



Murder suspect Bergrin forcefully cross-examines FBI agent during trial

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 8:45 AM October 20, 2011

NorthJersey.com on October 19, 2011 released the following:

“BY PETER J. SAMPSON

Displaying the skills that made him a highly sought-after defense lawyer, Paul W. Bergrin meticulously grilled an FBI agent Wednesday, attempting to discredit her investigation into the murder of a witness he is accused of helping to kill.

Bergrin was so forceful in his questioning of FBI Special Agent Shawn A. Brokos that U.S. District Judge William J. Martini interrupted the cross-examination and asked him to tone it down.

The caution hardly dampened Bergrin’s enthusiasm as he tried to show that Brokos’ testimony was at odds with some of the evidence in the 2004 slaying of the confidential informant, Kemo Deshawn McCray.

Bergrin, 55, of Nutley, is on trial in federal court in Newark, accused of aiding, counseling and inducing others to murder McCray to keep him from testifying against a crack dealer, William Baskerville, who was Bergrin’s client.

Prosecutors also allege Bergrin wanted to silence McCray to protect himself because he was supplying multi-kilo quantities of cocaine to a large-scale heroin and coke ring headed by Baskerville’s cousin, Hakeem Curry.

Much of Bergrin’s questioning focused on the details of McCray’s slaying – the scene after the hit, the make of the getaway car, the trajectory of the bullets and whether the shooter used his right or left hand to pump three bullets into McCray’s head on a Newark street corner

It was all part of Bergrin’s attempt to show that the agent oversaw a less-than-thorough, if not shoddy, investigation, and

Two Indicted for Conspiracy to Provide Material Support to Terrorists

(USDOJ: Justice News)

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Ali Charaf Damache, an Algerian man who resided in Ireland, and Mohammad Hassan Khalid, a Pakistani citizen and U.S. lawful permanent resident who

to raise doubt as to whether the FBI had identified the correct shooter.

Brokos testified her investigation corroborated Anthony Young’s confession that he shot McCray. Young confessed after initially claiming to have served only as a lookout and then changing his story to insist he was never there.

Bergrin pointed out that Young was bald at the time of the murder, and the victim’s stepfather, Johnnie Davis, who was so close that he felt the burning blast of gun powder, described a gunman with shoulder-length dreadlocks.

Shown a photo array of six men with dreadlocks, Davis identified a man who was not Young as the killer, Bergrin said.

Brokos testified that she did not consider that a positive identification because Davis said the man “resembled the shooter.”

“You didn’t think it was important as the lead case agent trying to make an identification in this case to find out what he meant by ‘resembled’?” Bergrin asked. “I understood ‘resembled’ to mean ‘looked like,’” Brokos replied, adding that she did not need a clarification.

Bergrin then elicited testimony that Brokos never showed Davis a photo of Young.

“To your knowledge, did anyone ever show Johnnie Davis a photo of Anthony Young?” Bergrin continued.

“I believe your investigators have,” she replied, adding later that Davis, who blamed her for McCray’s slaying, refused to speak her until recently.

Bergrin repeatedly queried the agent about avenues of inquiry that were not followed up, the failure to show photos of suspects to certain witnesses, and her familiarity with reports by the Newark and Essex County homicide investigators who conducted the initial investigation.

resided in Maryland, have been charged with conspiracy to provide material support to terrorists in a superseding indictment returned today in the Eastern District of Pennsylvania.

Asked if she ever had the four shell casings recovered at the scene tested for fingerprints or DNA, Brokos said she had not.

Despite the intense grilling, Brokos never lost her composure as she defended her handling of the investigation.

Assistant U.S. Attorney Joseph Minish asked the judge during a break to instruct Bergrin to “stop playing games” by asking the agent for details from reports and then not providing the reports when she said she could not be certain without reviewing them.

Martini noted that the agent “handled herself very well.””

Douglas McNabb – McNabb Associates, P.C.’s

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Douglas McNabb and other members of the U.S. law firm practice and write and/or report extensively on matters involving Federal Criminal Defense, INTERPOL Red Notice Removal, International Extradition and OFAC SDN Sanctions Removal.

The author of this blog is Douglas McNabb. Please feel free to contact him directly at mcnabb@mcnabbassociates.com or at one of the offices listed above.

Attorney General Eric Holder Speaks at the Equal Justice Works 25th Anniversary Gala

(USDOJ: Justice News)

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“This evening, as we reflect on the impact and importance of this organization – we have many reasons to be proud, and to be encouraged about the days ahead,” said Attorney General Holder.



Deputy Attorney General James M. Cole Speaks at the Department's National Domestic Violence Awareness Month Event

(USDOJ: Justice News)

Submitted at 12:24 PM October 20, 2011

"Attorney General Holder and I believe that it's essential for the Department of Justice to lead the effort toward understanding how we can better serve victims of domestic violence, and how to prevent these terrible crimes from occurring in the first place," said Deputy Attorney General Cole.

Department of Justice/Federal Trade Commission Issue Final Statement of Antitrust Policy Enforcement Regarding Accountable Care Organizations

(USDOJ: Justice News)

Submitted at 10:45 AM October 20, 2011

The Department of Justice and the Federal Trade Commission today issued the final version of a joint policy statement detailing how the agencies will enforce U.S. antitrust laws with respect to new Accountable Care Organizations.

Sixth Guilty Plea in Connection with Scheme to Fraudulently Control Condominium Homeowners' Associations

(USDOJ: Justice News)

Submitted at 7:18 PM October 20, 2011

Edward Lugo, 47, pleaded guilty before U.S. District Judge Lloyd D. George in the District of Nevada to one count of conspiracy to commit mail and wire fraud.

Texas Resident Sentenced to 24 Months in Prison for Scheme to Defraud the U.S. Export-Import Bank

(USDOJ: Justice News)

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Gilberto Baez-Garcia, 35, was also sentenced by Judge Kathleen Cardone in U.S. District Court in El Paso to five years of supervised release and was ordered to pay \$ 3,614,594 in restitution and \$ 3,614,977 in forfeiture.

FBI Response to ACLU Report

fbi (Current)

Submitted at 6:00 AM October 20, 2011

— Washington, D.C.