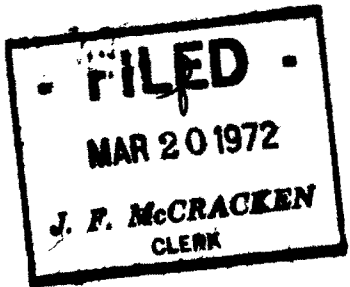


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IN THE CRIMINAL COURT OF RECORD  
IN AND FOR DADE COUNTY, FLORIDA.

CASE NO.: 71-10605



THE STATE OF FLORIDA, :  
 :  
Plaintiff, :  
 :  
-vs- :  
 :  
LOUIS LICOR, :  
 :  
Defendant. :  
 :  
\_\_\_\_\_ :

Suite 414, Conference Room  
Dade County Justice Building  
1351 Northwest 12th Street  
Miami, Florida  
Friday, 4:10 o'clock p.m.  
March 3, 1972.

- - -

EXCERPT OF DEPOSITION

- - -

D E P O S I T I O N

of

DENSET SERRALTA  
taken on behalf of the Defendant  
pursuant to a Subpoena Duces Tecum

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APPEARANCES:

JEFFREY COHEN, ESQ.,  
Assistant State Attorney  
( Not Present )

LAWRENCE S. KATZ, ESQ.,  
and  
ROBERT A. SPIEGEL, ESQ.,  
Attorneys for the Defendant.

ALSO PRESENT:

LOUIS LICOR  
  
ROLANDO POZO,  
Interpreter.

- - -

THEREUPON:

DENSET SERRALTA

was called as a witness and, after having been  
first duly sworn, was examined and testified on  
his oath as follows:

\* \* \* \* \*

DIRECT EXAMINATION

BY MR. KATZ:

\* \* \* \* \*

Q [By Mr. Katz] Do you remember  
the date that this thing happened to your father?

A Yes, December the 9th.

Q Okay. Of 1971?

A Yes. It was on a Thursday,

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1 December the 9th, of 1971.

2 Q All right. Where were you at  
3 that time?

4 A You mean when the shooting  
5 started?

6 Q Yes, sir.

7 A I was in the interior room, which  
8 is his office, but it is called the interior room.

9 Q Okay.  
10 Were you with your dad at that  
11 time?

12 A Well, I was inside the office,  
13 but not with him.

14 Q You were not with him, directly.

15 A No, I wasn't.

16 Q Okay.  
17 Now, what was the first thing  
18 that you heard or saw?

19 A Two shots.

20 Q Bang. Bang?

21 A Yes. I didn't see any then,  
22 but I heard two shots. See, I mean, I was inside,  
23 and that is why I didn't see anything at that time.

24 Q Could you tell where the shots

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1 were coming from?

2 A Yes. They were coming from the  
3 front, from the printing presses,

4 Q In front of the building?

5 A Uh-huh.

6 Q And then what did you do, after  
7 you heard the shots?

8 A I came out to see what was going  
9 on--I mean, you know [indicating].

10 Q Where did you go, to the front  
11 of the building?

12 A No. You see, there is a---

13 Q Here are the pictures [indicating].  
14 Go ahead and point out which one it was.

15 A Well, they are no good. See,  
16 they have to be pictures of the inside. I was inside  
17 of the building at the time.

18 Q Well, we do not have any pictures  
19 of the inside.

20 A See, I was inside. I was inside  
21 an interior office like that [indicating], and from  
22 that office, you can go in a hallway---

23 See, from that office, from the  
24 interior office, you go from there into a hallway,

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1 and, then, that hallway connects you with the  
2 printing presses and the salon--you know, the place  
3 of the meetings, and every other thing.

4 Then, when I came out in there,  
5 that is when I was able to see what was going on,  
6 you know, in the front of the door of the printing  
7 presses.

8 Q How far were you away from the  
9 front door of the printing presses or press?

10 A No, press. Printing press.

11 Q Okay.

12 How far were you away from the  
13 front door of the printing press?

14 A Well, I couldn't give it to you  
15 in feet, but it was right in front of the door of  
16 the office, my dad's office, and I would say that  
17 that would be maybe, maybe fifty feet or so. I  
18 don't know for sure.

