

# Defense attorney, judge battle at Brink's trial

By Rob Cullivan  
Staff writer

ROCHESTER — Anthony F. Leonardo Jr., the defense attorney for Samuel Millar, one of four suspects in the Brink's armored depot robbery trial, could find himself in contempt of court if he can't

come up with a good reason for heated arguing with the federal judge presiding in the case.

Meanwhile, several prosecution witnesses also testified for the first time on Friday, Oct. 21, and Monday, Oct. 24, about the comings and goings of Millar and a Melkite Catholic priest also on trial for his alleged connection to the fifth-largest heist in U.S. history.

On Oct. 21, U.S. District Judge David G. Larimer called Leonardo's conduct "flagrantly abusive" after he and the defense attorney sparred over what the judge considered inappropriate cross-examination statements made by the attorney.

The exchange took place toward the end of last Friday's proceedings, as Leonardo was cross examining prosecution witness Michael J. Mandzik, a New York City police detective who participated in surveillance of Millar.

In previous answers to questions posed by Assistant U.S. Attorney Christopher Buscaglia, Mandzik had stated that on Aug. 5, 1993, he had seen Millar carrying what appeared to be four bags with bundles of cash into a Manhattan apartment building.

That building, located at 330 First Ave., housed an apartment where authorities later found some of the \$7.4 million stolen in the Jan. 5, 1993, heist of the Brink's armored car depot in Rochester.

Millar is one of three New York City residents facing charges in connection with the heist. Two others from New York City, Father Patrick Moloney, a Melkite Catholic priest, and Charles M. McCormick, a social worker and teacher, are also on trial along with retired Rochester police officer Thomas F. O'Connor.

The trial is taking place in Kenneth Keating Federal Building, 100 State St.

In his cross-examination, Leonardo repeatedly asked Mandzik whether he

## Mendon church garners awards

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MENDON — Whenever St. Catherine of Siena Church is the venue for a wedding or any other celebration, Father Charles J. Latus, pastor, has come to expect compliments on the building.

"The couples always make a point of saying how pleased they are with the space," he remarked of the church, located at 26 Mendon-Ionia Road.

No wonder couples come away smiling from the church — the edifice, completed in 1992, has won three design awards in as many years.

Most recently, the American Institute of Architects' Rochester Chapter bestowed on the Mendon church a 1994 Design Excellence Award. Robert A. Healy, the church's architect, was honored at an AIA dinner in Rochester last Saturday night, Oct. 22.

An architect with Labela Associates, P.C., in Rochester, Healy expressed satisfaction with the award, crediting several people — including members of the parish's building committee — for helping him during the project.

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knew that Millar had left the comic-book store he owned in Queens earlier that day with a large box containing comic books.

Judge Larimer angrily ordered Leonardo to cease his line of questioning.

"You have, in effect, just given testimony," the judge

said. "You know better," he told Leonardo as he pointed his finger at the attorney.

"Don't tell me what I know and don't know," Leonardo replied, as he blasted the judge for pointing his finger at him.

The judge asked the jury to disregard Leonardo's questions, and later told the attorney that he would face a hearing at the end of the trial where he would be

found in contempt of court unless he could justify his line of questioning and behavior during the cross-examination.

Following the proceedings, Leonardo stuck to his position that his line of questioning was legitimate.

"I felt like I was in a position of fighting somebody, and I was handcuffed," the defense attorney said.

On Monday, Oct. 24, the relationship between Millar and Father Patrick Moloney took center stage as several New York City detectives and agents from the Federal Bureau of Investigation testified that both men were seen entering and exiting the Manhattan apartment building and the apartment itself where stolen Brink's money was later found.

Millar and Father Moloney were also

recorded on surveillance camera videotape during an eight-day period in November, 1993, entering and leaving the 10th-floor apartment, according to Louis T. Stith of the FBI.

Stith testified on Friday that the FBI installed a camera with a pinhole-sized lens in an exit sign above a stairwell outside the apartment.

Stith's testimony provided a humorous, albeit brief respite from the detailed and meticulous testimony of prosecution witnesses when he noted that the videotapes taken by the camera had been transported from New York to Rochester on board a Brink's armored truck.

"You figured that would be the safest way," Buscaglia said as the courtroom erupted in laughter.

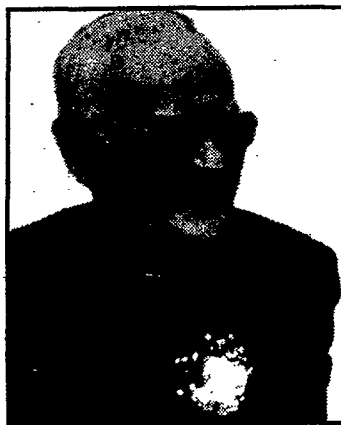


S. John Wilkin/Staff photographer

## Making a difference at the zoo

About 20 clients and staff from DePaul Mental Services volunteered at the Seneca Park Zoo on "Make a Difference Day," a national effort to help communities. In addition to raking leaves and other debris from zoo grounds Oct. 22, volunteers from DePaul also sorted donated goods at Foodlink, and baked cookies and brownies to distribute to organizations such as the James Cottage at St. Joseph's Villa. Above, an elephant appears to be following Tammy Adams, a counselor at a DePaul home in Spencerport, as she sweeps its area.

## Happy 80<sup>TH</sup> Birthday Bishop Hickey!



May you keep "chuggin' along"  
for many years to come!

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Your staff at the Catholic Courier

