

*Robert Mozer—for People—Direct*

The Court: All right, anything else? Any cross?

Mr. Cacciatore: That's it.

Mr. Sparrow: No questions.

The Court: All right, sir, step down.

ROBERT MOZER, residing at 82-67 Austin Street, Kew Gardens, having been called as a witness by the People, was duly sworn and testified as follows:

Direct examination by Mr. Cacciatore:

Q. Mr. Mozer, what apartment do you occupy at that premises? A. 715.

The Court: That is the 7th floor?

The Witness: Yes, sir.

Q. Now, on the early morning of March 13th of 1964 were you at home? A. Yes.

Q. And sometime on that early morning did you hear something? A. Yes. I heard a girl saying, "Help me, help me." It wasn't a scream. It wasn't a cry. It was more just like a talk like, "Help me, help me."

Q. Where were you at that time when you heard this scream? A. I was sleeping in my front room right on the street.

The Court: That faces on Austin Street?

The Witness: Yes, sir.

Q. Now, did you do something after you heard what you said you heard? A. Yes, sir.

Q. What did you do? A. I got up and looked out the window. This window hadn't any screen on it. One window had a screen but the other was off.

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The Court: Just tell us what you did, please.

A. (cont'g) I looked out the window and looked across the street and I saw this girl at the book store, kneeling down, and this fellow was over her in a kneeling position.

Q. Just a moment. You say "the book store". Let me fix location—the book store. Is that shown on People's Exhibit 1, the book store?

The Court: You say this took place in front of the book store?

The Witness: Yes.

The Court: And is the book store, 82-64?

The Witness: Right opposite.

The Court: Austin?

The Witness: Right opposite.

Q. Is that it, 82-64? A. Yes.

Q. Is that where the light is? A. That's right.

Q. All right. Now, tell us what you saw? A. Well, I saw this fellow bending over this girl and she was in a kneeling position and he had her down like kneeling over, bending over her, and I hollered.

Q. What did you say? A. I hollered, "Hey, get out of there," or "What are you doing?" And he jumped up and run. He just run as fast——

Q. In what direction did he run? A. I would say that would be northwest, right up——

Q. With reference to the streets? A. Right up Austin Street.

The Court: Tell us how he ran.

The Witness: He ran like a scared rabbit. He ran real fast. I never saw anybody take off as quick. I mean he was very small and active.

The Court: All right.

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Q. I show you this People's Exhibit 1. This shows Lef-ferts Boulevard, is that so? A. Yes.

Q. This is the location, 82-64, where you saw him? A. Yes.

Q. What direction did he run to? A. Up this way.

Q. Up this way. In other words, up towards 82 40, is that so? A. That's right, up this way past the railroad station, right on up.

Q. And did you lose sight of him then? A. Yes, sir.

Q. Now, did you notice the girl in front of 82-64? A. Yes, sir.

Q. Did you keep looking at her? A. I kept looking at her and I watched her.

Q. What did she do? A. She got up, stood up, and kind of looked around like that and just started walking off.

Q. Walking in what direction? A. Around where he ran towards the end of the building, there is a drug store right there and she turned left.

Q. She turned the corner? A. And went and then I couldn't see her any more.

Q. Then you couldn't see her, is that right? A. Yes.

Mr. Cacciatore: You may inquire.

Mr. Sparrow: No questions.

The Court: You say she turned left at the corner where the drug store is?

The Witness: Yes, sir.

The Court: All right, sir. You may step down.

Mr. Cacciatore: Miss Picq, please.