19 Q Okay. That is good enough.

20 A Now, maybe it is less than that.  
21 Maybe it is less than fifty feet. I don't know for  
22 sure.

23 Q Okay. That is approximately.

24 A Uh-huh.

1 Q Now, did you have lights on,  
2 inside the building?

3 A Yes.

4 Q Were there lights on outside  
5 of the building, too?

6 A Outside?

7 Q Yes.

8 Were there lights on, outside  
9 the building?

10 A Yes. We should have--well, I  
11 don't really remember. I can't really tell you now  
12 if we had them on or not. I mean, maybe somebody  
13 shot them off, you know. I don't know. But, any-  
14 way, usually, we usually have lights on outside of  
15 the building when somebody is inside.

16 Q Okay.

17 Now, what did you do, or what  
18 did you see at that time?

19 A Well, like I told you, when I  
20 came out of the office, I saw my dad--I mean, I  
21 couldn't see him very well, but I knew that he was  
22 sort-of down in a corner. I mean, I could see that  
23 he was sort-of down in a corner.

24 Now, what really put my eyes wide

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1 open, or what really caught my eyes, was I saw a  
2 wide, super-van, and I could see that this wide,  
3 super-van had its doors open, and I could also see  
4 two men. I mean, as far as I could see, I could  
5 see two men, but I couldn't see them too good. Any-  
6 way, I saw these two men inside this super-van, and  
7 I saw that they were shooting down to my dad.

8 Now, all I can remember besides  
9 that is that there were sparks coming out from the  
10 shots, of course, and I heard them. I could hear  
11 the shots.

12 Q You heard the shots?

13 A Uh-huh.

14 Q Did you see what kind of guns  
15 they had? Could you see them at all?

16 A No, I couldn't tell you what  
17 kind of guns they had because I didn't really look  
18 at the type of the gun they had in their hands. I  
19 mean, all I remember is that I saw the sparks. I  
20 saw the sparks.

21 Q Where were the sparks?

22 A Coming from the guns.

23 Q Okay.

24 Were you able to tell how the

1 men were dressed?

2 A No. I mean, I know they had on  
3 the regular-type dress. I mean, they were dressed  
4 the regular way a person dresses, you know? I mean,  
5 I couldn't remember colors, or anything like that,  
6 but I know they were dressed the regular way a person  
7 dresses.

8 Q Okay. No problem. No problem.

9 Now, how long did you stay there  
10 and observe? How long did you stay there and observe  
11 the shooting, and how long did the shooting last, if  
12 you remember?

13 A Oh, very little. I mean, I  
14 couldn't tell you--- I mean, many things happened  
15 that night, you know, but it was all very short.  
16 It was all over in a very short time, a very short  
17 time.

18 Q Okay.

19 Do you have any idea how many  
20 shots were fired?

21 A Well, at least the first two,  
22 and, then, after that, I lost count.

23 Q All right. What did you next  
24 observe, after you heard the shots?

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1                   A           Well, like I told you, I came  
2 out into the hall, and then when I saw the shooting  
3 going on, I then came to the front of the hall and  
4 passed back into the office to call the police.

5                   Q           Did you stay in the front of the  
6 building to watch the rest of this, or did you run  
7 to the phone?

8                   A           No. I ran to the phone.

9                   Q           Then you called the police?

10                  A           Then, I called the police; that  
11 is right.

12                  Q           Where was your father at this  
13 time, sir?

14                  A           In the front.

15                                You mean, at the beginning of the  
16 shooting--

17                  Q           Yes.

18                  A           [Continuing] --or after I called  
19 the police?

20                  Q           No. The beginning of the shooting  
21 is what I am interested in.

22                                Where was your father at the  
23 beginning of the shooting?

24                  A           Well, I was in the office. I

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1 mean, I knew that he was in the shop working on  
2 something, and, then, I was working, too, on some-  
3 thing, so I didn't pay too much attention where he  
4 was in the shop.

