Aid Society

BILL REICH,
Court Officer

ALAN SCHIFFMAN,
OFFICIAL COURT REPORTER

COURT OFFICER: This is Docket #6889, John Phillips, charged with Felonious Assault, and violation of 1897 of the Penal Law; on the complaint of Robert Chavis. Robert Chavis, do you swear to the truth of the affidavit you signed?

MR. CHAVIS: I do.

COURT OFFICER: The defendant is represented by Legal Aid. Do you waive the reading, counsel?

MR. O'CONNOR: Waive the public reading. Application, your Honor, to reduce the charge of Felonious Assault to Assault in the 3rd Degree.

MR. OSTROW: No objection.

THE COURT: Did you see this? This is the fourth assault. He's been ---

MR. O'CONNOR: Your Honor, I took the defendant's record into consideration; the fact, also, that these people are ---

THE COURT: Whate are you going to do, wait until he kills somebody?

MR. O'CONNOR: The defendants are friends.

MR. OSTROW: He's had three felonious assaults before that, two of which have been reduced, and he hasn't had anything since 1948, or at least he

hasn't been caught for anything.

MR. O'CONNOR: Will you take into consideration, your Honor, the advanced age of the defendant, his physical condition, the recommendation by the Vera Foundation? I made the ---

MR. OSTROW: First let's dispose of it. I'd consent to a reduction in view of his age, and in view of the fact that he hasn't been involved since 1948.

COURT OFFICER: Do you waive the public reading, counsel?


MR. O'CONNOR: I waive the public reading of the reduced charge. Waive to the Court of Special Sessions, your Honor.

THE COURT: Bail is \$1500.

COURT OFFICER: Your bail is \$1500. You may communicate free of charge from the office of the warden.

* * * * *

CERTIFIED TO BE A TRUE AND CORRECT
TRANSCRIPT OF MINUTES IN THIS CASE.


ALAN SCHIFFMAN,
Official Court Reporter

CITY MAGISTRATES COURT OF THE CITY OF NEW YORK

FELONY COURT: Borough of Manhattan

-----: :
The People of the State of New York :
on the Complaint of :
: :
OFFICER A.P. STONE :
: :
-against- :
: :
J. JONES :
Defendant :
-----: :

Docket 7033

Fel. Asslt.

May 14, 1962
New York, New York

BEFORE:

HON. DAVID L. MALBIN,
City Magistrate

APPEARANCES:

NORMAN OSTROW
Assistant District Attorney
For the People

BURTON G. REIDNIK
By: ALBIN LIPETZ, of Counsel
66 Court Street
Brooklyn, New York

RICHARD OLENICK
Court Officer

John J. McSherry
Official Court Reporter

COURT OFFICER: Docket 7033, J. Jones, Felonious Assault.
Represented by Burton G. Reidnik, 66 Court Street, Brooklyn.

MR. LIPETZ: By Albin Lipetz, of Counsel.

COURT OFFICER: Officer, do you swear to the truth of
your affidavit?

OFFICER STONE: I do.

FRANK HALL, 240 West 134th Street, New York, New York, called
to the stand on behalf of the People, after first being duly
sworn by the Court, testified as follows:

DIRECT EXAMINATION BY MR. OSTROW:

Q Mr. Hall, May 6, 1962, at 9:00 p.m. at 127 West--at 127th
Street between Fifth and Lexington Avenues, New York County, did
something happen to you?

A Something happened to me?

Q Yes, Mr. Hall.

A Yes.

Q Tell us what happend at that place.

A We had an argument.

Q With whom?

A Me and my friend.

Q The defendant you mean?

A Yes.

Q Did he do something to you, ; Mr. Hall?

A I don't know. We had an argument and, you know, so after
we had an argument I walk away. And when it was a whole lot of

people and I got--48th and 50th, I got shot.

Q What was that again, Mr. Hall, you say you got shot?

A Yes.

Q Where were you hit?

A The bullet still in there.

Q In the left chest, is that right?

A Yes.

Q Did you see who shot you, Mr. Hall?

A I don't know.

Q Mr. Hall, isn't it a fact the defendant is the one who shot you?

A There was a whole lot of people.

Q You--I didn't ask you that whether there were a whole lot of people. I asked you whether or not the defendant shot you, Mr. Hall?

