

1 MR. BRANCATO: I next call Cesar
2 Rodriguez.

3 C E S A R R O D R I G U E Z,
4 called as a witness, having been first
5 duly sworn, responded to the oath and
6 testified as follows:

7 THE WITNESS: Yes.

8 FOREPERSON: Please be seated.

9 BY MR. BRANCATO:

10 Q. Okay, in a loud voice what's your
11 name?

12 A. Cesar Rodriguez.

13 Q. And, Mr. Rodriguez, what do you
14 do for a living?

15 A. I work for Federal Express as a
16 customer service agent.

17 Q. And is that here in New York
18 City?

19 A. Yes, it is.

20 Q. What do you do for Federal
21 Express?

22 A. I'm a service agent, I take the
23 packages in as customers bring them in.

24 Q. Back on February 4, 1991 did
25 there come a point that day that someone

1 brought a package to be shipped on Federal
2 Express?

3 A. Yes, I remember.

4 MR. BRANCATO: I'm going to mark
5 these Grand Jury Exhibits 7 and 8.

6 Q. What's marked as Grand Jury
7 Exhibit Number 7, please look at it.

8 Do you recognize it?

9 A. Yes, I do.

10 Q. And is that a photo of a receipt
11 from Federal Express for the package that you
12 received on February 4th?

13 A. Yes.

14 MR. BRANCATO: I would move it
15 into evidence.

16 Q. Could you please tell us what
17 address was this package to go to?

18 A. Okay. It was going to Pacel
19 Agula (ph), 2629 Second Section, Levitown,
20 Catano, C-A-T-A-N-O, Puerto Rico.

21 Q. And who was the package addressed
22 to at that address?

23 A. Roman family.

24 Q. And was there a telephone number
25 that was affixed to the bill for the Roman

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family?

A. Yes.

Q. Read the number.

A. 1 8 0 9 7 4 1 6 3 0.

Q. Now, that number 7 8 4 1 6 3 0 who typed that number on there?

A. It came in like that with the air bill. It was already typed in.

Q. This bill, is that a Federal Express receipt, Federal Express bill that can be used to send something through Federal Express?

A. This is the air bill that you send something to Federal Express.

Q. Can people obtained those bills, fill them out at one location and then bring them to Federal Express to have them shipped?

A. Yes.

Q. When the person came in to ship that was that entire bill made out?

A. Yes, it was.

Q. Now, is there some sort of an address for the sender of that?

A. Yes.

Q. What was put on the box?

- 1 A. Okay. It's U.S.A. Electronics.
- 2 Q. U.S.A. Electronics?
- 3 A. Yes.
- 4 Q. And what address was given?
- 5 A. 750 West 181st Street.
- 6 Q. Was there a telephone number that
- 7 was put on the top of the sender's address?
- 8 A. Yes.
- 9 Q. And what's the telephone number?
- 10 A. 2 1 2 7 9 5 0 0 1 1.
- 11 Q. In the lower left-hand part of
- 12 the bill there appears to be a signature of a
- 13 Julio Ortiz, was that signature on the, on the
- 14 bill when you received it?
- 15 A. Yes, it was.
- 16 Q. Was it, was it signed before the
- 17 man came in or did the man sign it in your
- 18 presence?
- 19 A. No, it was signed like that when
- 20 he came in.
- 21 Q. What is said to be the contents
- 22 of that package?
- 23 A. Camera battery pack file,
- 24 F-I-L-E.
- 25 Q. Now, there's a commercial invoice

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1 which is in Grand Jury Exhibit Number 8 for
2 identification, do you recognize that?

3 A. Yes, I do.

4 Q. Invoice --

5 A. Yes.

6 Q. What is that invoice?

7 A. This is a commercial invoice,
8 this is for customers.

9 Q. And was that invoice filled out
10 when the man brought in the package?

11 A. Yes, it was.

12 Q. There's a signature on the bottom
13 of that invoice, was that signature put there
14 when the man was in your store or was it done
15 beforehand?

16 A. It was done before.

17 Q. How many times did the man come
18 into the store to mail this package?

19 A. Okay, he came in, in the morning,
20 then he left to get a money order and came
21 back.

22 Q. Okay, when the man first came in
23 did he attempt to pay by cash?

24 A. Yes, he was.

25 Q. What did you tell him, what is

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1 the practice of Federal Express, do they
2 accept cash?

3 A. We don't accept cash for security
4 reasons today, get a check or money order or
5 bring a credit card with him.

6 Q. Did the man then leave?

7 A. Yes, he did.

8 MR. BRANCATO: This is going to
9 be marked Grand Jury Exhibit Number 9 for
10 identification.

11 Q. Look at that, do you recognize
12 it?

13 A. Yes.

14 Q. What do you recognize it to be?

15 A. This is the money order he
16 brought back with him and then filled it out.

17 Q. Is there an identification number
18 that you printed on that money order to
19 correspond to the number that's on the receipt
20 that the man had when he came in with the
21 package?

22 A. Yes.

23 Q. Now, do you know if the man wrote
24 that out in your presence or was it written
25 out before he came in?

1 A. Okay, he wrote it in there, right
2 in the presence.

3 Q. And what name is on that money
4 order?

5 A. Julio Ortiz.

6 Q. What address is given?

7 A. 750 West 181st Street, New York,
8 New York, 10033.

9 MR. BRANCATO: I have no -- I
10 move it into evidence.

11 Q. Now, approximately a week later,
12 February 11, 1991, did you go to the 34th
13 Precinct?

14 A. Yes.

15 Q. And when you were there did you,
16 were you asked to look at a lineup?

17 A. Yes.

18 Q. Did you recognize anyone in the
19 lineup?

20 A. No, not in that lineup.

21 Q. Could you describe the man that,
22 that you received the package from?

23 A. Okay, he was dark complexion; he
24 was like five, five; not heavy, not light; and
25 Hispanic I think he was.

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Q. Why do you say Hispanic, did he speak Spanish to you, why would you say Hispanic?

A. Well, the way he was, he looks and his talk.

Q. When was this package turned over to Federal Express?

A. On the 4th, February 4th.

MR. BRANCATO: I have no further questions for Mr. Rodriguez.

Just remain seated.

(CONFERS)

Q. I'm sorry, what address do you work at?

A. At that time it was 600 West 160th Street.

Q. And in relation to 225 West 106th Street, where is that?

A. I really don't, I was just working there that day.

MR. BRANCATO: Oh, Okay. Thank you, Mr. Rodriguez, have a seat outside.

(WITNESS EXCUSED)

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