5 Then, after I heard the shooting,  
6 though, I came out and I saw the two men, and then  
7 I saw my dad--see, my dad was like this [demonstra-  
8 ting]--but I couldn't see him too good because of  
9 where I was standing.

10 Q You were blocked, in other words?

11 A Right, because the halls are  
12 narrow, you know, and I could just see small things,  
13 that is all.

14 Q After you called the police, where  
15 was your father?

16 A Well, after, he came to me.

17 Q He came back to you after?

18 A Yes.

19 Q Were you on the phone at that  
20 time, sir?

21 A No. See, I had left the phone  
22 at that time.

23 Q You had finished your call to  
24 the police, in other words?

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1           A           Yes, at this time I had finished  
2 my call to the police.

3           Q           Okay.

4                        What did your father say to you  
5 at that time?

6           A           Well, he suggested to me to call  
7 the police. I mean, I had already called the police,  
8 but he didn't know.

9           Q           He didn't know?

10          A           No.

11          Q           Okay.

12                        Then what happened?

13          A           See, he was all bloody on the  
14 front of the forehead, and the hands, too. I mean,  
15 the hand didn't really bother me too much, because,  
16 you know, it was running, but when I saw the head,  
17 the head bothered me because I had thought that it  
18 was a bullet that had gone threw, you know?

19          Q           Did you tell him that you had  
20 called the police already?

21          A           I can't say yes.

22          Q           All right. Don't guess.

23          A           I mean, maybe I didn't even  
24 think what he was talking about, you know? I mean,

1 I don't know.

2 Q But you remember that he told  
3 you that, to call the police?

4 A Yes, I remember that he told me  
5 that.

6 Q What did the two of you do at  
7 that time?

8 A After that, he just took his  
9 position, and kind-of like shifted down [indica-  
10 ting], you know, and I don't remember where he  
11 kind-of shifted down, but I do remember that he  
12 kind-of shifted down at that time. You know, I  
13 mean, he kind-of took cover, you know, because he  
14 was afraid that they might come back, again.

15 Q Do you know if they had left  
16 at that time, after the police came?

17 A No. I mean, they moved over to  
18 the side, you know, but I could hear a motor running,  
19 too, but I couldn't see if they left at that time  
20 or not because I didn't go out to see.

21 Q Okay. So, what happened next?

22 A Well, you mean, after the motor  
23 and all that?

24 Q Well, after you stayed back there

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1 with your dad? In other words, after you stayed  
2 back there with your dad, did you go back to the  
3 front of the door at all?

4 A No. No.

5 See, after that, we heard the  
6 sirens, you know, and then we figured that they  
7 must have gone, or something, you know, and then  
8 the police came right fast through the front of  
9 the door.

10 Q Did they come through the  
11 front of the door?

12 A No. No, because there is a  
13 small road--- See, there is a small road, you know,  
14 there. You see, right here [indicating], right  
15 here is a road, and that is where they came threw,  
16 and from the road, they came right threw the front  
17 of the door over here [indicating].

18 Q You are using picture 1A for  
19 Identification now, right?

20 A Right.

21 Q And you say that the police  
22 pulled right up in front of the building; is that  
23 right?

24 A Yes.

1 Q And they came right in front  
2 of the door with the circle with a cross in the  
3 center?

4 A What?

5 Q They came in threw the door  
6 that has a circle above it with a cross in the  
7 center of it; right?

8 A Yes.

9 Q Okay.

10 Did the police go outside,  
11 or did you go outside to them?

12 A Did the police go outside?

13 Q Did you go outside to the police  
14 when they came, or did the police go outside after  
15 they came in, first, or just what happened at that  
16 point?

17 A No, they came in to us.

18 Q Then did you and your father  
19 have a conversation with the police?

20 A Well, yes. They started asking  
21 us, you know, what happened here, and all that kind  
22 of stuff, you know, and then there was another man  
23 there on the floor, too, that [indicating]---

24 Q You say you saw somebody on the

1 floor?

2                   A           Yes, the man. I mean, he was  
3 all bloody, you know, when I saw him there. I  
4 mean, I don't remember whether it was him [indi-  
5 cating]. I mean, I guess it was him [indicating].