A No response.

Q Now, you have been sworn to tell the truth, will you try and do that Mr. Hall?

THE COURT: You have sworn to tell the truth and the law says you must tell the truth, do you understand that?

A Yes, sir.

THE COURT: All right now, tell the truth. The District Attorney asked you did this defendant shoot you. Did he shoot you?

A Yes, sir.

Q You saw him shoot you?

A Yes.

MR. LIPETZ: What was the answer?

MR. OSTROW: Wait a minute, he said 'yes'.

Q Where were you standing when he shot you, Mr. Hall?

A I was standing--me and, you know, me and friend was going home, you know, and there were three--I was standing. He introduced me to his next friend. He shot me about--from not too far.

Q He was right near you, is that right?

A Yes.

Q You saw him with the gun in his hand, is that right, Mr. Hall?

A No response.

Q Yes, Mr. Hall?

A Yes.

Q Did you hear the gun go off, Mr. Hall?

A Yes.

Q Did you feel something after the gun went off?

A Feel like something sting me.

Q In your left chest, is that right?

A Yes.

Q Did the defendant say anything to you before or after he pointed the gun at you and shot you, Mr. Hall?

A He was going to take me to the doctor.

Q He said that to you?

A Yes.

Q Did you go to the doctor?

A No, the cops took me.

Q The cops took you to the doctor?

A Took me to the precinct and the ambulance picked me up.

Q How long were you in the hospital?

A Wednesday.

Q You were in there for three days, is that right?

A Yes.

Q You may inquire.

CROSS-EXAMINATION BY MR. LIPETZ:

Q How long do you know the defendant?

A Well, I know him by my wife.

Q How long?

A About eight months or better.

Q Do you know the defendant's sister?

A Sister?

Q Yes.

A Which one?

Q Any one of his sisters?

A I know one that live upstairs.

Q Were you in that sister's apartment the day that you were shot?

A The sister's apartment?

Q Yes.

A Me and him.

Q You and the defendant?

A Yes.

Q I see. Were you drinking beer in the apartment?

A Yes, we drink beer.

Q How many cans of beer did you have?

A One.

Q Was there -- who else was in that apartment with you?

A I can't name all the people there, I don't know.

Q Was there anybody else in the apartment?

A Yes.

Q Was the defendant in the apartment?

A Yes, he was in the apartment.

Q Was the defendant's sister in the apartment?

A His sister wasn't in the apartment. After his sister come he leave it.

Q Where did you drink beer from, a can or bottle?

A Can.

Q Did you buy it?

A Yes.

Q Where did you get it?

A From the store.

Q Did you buy one can of beer in the store?

A Six cans of beer in the store.

Q You only bought six cans, not twelve cans?

A Six cans.

Q And was there anybody else drinking beer with you?

A Yes.

Q Who else?

A The man, the guy--me and another guy.

Q How long were you in the apartment drinking beer?

A Wasn't in there too long

Q Were you there more than an hour?

A No.

Q Were you there more than a half an hour?

A I don't know.

Q Don't remember?

A No.

Q Had you had anything to drink before you went into that apartment?

A No.

Q When you left that apartment after you finished the can of beer where did you go?

A Where did I go? We was on the stoop.

Q Did you go upstairs to the apartment of a man named Joe?

A Yes.

Q So you didn't go directly to the stoop?

A Yes.

MR. OSTROW: Objection.

Q What did you do in the apartment belonging to this man named Joe?

A What did I do? I was living--

Q Excuse me. Please answer the question.

A I'm let me explain to you. I was living downstairs and saw there is a lady upstairs she want to go to bed. She can have the bed, you know.

Q Did you have anything to drink in Jones' apartment?

A No, he didn't have nothing.

THE COURT: What difference would that make. Does that justify a man being shot because he drinks.

MR. LIPETZ: It's a question of veracity.

THE COURT: If he didn't know who shot him that would be a different story entirely. Were you so drunk you didn't know what was going on?

A I wasn't so drunk. If I was so drunk I couldn't walk.

THE COURT: So now I'll conclude any testimony on that score.

MR. LIPETZ: Your Honor, may I just ask whether he had anything to drink other than one can of beer?

