
Maynard Summation Cards

People v. Maynard, 80 Misc. 2d 279 - NY:
Supreme Court, New York 1974

1974

Michael Quinn

Lewis M. Steel '63

2250 MIKE - cross

[April 25, 1969]

Q: What was the address, where you were living at?

A: I dont recall. It ws the Hotel Park Plaza, it is a residential hotel

2250- MIKE - cross

Q: ... How long had you been living there, during this period that we are talking about?

A: About six months.

2252 - MIKE - cross

[Gallwa said.]

A: When he had me in civil jail, [^]we have been looking for you all over the country, we have been looking for you.

2266 - MIKE - cross

Q: Now, Mr. Quinn, at the time you testified on the prior hearing in June of 1969, at that time, were you in fear sir?

A: :Yes, I was.

2273 - MIKE - redirect

[April 25, 1969]

WITNESS: Giselle and I. We were both taken down. [^] He questioned us regarding the incidents of April 2 and 3, and Mr. Maynard's leaving the country, and after he was thru questioning us he put us in Civil Jail.

2277 - MOKE - redirect

Q: No, after the officers brought you down, but before your appearnace in Court that evening.

A: Yes, we had a conversation with Mr. Gallina

Q: And can you recall the substance of that conversation?

A: He went over again the weekend of April 2 and April 3, and also the circumstances under which Maynard left, and w when I gave my answers he committed ;me to civil jail.

...

Q: And you say ~~that~~ evening you were taken before a Judge?

A: Yes.

Q: Were you represented by an atty at that tiame?

A: I ;had an atty, but I wasnt allowed to call him.

2278 - MIKE - redi

COURT: Who prevented you from calling your atty?

A: Mr. Gallina wouldnt ~~p~~ermit me any phone call.

COURT: Did you ask the Judge whethr you could be represent
ed by an atty?

A: I asked the judge, yes.

2279 -MIKE - redir

Q: And do you recall under what bail you were held?

A: Yes, I do. She was under \$100,000, and I was under \$75,000.

2279 - MIKE - red

Q: And while you were in Civil jail, do you recall how long you were there?

A: Approx 2 wks

2280 - MIKE - red

Q: And was Giselle Quinn also in Civil jail for 2 weeks, if you know?

A: :Yes, she was.

Q: Were you permitted to see her while you were in civil jail/

A: No I wasnt

Q: Were you permitted to make any calls to any members of your family?

A: No, absolutely not, they had strict regulations that neither I nor Giseller could make any phone calls to anyone, except Mr. Gallina.

Q: AND the period that you were in civil jail, did you ever -- were ; you ever taken from civil jail to the office of Mr. Gallina?

A: About 7 ⁺times. Every other day we were down there, spent a goodly part of each day down there.

2280- MIKE - red

Q: So that during the period that Mr. Gallina had summoned you to his ;office whil e in civil jail, prior to May 8th, 1969, you answered the questions about th weekend of April 2d, April 3d to Mr. Gallina, as youve answered them today to this Court?

A: Yes.

Q: Well, what did Mr. Gallina say to you the day before May 8th, 1969?

A: He said tat Giselle would be deported, and that we could look forward to being in there at least until December, both of us, in Civil jail, or her being deported in the meantime, and myself staying in there until the hearing came up, and he had also told me that if I ;did give this testimony he would take care of that other charge that I had, you know, regarding the auto. That been haging over my head for 3 years. He said that would be wiped off the books.

2282- MIKE - red

Q: And while you were in civil jail, did you ever further ask Mr. Gallina permission to call a lawyer?

A: On numerous occasions.

Q: And were you ever permitted to make such a phone call?

A: I was permitted to make no phone call except to Mr. Gallina.

2286 - MIKE - red

Q: Now, would you tell us why in May 8th, 1969, you gave Mr. Gallina the statment that has been read here today?

A: I did it for a few reasons. One, to pretect Giselle from being deported. Another to get out of Civil jail. Another was to get that case that Ive never been prosecuted for for 3 years, to get it wiped off the books.

Q: When you testified at the prior proceedings that Mr. Sawyer had made reference to in the crooss examination, did you have any understanding with Mr. Gallina as to what your testimony was to be at that proceeding

A: Yes, I did have an nderstanding with Mr. Gallina.

Q: ~~Ex~~ Will you tell us what the understanding was add how it came about?

A: Well, the nderstanding was that I was to make the statment that I made in May 8th, I believe, and then at the hearing, I would, to certain questions I would make cer tain responses, and I would continue in that vein of the statement I made in May when I was first released from civil jail.

2290 - MIKE - fedir

~~WITNESSxxYessxx~~

COURT: ... You knew, did you not, that you were going to testify at this hearing?

A: Yes, I did.

CO&RT: That's right.

Q: And that knowing that, you had made a certain agreement with Mr. Gallina as to what testimony you would give?

A: Yes, in that way I was protected.

2291 - MIKE - red

COURT: Do you mind telling me what he said about your telling a lie on the stand?