6                   Q           You say you guess "it was him",  
7 why do you say that?

8                   A           Well, he is over here. I  
9 mean, I can't say for sure it was him. I mean,  
10 I couldn't recognize him for sure because he was  
11 too bloody, you know, when I saw him there, on  
12 the floor.

13                                   I mean, when I saw him, he  
14 just went like that [indicating] and looked up a  
15 little, and then went down, again, like this [indi-  
16 cating], so I don't recognize him too good, but  
17 I just guessed that because he was here, you know?

18                   Q           You don't recognize him, then,  
19 do you?

20                   A           No.

21                                   Even if he looked at me for some  
22 time, I couldn't recognize him, really.

23                   Q           That's okay. No problem.

24                                   But you saw the man lying down;

1 right?

2 A Yes.

3 Q Where was he in relation to  
4 your building?

5 A He was right beneath the door.  
6 I mean, the name of the door, I don't know, but he  
7 was right beneath the door.

8 Q Okay.

9 Did he have a gun with him at  
10 that time?

11 A He had a shotgun below him.  
12 I remember that he had a shotgun below him.

13 Q It was underneath him?

14 A Yes.

15 I remember when I saw him that  
16 he had a shotgun below him, underneath him.

17 See, I didn't know he was there  
18 until I came out from my hiding place--I mean, the  
19 office.

20 Q Were you with your father when  
21 he gave a statement to the police?

22 A Not all the time, no. I mean,  
23 he started talking to the police. Then I moved  
24 over because some friends had come, and all that,

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1 so I couldn't really tell you what the order of  
2 things were, you know?

3 Q Okay.

4 Did you give a statement to the  
5 police?

6 A Yes.

7 Q What did you tell them?

8 A Well, they talked to me and,  
9 you know, they asked me stuff like why did I think  
10 this happened, and all that kind of stuff, and that  
11 was it.

12 Q Why did you think it happened?

13 A Well, I couldn't really tell them  
14 what it was, you know, of why this thing happened.  
15 I mean, I am not sure why it happened, you know,  
16 but I think maybe the politics had something to do  
17 with it, you know. I mean, that is the only thing  
18 I can think of of why they would have done it, you  
19 know?

20 Q Okay.

21 Do you think it was a political  
22 reason?

23 A Well, that is possible. There  
24 is no other reason.

1 Q Have you learned, since the  
2 incident, why they may have done it?

3 A Well, I couldn't really tell  
4 you that, sir. I mean, I haven't learned why they  
5 could have done it. I mean, there are a thousand  
6 suspicions, you know, as to why it could have been  
7 done.

8 Now, it could have been this  
9 guy [indicating] or another guy, or another guy,  
10 or another group. I mean, I don't know. I really  
11 don't know.

12 Q Okay. But it is political; right?

13 A Well, the most part of it, yes.  
14 I mean, if it is not political, then it is something  
15 that my dad knows and I don't know.

16 Q Okay.

17 Now, did your father have a gun?

18 A Like, how?

19 Q Well, did he have a gun with him  
20 that night?

21 A Well, he always keeps a gun in  
22 the office. I mean, he always keeps a gun in the  
23 office in case of any assault or hold up, or any-  
24 thing like that. I mean, he always keeps the gun

1 with him or on him, you know; at least, that is  
2 what I know of.

3 Q What type of pistol is that,  
4 or what type of pistol was that?

5 A [No response]

6 Q It was a pistol, wasn't it?

7 A What he had, you mean?

8 Q Yes.

9 A No.

10 See, it was a revolver. I mean,  
11 it is the one that goes around, you know? It is  
12 the type that goes around. Revolver, right?

13 Q Okay. Revolver.

14 A Well, I mean, I don't know if  
15 it is the same one he used or not, but that is the  
16 one he uses or keeps in there with him all the time,  
17 you know?

18 Q But, at the time, he had a  
19 revolver on him.

20 A That is right. He had a revolver  
21 on him, like he always has.

22 Q Okay.

23 Where did he normally keep the  
24 revolver?

1                   A           Inside his ~~bureau~~ sometimes,  
2                   and sometimes inside the printing press office.  
3                   I mean, it depends.