THE COURT: How many cans of beer did you drink that day?

A When I was--I come from Long Island that night. That morning me and my wife.

THE COURT: How many cans of beer did you drink during the day?

A About four.

THE COURT: You had the one at the apartment?

A Yes.

THE COURT: You might have had three?

A I might have had more, I don't know.

Q Might you have had six?

A I didn't have six cans of beer. I can't drink six cans of beer.

Q Did you also have liquor that day?

A I can't drink liquor because my stomach can't take it.

Q But you might have have more than three?

A Yes.

Q Did you have anything to eat that evening?

A Yes.

Q Where?

A Uncle's house.

Q What did you do before you went down to the stoop?

A We're standing there have an argument.

Q What did you argue about?

A We was playing cards.

Q You and the defendant were playing cards?

A Yes.

Q Did you strike the defendant?

A No, I didn't hit him;

Q Did you have a knife in your pocket?

A I don't have no knife.

Q Did you see a gun in the defendant's hand?

A Yes.

MR. LIPETZ: No further questions, Your Honor.

THE COURT: Step down.

MR. OSTROW: People's case.

MR. LIPETZ: Move to dismiss on the ground that the People have not made out a prima facie case.

THE COURT: Motion denied. Waive further examination?

MR. LIPETZ: I do, Your Honor.

THE COURT: Grand Jury, bail continued.

This is to certify that the above is a correct transcript of the minutes reported by me.


Official Court Reporter

CRIMINAL COURT OF THE CITY OF NEW YORK
PART 1A : COUNTY OF NEW YORK

----- X

In the Matter of :
THE PEOPLE OF THE STATE OF NEW YORK : Docket #5177
-against- : Charge:
ALBERT J. GRAHAM, : Felonious Assault
Defendant. :

----- X

Friday - May 17, 1963

B e f o r e :

HON. NEAL P. BOTTIGLIERI
Criminal Court Judge

APPEARANCES:

For the People:
ROBERT CONDON,
Assistant District Attorney

For the Defendant:
ANTHONY F. MARRA
By: ROBERT P. BURNS

WILLIAM REICH,
COURT OFFICER.

Bertha Schrader
Official Court Reporter

COURT OFFICER: Albert J. Graham, charged with felonious assault and violation of 1897 of the Penal Law on the complaint of Carlos Martinez; corroborating affidavit by Patrollman DiBello. Defendant is represented by Legal Aid. Carlos Martinez, do you swear to the truth of the affidavit that you have signed?

MR. MARTINEZ: Yes.

COURT OFFICER: Officer DiBello, do you swear to the truth of the corroborating affidavit?

OFFICER DI BELLO: Yes.

COURT OFFICER: Counsel, do you waive the public reading?

MR. BURNS: Yes, we do, Your Honor. May we have the 24th on this case? Your Honor, pending final disposition, I have a recommendation for parole --

MR. CONDON: The Court has a copy.

MR. BURNS: --which has been made by the Vera Foundation. Based on verified information if your Honor pleases, I would like to read it into the record.

MR. CONDON: That is not necessary.

THE COURT: It is not necessary.

MR. BURNS: If I may --

THE COURT: It is not necessary.

Bail one thousand dollars.

COURT OFFICER: Bail is one thousand dollars. You may communicate free of charge from the Department of Correction.

MR. BURNS: If I may be permitted to please --

THE COURT: I have got it in the record.

MR. BURNS: If I may be permitted to --

THE COURT: Put him in. I have got it in the record. Now, stop it.

* * * * *

A true and correct transcript of minutes in the above matter.

Zurtha Schrade
Official Court Reporter

CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK
FELONY COURT : BOROUGH OF MANHATTAN

-----X
THE PEOPLE OF THE STATE OF NEW YORK

! Docket #10025
#10026

on the complaint of

GUISEPPE ORECCHIO

vs.

MONTALVO ISRAEL,
JEROME JAMES.

