
Maynard Summation Cards

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

1974

O'Brien

Lewis M. Steel '63

2030 - O'BRIEN - for defendant - direct

Q: Now, when you arrived at the scene did you conduct any interviews?

A: No, I did not.

Q: Did you see any people who claimed to be witnesses?

A: At the scene , no.

2032 - O'BRIEN - for defendant - direct

WITNESS: Well, he wzs highly excited, almost in shock I would say. He did have the small of alcohol on his breath when I was speaking to him.

Q: And what was the shape of his dress? Was it neat? Was it rumpled?

A: It wasnt neat. It was not neat.

Q: Well, would you describe it, if you could?

A: Well, rumpled would be a good word, I imagine.

Q: What about his hair. What did it look like?

A: It wasnt combed, it was mussed up.

2033 - O'BRIEN - for defendant - direct

Q: When you say you smelled alcohol on his breath, how far were you standing from him at that time?

A: Maybe a foot away, a foot and one-half away.

034 - O'BRIEN - for defendant - direct

Q: Now, do you remember writing down in your memorandum book any description of what Crist said occurred after you talked to him?

A: No, I didnt.

2036 - O'BRIEN - for defendant - direct

Q: When you interviewed him (this refers to Febles) on April 3, 1967.

A: He was employed by an ice compnay.

Q: Do you remember the name of the ice company?

A: I believe it was Brown, or similar name to that.

Q: He told you that on APRil 3, 1968?

A: That's correct.

Q: Now, do you remember Mr. Febles telling you that he saw the marine fall after the marine was shot?

A: Yes, I do.

2038- O'BRIEN - for defendant - direct

Q: And you may stay at the map for a second, if you will, detective. Where did Mr. Febles tell you he was when he saw the marine fall?

A: He said he was in a taxicabl. I dont want to get in the way.

COURT: That's all right. There is a pointer there, if you wish.

A: Off Sixth avenue, coming from this direction, in this area here.

COURT: Now you are indicating an area in the interesection?

WITNESS: Yes.

2039 - O'BRIEN - for defendant - direct

Q: Well, did you receive a telephone call on the special phone from a man named Howard Fox?

A: I did.

2049 - O'BRIEN - for defendant- direct

Q: Will you tell the jury what Mr. Fox told you in terms of a d4scription of the negro.

A: He's a mal~~e~~, negro, 22 years, bushy hair, broad shoulders, a zippered blue windbreaker, five foot nine.

Q: The hight was five foot nine?

A: That's what I have here, yes.

Q: And did he give you a description of the white?

A: Yes , he did.

Q: What description was that?

A: He was a male white, 21 years, five foot eight, sandy colored hair. This is very light, counselor. My eyes arent that good, and he had a cream--I believe it says, a cream colored jacket. I'm not sure of that.

...

Q: Now, with regard to the age of the negro, didnt he tell

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you that he estimated ~~his~~ the age to be 21 to 22 years?

A: Yes.

Q: Do you know whether or not he mentioned anything about a camera case?

A: He did not.

...

Q: Now, when you spoke to Mr. Fox on the telephone, were you aware that a brown camera case had allegedly been found near the scene of the homicide in the early morning hours of April 3, 1967?

A: I was.