4                   Q           Okay. Did he ever carry it  
5                   around with him?

6                   A           You mean with him or on him, or  
7                   what?

8                   Q           Yes.

9                   A           No. No, not usually. Not  
10                  usually he didn't.

11                  Q           Okay.  
12                                Were you with him on this parti-  
13                  cular night?

14                  A           [No response]

15                  Q           You were with your dad, weren't  
16                  you?

17                  A           Yes.

18                  Q           Did you happen to see his gun  
19                  that night, before this thing happened?

20                  A           No, I didn't really pay that  
21                  much attention to it because I never thought we  
22                  were going to ever use it, you know? I mean, I  
23                  thought it wasn't---

24                  Q           Let me ask you this, then: If

1 he had it in his hands--and, I am now talking  
2 about immediately before this thing happened, like  
3 immediately before---

4 A Wait a minute. You better start  
5 over, please.

6 Q Okay.

7 Immediately before this thing  
8 happened, if he had it in his hands, or if he was  
9 wearing it around, in his holster, or if he was  
10 wearing it in his belt, or if he had it in his  
11 sock, or if he was carrying it around in his hands,  
12 you would have seen it, wouldn't you?

13 A Yes, I guess, unless he had it  
14 concealed.

15 Q But if it wasn't concealed, you  
16 would have seen it; right?

17 A I would have noticed it on him,  
18 yes.

19 Q Okay.

20 Did he make a habit--if you  
21 know--of carrying it around on his person?

22 A No. I never seen it on him.  
23 I mean, I knew he always had one in the bureau,  
24 or in the printing press, but I never seen it on

1 him just, say, for him to carry it around like,  
2 for nothing.

3 Q In other words, you are saying  
4 that he doesn't make like a cowboy, carrying a gun  
5 around; right?

6 A Huh?

7 Q He doesn't make like a cowboy,  
8 carrying a gun, does he?

9 A No.

10 Q Okay.

11 Do you know if your father was  
12 ever threatened before this?

13 A Threatened?

14 Q Yes.

15 A No. I mean, you can't say  
16 threaten, you know, is like we are going to do  
17 what they did to him. I mean, you know, what they  
18 tried to do is they tried to kill him; however,  
19 before, we did have about, almost exactly two weeks  
20 before, somebody passed in front of the office,  
21 this store here [indicating], and they, you know  
22 [indicating].

23 Q Right in front of the building?

24 A Yeah. See, they shot six shots,

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1 or something like that, and then they just left.  
2 I mean, it sounded like six shots, you know, but  
3 we all thought it was some drunk from the back,  
4 or something. We didn't really think it was some-  
5 body shooting at us.

6 See, there is a bar right over  
7 here [indicating], and we thought that they were  
8 crazy or something over there, you know. I mean,  
9 it might have been something else, but we just  
10 thought it was some drunk; that is all.

11 Q Did your father get disturbed  
12 after that shooting?

13 A Everybody got disturbed after  
14 that; sure.

15 Q Did he take precautions after  
16 that?

17 A Well, yes, he did. For example,  
18 he never goes away alone anymore. I mean, in that  
19 day, it was only me and him, you know, 'cause we  
20 didn't expect anything, you know, but from since  
21 then on, now everybody goes out at the same time  
22 from there.

23 Q Okay.

24 Now these people, whoever they

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1 were, shot threw that door; right?

2 A Yes.

3 Q And the time this incident  
4 happened was on a Thursday night--

5 A Yeah.

6 Q [Continuing] --and from that  
7 day on, did he take any precautions from that night  
8 on?

9 A You mean from today?

10 Q No.

11 You said before this incident  
12 happened--and, this happened on December 9th, right,  
13 of 1971?

14 A Yes.

15 Q Okay.

16 Well, you said that about two  
17 weeks before this incident happened--

18 A Yeah, two weeks.

19 Q [Continuing] --somehow somebody  
20 shot threw that door; right?

21 A Yes.

22 Q Okay. Between that two-week  
23 period, was your father upset or did he take any  
24 precautions to protect himself?