:
: Charge:
: Robbery
: Assault
: 1897
: Impersonating an
: Officer

:Hearing

-----X
100 Centre Street
New York, N.Y.
June 29, 1962

B E F O R E

HON. DAVID MALBIN,
City Magistrate

A p p e a r a n c e s :

ROBERT F. CONDON, ESQ.
Assistant District Attorney
For the People

ROBERT FINKUM, ESQ.
Legal Aid Society
For the Defendants

Raymond Burke,
Bridge Officer

Esther Pointer, C.S.R.
Official Court Reporter

Montalvo Israel
Jerome James

BRIDGE OFFICER: Docket #10025 and #10026,
Montalvo Israel and Jerome James, charged with
Robbery and Assault and 1897 of the Penal Law and
impersonating an officer. This is on complaint of
Guiseppe Orecchio and corroborating affidavit by
Patrolman Ryan.

Guiseppe Orecchio, raise your right hand. Do
you swear to the truth of the affidavit?

MR. ORECCHIO: I do.

BRIDGE OFFICER: Patrolman Ryan, raise your
right hand, do you swear to the truth of your
affidavit?

PTL. RYAN: I do.

BRIDGE OFFICER: Legal Aid, do you waive the
public reading?

MR. FINKUM: Waive the reading of the affidavit
and waive the reading of the rights.

We have to have a hearing, Your Honor.

THE COURT: All right. Marked ready.

BRIDGE OFFICER: Case will be recalled.

Second call.

-Jerome James-
-Montalvo Israel-

BRIDGE OFFICER: Docket #10025, Montalvo Israel and #10026, Jerome James, charged with Robbery, Assault, 1897 P.L., and Impersonating an officer.

THE COURT: Where did you find the property, officer?

PTL. RYAN: Wristwatch of the complainant on his left hand.

* * * * *

G U I S E P P E O R E C C H I O,
called as a witness, and having first been duly sworn, was examined and testified as follows:

DIRECT EXAMINATION BY MR. CONDON:

- Q Your full name?
- A Guisepe Orecchio.
- Q Where do you live?
- A I live 414 Gregory Avenue, Weehauken, New Jersey.
- Q New Jersey?
- A New Jersey.

THE COURT: How old are you?

THE WITNESS: Twenty-one.

Direct-G. Orecchio

THE COURT: What do you do for a living?

THE WITNESS: I work. I am a waiter.

THE COURT: Waiter?

THE WITNESS: Yes.

THE COURT: Were you in a hallway, 425, Twenty-Fifth Street, New York County?

THE WITNESS: Yes. They took me over there.

THE COURT: They took you over there?

THE WITNESS: Yes.

THE COURT: Where did you meet them? When you say "they", do you mean these two defendants?

THE WITNESS: I was on 25th Street.

THE COURT: Yes?

THE WITNESS: And Eighth Avenue. So they stopped me and they asked me if I look for something.

Q If you were looking for something?

A Well, I was on the corner there. They told me they know a lot of girls.

Q They asked you if you want a girl?

A Yes.

THE COURT: And then what happened after

Direct-G. Orecchio

that?

THE WITNESS: They took me over there.

THE COURT: They took you over to this hall,
is that right?

THE WITNESS: Yes.

THE COURT: At 425, Twenty-fifth Street in
New York?

THE WITNESS: Yes.

THE COURT: What happened when you were in
the hall?

THE WITNESS: So we went on the 8th floor
by elevator. When we got out from the elevator
they wanted ten dollars to go down and talk. I
said, "No, I don't give the money."

THE COURT: Which one said that?

Q Which one?

A The tall guy.

THE COURT: Indicating James, is that,
officer?

PTL. RYAN: That's right, Your Honor.

THE COURT: All right.

Q What did you say to them?

Direct-G. Orecchio

A I said, "I don't give no money because I want to see first."

Q You want to see it first?

A Yes.

Q All right. Then what happened?

A Then the tall guy, the other guy was outside, you know.

Q Outside where?

A Was all the way --it was dark door for exit-- went and talk to him. I took ten dollars from my wallet, from my pocket, and said, "Maybe you want money? I give ten dollars and walk away, no?" He come back that way and I said, "I give you something because you lost the time. I want to go home." And I walk out.

So he say, "Wait a minute." He takes the wallet out and showed me a little piece of paper.

Q Did you see what it said?

A No. He said, "I am a police cop from New York City."

THE COURT: Who said that?

THE WITNESS: The tall guy. The tall one.

THE COURT: The tall one?

Direct-G. Orecchio

THE WITNESS: Yes.

