

CIRCUIT COURT - 11th JUDICIAL CIRCUIT

DADE COUNTY "CRIMINAL DIVISION"

THE STATE OF FLORIDA

VS. NO. 73- 2592 -CF- -03

Valentin Hernandez

Bonds *500 - B7C*

Bond Estreature DEC 14 1973 *paid 1-14-74*

Alias Capias DEC 14 1973 *APR 1 1975 served 7/23/77*

	MAY 14 1973	JUN 27 1973	DEC 14 1973	AUG 30 1977	DEC 2 01978	
Arraignment						
Guilty						
Not Guilty	<input checked="" type="checkbox"/>					
Waiver of Jury		<input checked="" type="checkbox"/>				
State	<i>J. McGuirk</i>	<i>do</i>	<i>J. McGuirk</i>	<i>Kay</i>	<i>Kay</i>	
Defense	<i>N. Barone</i>	<i>do</i>	<i>N. Barone</i>	<i>Barone</i>	<i>B. Barone</i>	<i>e. STEWART</i>

Evidence

w/m 11-8-42 ✓

4100 NW 112 Terrace

no good ✓

I. D. # *167968*

Notify Parent

Appoint Public Defender

SATIN, J. M. JOSEPH DURANT, JR.
 DATE 01978
 SEARCHED
 INDEXED
 SERIALIZED
 FILED
 SEC. 11

Guilty						
Not Guilty	✓					X
Waiver of Jury		✓				
State	J. McQuirk	do	J. McQuirk	Kaye		
Defense	N. Barone	do	N. Barone anp	Barone E. STEWART		/
Reporter	R. Pollack	do	A. Kroeger	M. Stone	H. Carr	

	Deft.	Continued	S	D
MAY 14 1973 20 days mtng				
JUN 27 1973 Writter Waiver Speedy Trial (also 73-3303)		5-3-73		
State elected to proceed on 73-3303		MAY 3 1973		
AUG 30 1977 Oral Waiver of Speedy Trial		5/7/73 Arr.		✓
		5/14/73 Arr. w/ Atty		✓
	MAY 14 1973	6-18-73 TR		
	JUN 6 1973	7/2/73 TR		✓
	JUN 27 1973	9-4-73 ^{rept} to date		
		9-18-73 TR 10:30 AM		✓
	SEP 15 1973	do		
		11-19-73 Rpt TR date		
		12-3-73 Rpt TR date		
Information Dismissed	11/19/73	12-14-73 TR		
	DEC 6 1973	do nonjury		
Case Dismissed	JUL 25 1977	7-28-77		
	JUL 28 1977	8-5-77 trl date		
	AUG 5 1977	8-31-77 re-statute		
No Further Information	AUG 1 1977	10-17-77 TR		
	OCT 17 1977	12-22-77 TR		✓
Absentee Docket	DEC 12 1977	1-30-78 TR		✓
	JAN 30 1978	1-31-78		
Nolle Pros	DEC 20 1978	2-1-78		
		3-27-78 TR		✓
		5-11-78 refile-TR DATE		

CLOSED

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IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR DADE
COUNTY, FLORIDA

CRIMINAL DIVISION
CASE NO. 76-8145

STATE OF FLORIDA,)
)
 Plaintiff,)
)
 vs.)
)
 VALENTIN HERNANDEZ,)
)
 Defendant.)
)

Miami, Florida
January 26, 1978
4:00 o'clock P.M.

APPEARANCES:

JANET RENO, ESQ., State Attorney,
by ROBERT KAYE, ESQ., Assistant State
Attorney, appearing on behalf of the
Plaintiff.

NATHANIEL L. BARONE, JR., ESQ.,
appearing on behalf of the Insolvent
Defendant.

- - - - -
DEPOSITION
OF
ORLANDO MARTINEZ

MATZ, TRAKTMAN & ASSOCIATES
CERTIFIED SHORTHAND REPORTERS
316 BISCAYNE BUILDING
MIAMI, FLORIDA

Deposition of ORLANDO MARTINEZ, taken by the Defendant for the purpose of discovery and for use as evidence in the above-styled cause, wherein State of Florida is the Plaintiff and Valentin Hernandez is the Defendant, pending in the Circuit Court of the Eleventh Judicial Circuit in and for Dade County, Florida, Criminal Division, pursuant to notice heretofore filed, before LONNIE C. MORRIS, a Notary Public in and for the State of Florida at Large, at Room 810, Dade County Law Library, Metropolitan Justice Building, 1351 Northwest 12th Street, Miami, Florida, on the 26th day of January 1978, commencing at 4:00 o'clock P.M.

- - - - -

Thereupon--

ORLANDO MARTINEZ,

a witness named in the notice heretofore filed, called by the Defendant, was first duly sworn in the above cause and testified as follows:

DIRECT EXAMINATION

BY MR. BARONE:

Q Please state your name and your official position.

A Detective Orlando Martinez, City of Miami, robbery detail.

Q How long have you been a police officer?

A Eight years.

Q What department have you been with and what are you currently assigned to?

A I was three and a half years in robbery and besides that I have been assigned to you name it.

Q Do you know Valentin Hernandez?

A Yes, sir.

Q Concerning the homicide of Luciano Nieves, which occurred on February 21, 1975, did you have anything to do with the investigation per se of that homicide or in any of the events that took place after that date?

A I contacted Detective Rivers, at the funeral home with copies of reports on Valentin Hernandez, that he could be a suspect.

Q Outside of that incident to this date did you have anything to do with this investigation?

A Nothing else.

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Q Any particular reason why you were at the wake and funeral of Mr. Nieves?

A Number one, I work that area which is all Cubantown. Number two, because of my past experience with Valentin Hernandez and Mr. Nieves which was the threat that I knew about in Court.

I thought that he could be a suspect.

Q Did you expect to accomplish anything at being present at the funeral itself?

A No, I called for Detective Rivers at the County and I was told that he was at the funeral home and I went there and gave him the information and I split.

Q You did have the occasion to get involved in an investigation concerning an alleged assault by Mr. Hernandez against Luciano Nieves some time back in 1973, did you not?

A No, sir, I was not in the investigation but I made the arrest. I arrested Valentin Hernandez.

Q For the alleged aggravated assault?

A Yes, sir. I was not a homicide detective at the time.

Q Were you present at Court some time in March of 1973, when there was a preliminary hearing, a Magistrate's hearing on the alleged aggravated assault charge against Mr. Hernandez?

A On the 29th of March.

Q Do you recall or recollect me being present?

A I don't recall that.

Q Do you recall or recollect Mr. Willie Salon being present?

A I don't recall that either.

Q Do you recall Mr. Jesus Lazo being present?

A I knew there was a large group of people.

Q Do you recall what floor that preliminary hearing took place on?

A If I recall I think it was the second floor.

Q Do you recall who the Judge was?

A I do not.

Q I would assume that you recall Mr. Nieves being present?

A Yes, sir, definitely.

Q Do you recall the witnesses to an alleged incident which took place some time during or on the day of March 29, 1973, which I will give you their names, Abilio Carrea?

A Yes.

Q Jose Hernandez?

A Yes.

Q Salvador Aldereguia?

A Yes.

Q Were these friends and associates of Mr. Nieves?

A Like I said before, I did not investigate the aggravated assault. I do not know who was a friend of his or not.

I know there were witnesses on behalf of Nieves on the alleged aggravated assault. I made the arrest, the apprehension of Valentin Hernandez. That is why I was there.

Q Actually, it is my recollection that there was a fellow by the name of Lemon or Lemus who was an alleged purported witness to the aggravated assault?

