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Witnesses

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

11-17-1970

Michael Quinn - Voir Dire Minutes, Transcript, Letter re: Perjury

Lewis Steel '63

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November 17, 1970

Hon. Frank S. Hogan
District Attorney, New York County
155 Leonard Street
New York, N.Y.

Att: Stephen Sawyer,
Assistant District Attorney

Gentlemen:

Please be advised that I have been retained by Michael Quinn of 170 West End Avenue, New York, N.Y. in connection with the contemplated proceedings against him for perjury arising out of his testimony in the trial of the People of the State of New York vs. William Maynard.

In the event that a Grand Jury is convened for the purpose of hearing evidence in connection with Mr. Quinn's testimony before the Court and Jury on Monday, November 16, 1970, please be advised that Mr. Quinn hereby requests that he be granted the opportunity to appear voluntarily before said Grand Jury and tell the whole truth to the best of his ability.

Will you kindly notify the undersigned if and when Mr. Quinn will be scheduled for an appearance before said Grand Jury.

Very truly yours,

Eugene G. Eisner

EGE:fa
By Hand

cc: Clerk of the Supreme Court (Criminal)
100 Centre Street
New York, N.Y.
By Hand

Q Was it true when you made it, sir?

A No, it's not true.

Q It's a lie, is that correct?

THE COURT: All right, thank youvery much. At least you have answered the question.

MR. STEEL: I object to that, your Honor, and askthat your remark be stricken.

THE COURT: Please don't strike it.

MR. SAWYER: I have no further questions of this witness.

THE COURT: Anything further of this witness?

MR. STEEL: No.

MR. MEYERS: No.

THE COURT: All right. Now, that is all we are going to do. Just stay there. That is all we are going to do today, and we will resume tomorrow at ten-thirty. Ladies and gentlemen of the jury, you are admonished not to discuss any phase of this case among yourselves, you are not to permit anyone to discuss any phase of this case with you. You are admonished again as I asked you before, not to be influenced by or in any way persuadéd by any media or communication, the newspapers or anything else, if any items do possibly appear. I don't expect it. I hope not, but if there is anything in the daily press, please avoid it. [illegible] be [illegible] by it. [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible].

([illegible] the jury leaves the [illegible] [illegible] stood in adjournment to [illegible] [illegible], at ten-thirty a.m.)

THE COURT: The jury having retired, the proceedings [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible].

MR. [illegible]: [illegible] be heard, your Honor?

THE COURT: [illegible].

MR. [illegible]: If this [illegible], your Honor --

THE COURT: [illegible]

MR. [illegible]: [illegible]

allowed to step down from the witness stand.

THE COURT: That is a direction, [illegible]. I control the usage of this court.

MR. [illegible]: I object to [illegible] the [illegible] of [illegible], if Mr. [illegible] still on the witness stand, your Honor.

[illegible]: All right.

MR. [illegible]: This is an open trial, your Honor, and apparently you are [illegible] us.

THE COURT: You are not on trial. You [illegible] and sit down.

MR. [illegible]: Are you [illegible] this [illegible] your Honor, and [illegible] the [illegible] that what your Honor is doing?

THE COURT: You will find out in a minute. Sit down.

MR. [illegible]: I object, your Honor.

THE COURT: Very well.

MR. [illegible]: I ask that the [illegible]

THE COURT: Everybody [illegible] please [illegible].

[illegible]

[illegible]

9 Colloquy

[illegible]

Colloquy

[illegible]

New York, N.Y.
December [illegible], 19[illegible]

B e f o r e: Hon. [illegible]

Appearances: [illegible] A. [illegible] [illegible] and [illegible] [illegible] [illegible] [illegible]

THE COURT: All right.

(Thereupon, the Courtroom having been cleared at the direction of the Court, the following proceedings in closed session)

THE COURT: All right, [illegible] [illegible] [illegible] on the record, [illegible] you can [illegible].

MR. [illegible]: Everything on the record, your Honor.

THE COURT: [illegible], this is not part of this case, but we will put it on the record. [illegible] I have cleared the courtroom [illegible] [illegible] publicity [illegible] case.

Since both sides are finished [illegible] this witness, I have listened to this testimony, [illegible] [illegible] [illegible]

Court, this direction is given to you as a prosecuting officer in this county in the [illegible] [illegible] of the [illegible] [illegible], I [illegible] you, Mr. [illegible], to [illegible] these [illegible] to the grand jury [illegible] [illegible], that is my direction to you.

MR. [illegible]: I understand your direction, Your Honor.

THE COURT: All right. And you will have a complete and thorough investigation as to whether or not there has been any [illegible] of [illegible], or [illegible] [illegible], or [illegible] to [illegible] [illegible], [illegible] or [illegible] [illegible] or whether anybody [illegible] a felony, or any other crime connected or that will be shown by the [illegible] [illegible] obtained from the [illegible] to [illegible] of the [illegible] and [illegible] of the [illegible] [illegible].

Now, this may [illegible] [illegible] [illegible] the People [illegible] [illegible] [illegible] what is going to happen, and also I feel it is my duty to act as I have just acted, Mr. [illegible], I have asked Mr. [illegible] [illegible] [illegible] from me. I [illegible] [illegible] [illegible] [illegible] [illegible]

MR. [illegible]: Your Honor, may I state that [illegible] the Court, [illegible] you are [illegible] by this [illegible].

THE COURT: [illegible] you [illegible] out of this [illegible].

MR. [illegible]: This is [illegible] other [illegible] of the [illegible] in this case. [illegible] in the [illegible] I have [illegible].

THE COURT: Do you think it [illegible] for this [illegible] to be put in [illegible]?

MR. [illegible]: I do think, your Honor, I do think.

THE COURT: I [illegible] them.

MR. [illegible]: I have never heard [illegible], your Honor, in a [illegible], [illegible] the [illegible] of the [illegible] I have never heard [illegible].

THE COURT: [illegible] You will have a [illegible] counsel [illegible] you are [illegible] me [illegible].

MR. [illegible]: [illegible]

[illegible]

You [illegible]

court.

THE COURT: Wait a minute. Wait a minute. [illegible] you got [illegible]?

THE [illegible]: [illegible]

THE COURT: I [illegible] the dignity of this court by being in court? I [illegible] the dignity of this court by being in court? [illegible] of them, in due time. [illegible] has been very pleasant.

MR. [illegible]: I am sure it is, your Honor.

THE COURT: [illegible] Let the record show, Mr. [illegible], the [illegible] of this case, has been informed by me that he [illegible] the time, the [illegible] and the [illegible] of the [illegible] as he has [illegible] come between him and the Court.

MR. [illegible]: He did not come between me and [illegible] him.

COURT OFFICER [illegible]: I [illegible] you.

MR. [illegible]: Did I come between -- [illegible] between him [illegible] and me?

COURT OFFICER [illegible]: I did.

MR. [illegible]: Oh, yes [illegible].

MR. [illegible]: I will [illegible] on an [illegible] of the Court --

THE COURT: Well, [illegible].

MR. [illegible]: Well, I [illegible], I will continue to [illegible].

THE COURT: Good night.

MR. [illegible]: [illegible] in your presence and [illegible] your [illegible].

(Whereupon this portion of the [illegible] concluded)