THE COURT: Indicating.

THE WITNESS: I said, "It is impossible."

Q Then what did he say?

A So they grabbed me and they pushed me down the steps.

Q Which one grabbed you?

A All of them.

THE COURT: Two of them?

THE WITNESS: Yes.

THE COURT: Did they hit you?

THE WITNESS: No. They pushed me and had me up against the wall and they took my wallet, all the change.

Q They took your wallet?

A They look in the wallet and took --

THE COURT: How much money did you have in the wallet?

THE WITNESS: Twenty-one dollars.

THE COURT: Did you have a wristwatch?

THE WITNESS: Yes. They took it from me.

THE COURT: And did they take --who

Direct-G. Orecchio

took your wristwatch? The tall one or the small one?

THE WITNESS: The tall one.

THE COURT: And then what did you do? Did you tell the policeman then?

THE WITNESS: Well, when they took everything, they give me a punch in the face and a slap and they walked --they pulled me in the elevator and they sent me up on the eleventh floor.

Then I went downstairs. I walk out and I called the police.

Q Did you later see these same two men that had held you up? Did you see --later see them?

A To the police come.

Q Did you see them on the street, the two men?

A Oh, no. When I come out, I don't see.

Q Later on did you see them?

A Yes.

Q Where was that?

A I don't know.

THE COURT: You may examine.

THE WITNESS: We go all the way around.

Cross-G. Orecchio

THE COURT: You may examine.

* * * * *

CROSS-EXAMINATION BY MR. FINKUM:

Q Were you working that night?

THE COURT: Just a minute. Where is the watch?

PTL. RYAN: I have the watch right here, Your Honor.

THE COURT: Show it to him. Wait a minute. Mr. District Attorney, show him the watch.

MR. CONDON: I show you this wristwatch and ask you if you can identify it?

THE WITNESS: Yes.

THE COURT: Is that your watch?

THE WITNESS: Yes, it is mine.

THE COURT: It is offered in evidence as People's Exhibit #1.

MR. CONDON: Offered, deemed marked People's Exhibit #1 in evidence.

MR. FINKUM: Before it is accepted, Your Honor, may I ask him a few questions?

Cross-G. Orecchio

THE COURT: You can cross-examine him all together.

MR. FINKUM: Well, on the question of the introduction of the evidence.

THE COURT: It is received in evidence.

(At this time the watch was received and deemed marked in evidence as People's Exhibit #1.)

Q Do you know what kind of watch this is?

A The name?

Q Yes?

A Yes. Pregit Spring.

Q And are there any --have you got your initials or anything on this watch?

A Yes.

Q And other than the fact that it is marked the name, manufacturers' name, is there anything else that you can identify this watch as yours?

A Well, on the back is like ink blot.

Q Like what?

A Ink blot.

Q Ink blot?

A Ink blot.

Cross-G. Orecchio

Q Ink blot?

THE COURT: Everybody has testified except the witness.

Q Ink blot? That's part of the writing.

A That's the name I know.

Q But other than those factors that you have just said, is there anything else that you can identify such as your initials, a scratch, or anything on the watch?

A No. One side of the belt --one thing come off and I pull it back. I don't know if you can see and -- I think it was this one. I pulled it back, this thing.
(Indicating)

Q But it is not broken now?

A No, I pulled it back and it don't come off no more.

Q But it is normal now? It is just like it was before you put it back, before you say you put it back?

A Yes.

Q Where did you buy this watch?

A In Italy.

Cross-G. Orecchio

Q In Italy?

A Yes.

Q Where?

THE COURT: What difference does it make?

Suppose he tells you Rue de la Paix. Would you know where it was? I don't like to crack jokes three o'clock on Friday.

Q Now let me ask you a question, sir. Were you drinking that night?

A No.

Q MR. CONDON: Is this on the voir dire?

MR. FINKUM: No, I am finished. I am going to cross-examine.

Q Were you drinking that night?

A Yes.

Q What time did you finish work?

A Three o'clock.

Q Where did you work?

A Union Street.

Q Where?

A At 230 Union Street.

Q Union Street?

Cross-G. Orecchio

A New Jersey.

Q Where do you live?

A Weehauken.

Q And you came to New York?

A Yes.

Q What time did you come to New York?

