

SLAY RAP KO'd IN 'MOB FED' SHOCKER



N.Y. Post: Spencer A. Burnett

FREE MAN: John Sinagra (right), co-defendant in the Lindley DeVecchio (left) case, leaves court yesterday after murder charges against him were dropped.



Jeff Day

Judge blasts 'too late' cops and B'klyn DA

By ALEX GINSBERG

A Brooklyn judge yesterday tossed out cold-case murder charges against a co-defendant of alleged rogue FBI Agent Lindley DeVecchio, slamming cops and prosecutors for waiting 16 years to follow up on a tip.

"Negligence is not good cause," said Justice Gustin Reichbach in announcing his decision to spring John Sinagra, 38, following 15 months in jail.

"The People have failed to meet their burden that there was good cause for this lengthy 16-year delay. As a consequence of this unreasonable delay, the defendant's due process rights have been violated."

After the ruling, Sinagra, who

until his March 2006 arrest worked at a limousine service in Las Vegas, stood up at the defense table and walked out of Brooklyn Supreme Court.

"I just want to go home," he said.

The decision is a major setback to the Brooklyn DA's Office and its prosecution of DeVecchio, a retired FBI supervisory special agent accused of helping orchestrate four murders by funneling inside information to Colombo mobster Gregory "The Grim Reaper" Scarpa.

The Sinagra case, an offshoot of the DeVecchio probe, focused on the May 27, 1990, shooting death of Patrick Porco, a buddy of Scarpa's son Joey.

Prosecutors alleged that De-

Vecchio tipped off Gregory Scarpa to the fact that the 18-year-old Porco was a possible informant. Armed with this information, the mobster ordered his son to rub out Porco, and sent along Sinagra, his nephew by marriage, to assist, prosecutors said.

Both Scarpas are now dead, but prosecutors were ready to present three witnesses who claimed they'd heard Sinagra speak of his role as triggerman.

Then, during a pretrial hearing last month, the case unraveled.

First came evidence that one of those witnesses, longtime informant Jay Novoa, had fingered Sinagra as early as 1995. Inexplicably, police never followed up on the lead.

"The failure to do so was negligent and unreasonable," wrote Reichbach in his decision.

Also damaging were revelations that another witness, Linda Schiro, the longtime girlfriend of Gregory Scarpa and the expected star witness against DeVecchio himself, had spoken with the FBI in 2001 and with her then-biographer, Sandra Harmon, a year earlier.

The decision came just three days after Sinagra turned down a last-ditch 2- to 6-year plea deal.

As for DeVecchio, 67, he still faces trial at the end of the summer for his alleged role in the Porco killing and three other homicides.

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