A: He would say when they ask you if -- you have been promised anything -- if you have been threatened in any way, that you have to deny this; that you have to pass over the fact that you were held in civil jail and see it our way. See it from our point of view.

COURT: What else did he tell you about what you were supposed to testify to?

WITNESS: He had more or less rehearsed me--

2292- MIKE - red

COURT: In what aspect? What did he say he wants you to tell the court and jury?

A: He wants me to be an impotent witness for the defense.

...

WITNESS: He prepared in -- told me some of the questions that would be asked me in the trial.

COURT: Go ahead. Tell us what they were.

A: He told me specifically the question that the defense atty wouldpose to me in the form of being threatened or promised something, altho he promised to wipe off that other case for me. He told me I would have to say no to this.

2293- MIKE - red

WITNESS: Was I shocked? I was pretty much in shock after
2 weeks in civil jail

2299- MIKE - redi

Q: When you testified at the -- at a June, 1969 hearing, were you ;in --

COURT: What?

Q: (CONTG) -- in fear -- in fear when you gave your testimony?

A: Yes, I was.

Q: Would you explain that?

A: Well, I was in fear because I was testifying against a man I knew to be with me that evening and I was testifying because -- you know -- in that manner because he had a lot -- you know, he was going to do a lot to me if I didn't. He was going to deport Giselle if I didn't

2194 - QUINN MICHAEL - for def - cross

[May 8, 1969]

Q: This is the statement that I already said I was forced to lie on.

Q: This is where you were forced to lie, is that correct?

A: I was held for two weeks prior to this.

Q: Yes.

A: My fiancée threatened with deportation.

Q: Yes.

A: And they were telling me that I was --that I wasn't going to get out of there until I made a statement, to such effect, probably until around December, they said they would release me.

Q: I see.

A: And Giselle wasn't even well then. She was home ill, she was ill, and they --

2196 - MIVHAEL QUINN - for def - cross

Q: All right. Do -- so you do recall, however, a statement being made to Mr. Gallina on May the eighth, 1969 at 4 pm, is that correct?

A: That statement got me my freedom.

2196 - MICHAEL - for def - cross

Q: All right. I want to ask you whether you recall, being asked certain questions and giving certain answers?

A: He gave me the questions and he gave me the answers.

2210 - MICHAEL - for def - cross

WITNESS: What I am saying is that it is not a lie. It is a stretching of whatever 2 % doubt I may have had about his not being there, 1% doubt about his not being there, they palyed up on that.

You are not sure, if you are 99% sure, but that 1% you are not positive. They played on that 1%, and I let them do that.

They say, well, if you are 99% sure, there is still that 1%, so you are not absolutely positive, you cant say for sure now. Yes, you are right. That would be my answer.

2211- MICHAEL - cross

WITNESS: 99% sure when I made the statement.

COURT: You remember the chess games, and you remember the television late show, and you remember the flowers that bloom. Those things you were sure about, were you not?

WITNESS: Yes.

COURT: I see.

WITNESS: These are the things that I'm sure about now.

COURT: You mean today?

WITNESS: Today.

2235 - MIKE

Q: Isn't it a fact that you went out to the airport in Aug of 1967 and bought a ticket for Mr. Maynard in order ~~to~~ that he might escape the country; is not that a fact, Mr. Quinn?

A: No, that not the fact

Q: You do recall that's not the fact

A: That's Gallinas fact; that's Gallina's idea.

2098 - MICHAEL QUINN - for def - direct

Q: While you were living with Mr. Maynard, did you ever see him wear a blue windbreaker jacket?

A: He didnt own a blue windbreaker jacket.

~~Q: Did you ever --~~

~~COURT: Strike that out, please. You never saw him wear a blue jacket, is that right? That's the question.~~

~~A: He couldn't --~~

~~COURT: You want to argue with me?~~

...

Did you ever see him wear a blue windbreaker?

A: No.

COURT: Yes or no?

A: No, I never saw Mr. Maynard wear a blue windbreaker jacket.

Q: Did you ever see Mr. M wear a dark peacoat jacket?

A: No, I never saw Mr. M wear a dark peacoat jacket.

Q: Did you ever see Mr. Maynard wear a light colored Eisenhower jacket?

A: No, I never saw Mr. Maynard wear a light colored Eisenhower jacket.

Q: Did you ever own a blue windbreaker jacket, Mr. Quinn.

A: No. No, I didnt own a blue windbreaker jacket at that time.

2100 - MICHAEL QUINN - for def - direct

Q: Now while you were living with Mr. Maynard in the Spring of 1967, did you ever see Mr. Maynard with a firearm?

A: no.

Q: In the apartment that you shared with Mr. Maynard, did you ever see a firearm?

A: No.

Q: Did you ever see a shotgun?

A: No.

Q: Did you ever see a rifle?

A: No.

Q: Did you ever see Mr. Maynard discharge any firearm?

A: No.

Q: Did you ever own a firearm?

A: No.

Q: A shotgun?

A: No.

Q: A rifle?

A: No.

2114 - MICHAEL QUINN - for def - direct

Went to Florida on April 29, 1967 to Orlando and Miami.
Visited his former wife and Maynards grandma

Went towards Canada to see Expo.