A Took the bus, about three o'clock.

Q Three o'clock in the morning?

A Yes.

Q At three o'clock did you go into a bar?

A No.

Q Did you stop at any bar?

A No, I didn't.

Q This occurred allegedly at four o'clock?

What were you doing until four o'clock? Walking the streets?

A I walked.

Q Were you looking to find a girl?

THE COURT: He said he was looking for a girl.

What difference does it make. He went to the hall where he says these defendants brought him looking for a girl and they wanted money. They

Cross-G. Orecchio

said ten dollars.

He didn't want to give them right away. He wanted to first see the merchandise or whatever else, and then he finally saw it was trouble coming and he gave them ten dollars.

Now what difference does it make if he is looking for a girl or not? It doesn't give anybody the right to rob him.

MR. FINKUM: Of course not, Your Honor.

Q Did you ever see these defendants before that night?

A No.

Q You never saw them?

A No.

Q And how long after you say they left you did you see these defendants?

A Wait a minute.

Q They left you on --what was it? The 9th floor?

A Yes, ninth floor, and they sent me on the 11th floor upstairs.

Q Right. Now how long after that did you next

Cross-G. Orecchio

see these two men?

A Just the time to go from the building and went downstairs and around the corner and I found the police car.

Q Yes?

A So I tell the story to the officer.

Q Police officer?

A And we take a ride around the block and when we come back I saw the guy was the next block.

Q How long a period of time elapsed? How long? Ten minutes? Fifteen minutes? Twenty minutes?

A Ten minutes, something like that.

Q Ten minutes?

A Maybe more, maybe less. It take no time.

Q Did you describe to the officer what they looked like when you saw --

A Yes.

Q You did?

A Yes.

Q Sir, have you ever been arrested --I mean, convicted of a crime?

A No.

Direct-Ptl. Ryan
Cross-G. Orecchio

Q Never?

A No.

Q How long are you in the United States?

A I have been two years next July.

Q And what kind of work do you do?

A Waiter.

Q A what? A waiter?

A A waiter, yes.

Q You are not a merchant seaman, are you?

MR. FINKUM: No further questions.

(Witness excused.)

* * * * *

THE COURT: Step down. People's case?

MR. CONDON: People's case.

MR. FINKUM: I would like to call the officer,
please.

* * * * *

PTL. F R E D E R I C K R Y A N,

Shield #15514, assigned to the 14th
Precinct, having first been duly sworn
as a witness, was examined and testified
as follows:

Direct-Ptl. Ryan

DIRECT EXAMINATION BY MR. FINKUM:

Q Officer, did the complainant witness, on this street, when he stopped your police vehicle, give you a description of the two men who allegedly robbed him?

A Yes, he did.

Q Did you make any notes or memorandum as far as that description?

A No, I didn't.

THE COURT: How soon after that complaint did you arrest these two defendants?

THE WITNESS: Five minutes.

Q Did you write it any place, the nature of the description that he gave you?

A I don't believe so.

Q You haven't got it on your arrest record?

A (No response).

Q What was the description that he gave you?

A He said that there was a tall, colored fellow with a white sweater and a short, light-skinned fellow.

Q That was his general description?

A Yes.

Direct-Ptl. Ryan

Q Did he describe the sweater to you, other than it was white?

A White, he said it was.

Q Did he say anything about the sweater?

A No.

Q Nothing else?

A No.

Q Did he describe the short fellow in any other manner?

A Just that he was short and lighter than the tall fellow.

Q Did he indicate whether he was wearing glasses or not?

A He did not.

Q Did you ask him for any further description, as far as any other clothes of the short fellow?

MR. CONDON: I have an objection. The officer has testified what he told him.

THE WITNESS: It happened so rapidly. I put the complainant in the back of the radio car and we patrolled for five minutes and it was --

MR. FINKUM: I am not asking that. I said,

Direct-Ptl. Ryan

did he give you any other description as to the clothes? I didn't ask you whether it happened rapidly. He did not have

THE WITNESS: He did not have a chance because we put him in the radio car and apprehended --

MR. FINKUM: I didn't ask you that.

THE COURT: He has answered. I will let the answer stand.

MR. FINKUM: I object and move to strike, Your Honor.

