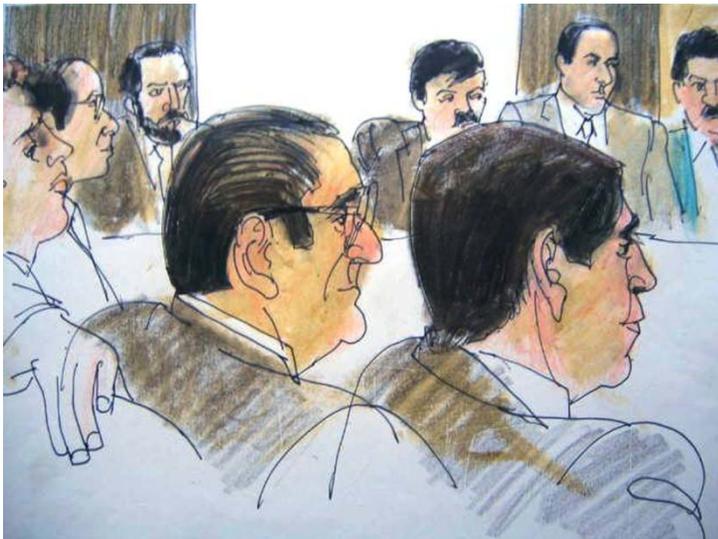


## Cases of Historical Interest In the Southern District of New York

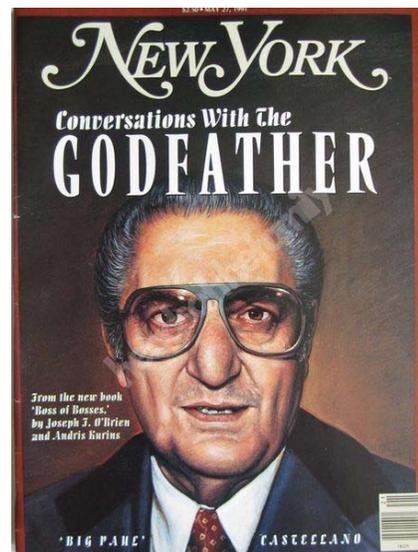
### **United States v. Castellano** Judge Kevin Thomas Duffy

On October 4, 1984, the government filed a 78-count indictment naming 24 defendants and alleging 11 different conspiracies. Judge Duffy severed various counts and defendants and proceeded with the trial of Paul Castellano, the alleged head of the Gambino Crime Family, and nine others on charges of participating in a car theft conspiracy. Two and a half months into the trial, on December 16, 1985, at approximately 5:30 p.m., Castellano and his driver were shot and killed in front of Sparks Steak House on 46th Street between Second and Third Avenues. (In 1992, Salvatore Gravano admitted to the murder and testified that it was on orders of John Gotti, Sr.) After extensive questioning of the jurors as to the impact of publicity, Judge Duffy denied the remaining defendants' motion for a mistrial. The judge dismissed the charges against one defendant at the close of the government's case, the jury acquitted two of the defendants and six were convicted. The convictions of two of the defendants on one of the charges were vacated, but the convictions of the six were otherwise affirmed.

United States v. Gaggi, 632 F. Supp. 1019 (S.D.N.Y. 1986),  
aff'd in part, 811 F.2d 47 (2d Cir. 1987).



Artist: Richard Tomlinson



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