Auto accident

2118 - MICHAEL QUINN - for def - direct

Q: did you know that morning that Mary Quinn had a court appointment?

A: No, I didnt know it, that morning.

2103 - MICHAEL QUINN - for def - direct

Q: Let me ask you this, when and under what circumstances did you become aware of a homicide occurring in the Village sometime around April 3, 1967?

A: Approximately May 17th of 1967, when I was questioned by the police in connection with this.

2072 - MICHAEL QUINN - for def - direct

~~24~~ 26 years old

~~5x~~ 5'11", 135 lbs.

married to Giselle Quinn, 7 month old son.

previously married w/ one daughter

employed at Buying and Research Syndicate- 6th ave and
36th St.

USAF - stationed Orlando, Florida (where wife former live)

Met Tony summer 1966 thru sister.

BUSINESS 2080

spring 1967 put money in.

John Van Miens - falling out, he had put no capital into
the business. We paid him off for time and what he did.

2097 - MICHAEL QUINN - for def - direct

had apt at 905 Madison Ave. Also staying at E. 66th
with Maynard. Spring 1967

2142 - MICHAEL QUINN - for def - direct

Q: Now, did you ever know Mr. Maynard to be in Greenwich Village at 4:30 a.m.?

A: No.

2143 - MICHAEL QUINN _ for def - direct

HOW HE REMEMBERED

Had to recall 6, 7 weeks after.
Talked to family.

2153 - MICHAEL QUINN - for def - cross

JUNE 1969 page 901

questions and answer saying ~~XXXXXXXXXXXXXXXX~~ the postin
of the letter did not help him remember whether Maynard
was with him on that day.

2158 - QUINN - for def - cross

JUNE, 1969, page ???

questions and answers saying he doesnt remember when
Maynard brought flowers in a pot.

2160 - QUINN - for def - cross

See Exh 77 for ID (picture) from May 17, 1967

put in Evidence

2166 - QUINN - for def - cross

JUNE, 1969, page 878

questions and answers saying that they spent Sundays together and sometimes went to mothers house for dinner.

first forced to lie thing.

2169 - QUINN - for def - cross

MAY 17, 1967, statement

Questions and answers about was he in vällage when murder
occfured and he replie~~s~~ d that if this were to happen he
would have known. I have to leave a little loophole.

Doesnt recall that statement

Question and answer about why is he afraid of saying he
was in Village? Afriad of hurting brother-in-law.

Doesnt recall.

2174 - MICHAEL QUINN - cross

NOVEMBER 28, 1967, 2:45 pm in DA's office

by RUSKIN

Stqqtment said that he pbeably got to work at 9AM and was either at 66th St or at mothers, not sure.

Possible that he was with him that Sunday.

Doesnt recall April 2 at this time specifically.

Mother believes they had dinner there, but he doesnt recall.

On 2187 - the prior statement states that he drove me to work. But believes it was from 66th Street

DOESNT REMEMBER ANYTHING.

Remembers getting a supoeana but doesnt remember qs or as

Doesnt even recall being down there.

2193 - QUINN MICHAEL - def - cross

MAY, 1969, conversation with ADA Gallina 5-8-69

forced to lie and threatened fiancée with deportation.

Statement got me my freedom (2196)

They are both Gallina's qs and as (2196)

reads qs and as

2298 - MIKE - redi

A: This is something else he wants me to do. He wants me to say in court that I had no recollection, I was very unsure w;hen I made out that affidavit. That I was with MAYnard and this is what he wants me -- you know -- wants me to make that statement impotent.

Q: And you had -- do you recall making an affidavit in Feb of 1968?

A: Yes.

Q: Now during the two weeks that you were in Civil jail, did you ever see your mother or your brothers?

A: No, we werent permitted to phone anyone, to call any one, it was just thru a friendly guard who made the phone call for us to get our toilet articles down there to the civil jail, but otherwise they wouldnt have known where we were. No one would have known where we were.

2238- MIKE crpss

Q: They were not true, ; when you gave them they were a lie?

A: They were Mr. Gallina's statments.

2259 - MIKE - cross

DEFENDANT: Lenefsky and Gallina are partners at this particular time. ALSO AT MY TRIAL.

2205 - MICHAEL - for def - cross

A: Listen, it is misleading. I think you are trying to put me on a spot here, and just mislead, take it so. This is like a shotgun wedding, this whole statement here, now, whatever says at the end of it -- I don't know. But the agreement ~~xx~~ was it would get me out of jail and Giselle wouldn't be deported. Now if you want to hold it as a valid statement, you are a fool, or you are disregarding -- why don't you look into the facts that I was held there in civil jail/?

Why don't you look into the facts that there was deportation officer down there saying if I would cooperate with Gallina, Giselle wouldn't be deported, why don't you look into these facts?

2198 - MICHAEL - for def - cross

A: If you want to think that is a valid statement, if you want to put that in your mind, you are being very misled. As I told you, Gallina supplied the questions adn the answers. He had prompted me for two weeks as to what he wanted me to answer.