THE COURT: Motion denied to strike it out.

You took the complainant in the radio car?

THE WITNESS: Yes, sir.

THE COURT: And then?

THE WITNESS: Within about five minutes --

THE COURT: You patrolled the area?

THE WITNESS: Patrolled the area.

THE COURT: Did you see these two defendants?

THE WITNESS: We saw them walking along 23rd Street and Eighth Avenue. I got out of the vehicle. I drew my gun and put them against the wall.

MR. FINKUM: I am not asking --

Direct-Ptl. Ryan

THE COURT: The short fellow had the wrist-watch on his left hand?

THE WITNESS: He said someone gave it to him, a friend. The tall fellow had sixteen dollars in his pocket. I put the cuffs on both of them.

THE COURT: Did you ask the tall fellow where he got the sixteen dollars?

THE WITNESS: That was his, he said. "That was mine." The short fellow had five dollars in his pocket. That equalled twenty-one, which the complainant states was on him.

I put the duffs on him, leaving the money in their pocket. When I got to the precinct on 20th Street, the tall fellow had discarded the sixteen.

MR. FINKUM: I object and move to strike it.

THE COURT: Denied.

MR. FINKUM: Move for exclusion.

A (Continuing) And the short fellow had the five dollars and the watch. I gave him back the five dollars because it was money, being no identification.

Q And did this complainant see the two defendants when you apprehended them on Ninth Avenue?

Direct-Ptl. Ryan

A He certainly did, Your Honor. He was in the radio car. He pointed them out. He said, "There is the men." He pointed them out.

MR. FINKUM: I object to that too, Your Honor.

THE COURT: Well, you called him as a witness.

MR. FINKUM: Yes.

THE COURT: When you called the witness, the witness is subject to be questioned.

MR. FINKUM: Certainly, but not as to whether he identified them.

THE COURT: He is not?

MR. FINKUM: I withdraw the objection.

THE COURT: Yes.

Q Officer, did he describe whether the men had a goatee or anything?

THE COURT: Well, now we have been through that and that's not a proper question. That's not a proper question. It must be based on evidence. He told you how he described them.

THE WITNESS: His description was rather rapid.

THE COURT: He told you exactly what was said and then you put him in the car.

Direct-Ptl. Ryan

Q Now did you see any other men on the street at that time?

A I did not. I saw a diner on the corner with people in it, that's all.

Q Did you see any other group of a tall and a short man walking on the street before you found these defendants?

A I did not. I went into --

Q Did you stop at any other group of men to look at them before you found these defendants?

A No. There were none to stop.

Q There were no people on the street?

A At 4:00 A.M., in the morning, they were scarce.

MR. FINKUM: I have no further questions.

THE COURT: Step down.

(Witness excused)

* * * * *

MR. CONDON: People's case.

THE COURT: People's case?

MR. FINKUM: One question more and I --

THE COURT: Go on.

Direct-Ptl. Ryan

(At this time officer was recalled to the stand. Still under oath.)

Q Officer, did you stop in the diner to look if any men were in there with the complaining witness?

A I did not.

Q Did not. Okay, that's all.

(Witness excused.)

* * * * *

MR. CONDON: People's case.

THE COURT: Motion.

MR. FINKUM: I most respectfully move to dismiss on the grounds the People have failed to establish a prima facie case.

THE COURT: Denied.

Waive further examination?

MR. FINKUM: Yes, on behalf of both defendants.

THE COURT: All right. Grand Jury.

MR. FINKUM: May I? The Vera Foundation makes a recommendation with respect to Jerome James.

The defendant has lived at 325 East 21st Street

Direct-Ptl. Ryan

for the past three years with his sister.
Prior to this he lived at 427 West 26th Street for
seventeen years with his parents. He has been
unemployed for two weeks. Prior to that, he worked
five years Makim Stores.

THE COURT: You want him paroled?


MR. FINKUM: He worked five years Makim
Stores, 125 West 18th Street.

THE COURT: Bail five thousand dollars on
each defendant.

Grand Jury.

BRIDGE OFFICER: You may communicate with
friends or relatives free of charge from the office
of the warden.)

(The above is certified to be an accurate
transcript of the minutes in this case.)


Esther Pointer, C.S.R.
Official Court Reporter