1                   A           No, not that day. Not that I  
2 know of.

3                               See, he never communicated that  
4 he was upset to me, and I wasn't upset, either, about  
5 it, you know, because, like I said, I really thought  
6 it was some drunk or something.

7                   Q           That is the reason why you did  
8 not care about it; right?

9                   A           Right.

10                  Q           So you spoke to the police  
11 officers on that night--getting back to December  
12 the 9th--right?

13                  A           Uh-huh.

14                  Q           Okay.  
15                               Did you speak to them after  
16 that night?

17                  A           The police officers?

18                  Q           Yes, sir, in regard to this  
19 case.

20                  A           Huh?

21                  Q           I mean, we all speak to them  
22 every day--

23                  A           Right.

24                  Q           [Continuing] --but did you speak

1 to them after that night, the night of December 9th,  
2 in regard to this case?

3 A Well, yes. See, once in a while  
4 I would see a police officer pass by there every  
5 day, you know, and he would or they would go buy some-  
6 thing in the store over there, you know, and I would  
7 see them once in a while there, you know, but that  
8 was all.

9 Q But you never discussed this  
10 case with them?

11 A No.

12 Q Actually, is this the first  
13 time you have talked about this case to anybody?

14 A This, here?

15 Q Yes.

16 A No--I mean, we talked about the---

17 Q I mean, has anybody who is an  
18 attorney or police officer talked to you about this  
19 case?

20 A An official, you mean?

21 Q Yes.

22 A Well, I talked to a detective,  
23 a detective that went over there, you know, and he  
24 asked me some questions, and all that about this

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1 case here, but, then, that was it. No more than  
2 that, you know? I didn't talk about it no more  
3 than that.

4 Q But what we discussed today,  
5 the questions we already discussed today, no one  
6 asked you questions like that?

7 A Like I say, the detective, he  
8 asked me a couple questions, but that was it. It  
9 was no more than that.

10 Q Did he ask you if you thought  
11 this was a political thing?

12 A Yes. You know, he asked me who  
13 did you think did it, and has anybody been going  
14 around here, and has anybody threatened us or my  
15 dad, and stuff like that; the same thing.

16 Q Okay.  
17 What were the answers to those  
18 questions?

19 A No, because I didn't expect  
20 anything, because that I know of nobody took any  
21 precautions, or anything like that, so we weren't  
22 expecting anything like that to happen.

23 Q Okay. Is there anything that  
24 happened on this night, in relation to this incident,

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1 that has gone on, that I don't know anything about?

2 A No.

3 I mean, I went to the hospital  
4 with my dad, and that was it.

5 Q That is the whole thing, then.

6 A Yes, and then, after that, after  
7 I went to the hospital with my dad that night, then  
8 I went home with him; that is all.

9 MR. KATZ: Thank you very much.

10 Off the record a minute, Madam  
11 Reporter.

12 [Thereupon, discussion was  
13 held off the record.]

14 [Thereupon, the witness  
15 waived the reading and  
16 signing of the deposition,  
17 and the taking of the depo-  
18 sition was concluded at  
19 4:25 p.m.]

20 \*\*\*\*\*

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CERTIFICATE OF REPORTER


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STATE OF FLORIDA )  
                          ) SS:  
COUNTY OF DADE )

I, ESTHER ANTHONY, Court Reporter and Notary Public in and for the State of Florida at Large, do hereby certify that I reported in shorthand the deposition of BENSET SERRALTA; that the deponent was first duly sworn by me; and that the foregoing pages, numbered 1 through 28, inclusive, constitutes a true and correct report of the excerpt of the deposition by the said witness.

I further certify that I am not an attorney or counsel of any of the parties, nor a relative or employee of any attorney or counsel connected with the action, nor financially interested in the action.

WITNESS my hand and official seal in the City of Miami, County of Dade, State of Florida, this 6th day of March, 1972.

  
ESTHER ANTHONY, Notary Public in And For The State Of Florida At Large.

NOTARY PUBLIC, STATE of FLORIDA at LARGE  
MY COMMISSION EXPIRES DEC. 1, 1978  
BONDED THRU GENERAL INSURANCE UNDERWRITERS