

Long Hidden, Stories Clash Over Killing Tied to Mob

By MICHAEL BRICK
Published: May 17, 2007

"Incredulous" was one word the judge used. Another was "flabbergasted."

"I can't believe," said the judge, Gustin L. Reichbach, speaking from the bench yesterday in State Supreme Court in Brooklyn, "that the district attorney's office in Kings County could have information on a mob-related shooting and it just disappears into the ether."

Seeking to show the judge that his reading was overly simplified, prosecutors called three witnesses, including two investigators from their own office, to give accounts of a conversation in a hotel room near Kennedy Airport more than a decade ago. The accounts were contradictory, suggesting different killers in a murder case that had been closed, possibly prematurely.

This all sounds complex, but only because it is majestically complex. For history, mystery and sheer elaborateness, few prominent cases in the city court system can rival the prosecution of R. Lindley DeVecchio, a retired Federal Bureau of Investigation supervisor charged with helping a prized Mafia informant commit murders.

In a daylong hearing yesterday, prosecutors sought to salvage their murder case against a man they have sought to connect to Mr. DeVecchio. The man, John Sinagra, known as Johnny Loads, has been accused of killing an 18-year-old named Patrick Porco in 1990.

Prosecutors say Mr. Porco, a witness to an earlier killing, was shot to death after Mr. DeVecchio told his Mafia informant that Mr. Porco was planning to cooperate with the police.

Mr. DeVecchio has pleaded not guilty and has retained the support of his former F.B.I. colleagues, who made bail for him. Justice Reichbach has severed the cases against Mr. DeVecchio and Mr. Sinagra, forcing prosecutors to try Mr. Sinagra first and potentially giving Mr. DeVecchio's lawyers an advantage in his defense. The subject of the hearing yesterday was unlikely to affect the case against Mr. DeVecchio, his lawyer said.

The subject was this: Prosecutors have disclosed documents showing that a cooperating witness told their investigators in 1995 that Mr. Sinagra had taken credit for the crime. Justice Reichbach has compelled the prosecutors to explain the delay in bringing charges.

But before the hearing convened, prosecutors added another wrinkle: They disclosed more documents showing that the police had closed the Porco homicide case in 1996, acting on information from the same investigator but attributing the killing to another man, by then dead, instead of to Mr. Sinagra.

In other words: Same investigator from the district attorney's office, same cooperating witness, same story of Mr. Porco being shot through the teeth, same story of Mr. Porco's leg getting stuck in a seat belt as his body was dumped -- different gunman.

And so the challenge for prosecutors was to show how, in an innocuous way, "the district attorney's office in Kings County could have information on a mob-related shooting and it just disappears into the ether," as the judge put it.

An assistant district attorney, Kevin S. Richardson, argued that his office's investigators had passed their information to the police, whose job it was to open and close cases.

Log in to see what your friends are sharing on nytimes.com. Privacy Policy | What's This?

Log In With Facebook

What's Popular Now

SIGN IN TO E-MAIL
PRINT

MOST E-MAILED

RECOMMENDED FOR YOU

We don't have any personalized recommendations for you at this time. Please try again later.

Log in to discover more articles based on what you've read.

PRESENTED BY

Log In

Register Now

 Log In

What's This? | Don't Show

His first witness, Detective Investigator Alfonse Lombardo, testified that in the meeting at the hotel room, the cooperating witness told him that Mr. Sinagra had taken credit for the shooting.

A retired detective investigator, Joseph Malewich, testified that in the same meeting, the cooperating witness told him that both Mr. Sinagra and the dead man had taken credit for the shooting.

The cooperating witness himself, John Navoa, testified that he told the detective-investigators that both men had taken credit.

The hearing is set to continue today. After hearing those three accounts, Justice Reichbach seemed no less incredulous. Trying to sort out the discrepancies and the contradictory paperwork, he asked Mr. Malewich, the retired detective-investigator, whether a Mafia killing would be considered an important matter around the district attorney's office.

"I would say it would be characterized more as a day-to-day matter," Mr. Malewich responded.

SIGN IN TO E-MAIL

PRINT

INSIDE NYTIMES.COM

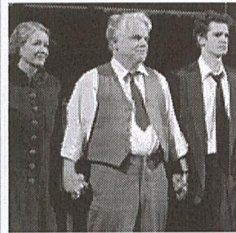


SUNDAY REVIEW »



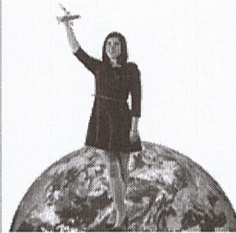
Sunday Dialogue: Books in a Digital Age

THEATER »



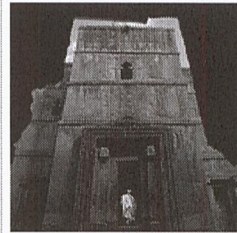
A Play That Resounds in the Heart and the Gut

TRAVEL »



Are Travel Agents Back?

ARTS »

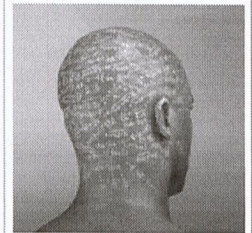


Bedrock of Art and Faith

SUNDAY REVIEW »

Editorial: A Fair Shot at a Job
There are rules about job applicants with arrest or conviction records, and it's time for companies to follow them.

MAGAZINE »



Can You Make Yourself Smarter?

[Home](#) | [World](#) | [U.S.](#) | [N.Y. / Region](#) | [Business](#) | [Technology](#) | [Science](#) | [Health](#) | [Sports](#) | [Opinion](#) | [Arts](#) | [Style](#) | [Travel](#) | [Jobs](#) | [Real Estate](#) | [Autos](#) | [Site Map](#)

© 2012 The New York Times Company | [Privacy](#) | [Your Ad Choices](#) | [Terms of Service](#) | [Terms of Sale](#) | [Corrections](#) | [RSS](#) | [Help](#) | [Contact Us](#) | [Work for Us](#) | [Advertise](#)