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

CRIMINAL DIVISION

STATE OF FLORIDA,)
)
 vs.)
)
 ANTONIO CALATAYUD,)
)
 Defendant.)
)
 _____)

No. 77-29739

78 APR 12 AM 8 57
FILED FOR RECORD
CLERK OF CIRCUIT COURT
DADE COUNTY, FLA.
03

DEPOSITION OF:

FELIPE RIVERO

April 10, 1978
Monday, 11:30 a.m.

Taken on behalf of the State of Florida at the
Metropolitan Justice Building, 1351 Northwest 12th
Street, Miami, Florida, pursuant to Notice of
Taking Deposition.

JOE TROIANO

OFFICIAL REPORTER, CIRCUIT COURT
TELEPHONE 374-1714

14 N. E. 1st Avenue / Suite 1412 Ainsley Building / Miami, Florida 33132

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WITNESS

DIRECT

CROSS

Felipe Rivero

3

--

EXHIBITS

(None marked)

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APPEARANCES:

1 JANET RENO, State Attorney, by
2 ANDREW SLATER, Certified Legal Intern,
On behalf of the State of Florida.

3 GINO NEGRETTI, Esquire,
4 On behalf of the Defendant.

5 - - - - -

6 Thereupon:

7 FELIPE RIVERO

8 was called as a witness and, having been first duly
9 sworn, was examined and testified as follows:

10 DIRECT EXAMINATION

11 BY MR. SLATER:

12 Q Sir, my name is Andrew Slater. I'm
13 a Certified Legal Intern with the State Attorney's
14 Office.

15 What that means is that I'm a
16 third year law student. I'm not an attorney but
17 certified in the Laws of Florida to handle proceed-
18 ings such as we're about to go through today.

19 What you're here for is what's
20 called a deposition, and that's a procedure under
21 the Rules of Florida where the State or defense
22 has an opportunity to learn a little bit about the
23 other side's case.

24 You're here today because you've

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been listed as a witness for a gentleman by the

1 name of Antonio Calatayud, and I just want to find
2 out a little bit of what you know about this case.

3 Sir, would you state your name,
4 please?

5 A Felipe Rivero.

6 Q And where do you live?

7 A 1602 Micanopy Avenue, Coconut Grove.

8 Q And are you employed?

9 A I am.

10 Q And how are you employed?

11 A I'm a new car salesman, Buick.

12 Q A new car salesman?

13 A Yes.

14 Q Sir, do you happen to know a gentle-
15 man by the name of Antonio Calatayud?

16 A Do I know him?

17 Q Do you know him?

18 A Yes, I do.

19 Q Okay. In what connection do you
20 know Mr. Calatayud?

21 A Slightly.

22 Let me explain. By "slightly," I
23 mean, I don't socialize with him but I know him from
24 the newspapers. We've been introduced, and we have

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been together, that I remember, in one rally of

1 Cuban exiles, where he delivered a speech and I
2 delivered another one. That was, like, three years
3 ago.

4 Q Were you present at the rally on
5 September 19, 1977, in downtown Miami?

6 A No, I wasn't.

7 Q Okay. Under what circumstances
8 do you know Mr. Calatayud? You said you had read
9 about him in the newspaper? What do you know of
10 him?

11 A I know that he--not much.

12 I would say that he's a man that's
13 always been, let's say, committed to this Cuban
14 problems.

15 Q What do you mean by "Cuban problems"?

16 A Cuban problems and the fact that
17 Cuba is under Communist tyranny, and we are exiles,
18 and he's been linked to the newspapers to certain
19 activities against the Cuban government, the
20 Communist government, and on the other hand, he
21 has attended several rallies, and he's belonged to
22 anti-Castro--anti-Communist organizations and Cuban
23 Communist organizations.

24 I think it was RECI, which I didn't

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belong to but he did.

1 Q So you only know Mr. Calatayud
2 through what you've read in the newspapers somewhat?

3 A I read in the newspapers and hear-
4 say, and we've spoken three or four times, and I
5 mean that I recall three or four times, and this
6 case in 1973, when we were in the same rally.

7 Q Are you aware that there was an
8 anti-Cuban or an anti--I guess, it's--would be
9 called an anti-Cuban rally in September, 1977?

10 A Yes, I heard about it. I heard
11 about it before it occurred and before it happened,
12 and then I read in the papers a lot of hearsay,
13 and people said, you know--I didn't attend that
14 rally.

15 Q You did not attend the rally?

16 A No.

17 Q Are you aware that Mr. Calatayud
18 was arrested at that rally?

19 A I read it in the papers then.

20 Q Do you know any of the facts and
21 circumstances around that arrest?

22 A If I recall correctly, he was
23 arrested because the police found a concealed weapon
24 on him.

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Q And that's all you know about that

1 day in particular?

2 A That's all I know.

3 Q Are you aware of any activist
4 activities against Mr. Calatayud?

5 A Yes, I am.

6 Q Which activist activities against
7 Mr. Calatayud are you aware of?

8 A Only one, a list of names, kind of
9 a threat that ten persons--I would say two months
10 or three months maybe ago--received by mail a
11 threatening note of ten persons, because I was one
12 of the ten persons that received the note.

13 Q What was the substance of that
14 threatening note?

15 A It was very--

16 Let's see. Now, something like,
17 "Death to the traitor" or, "Justice will come--"
18 something like that, like an Egyptian curse or
19 something like that; very childish, and then you
20 had ten names.

21 Q You name was on the list?

22 A My name was on the list.

23 Q And your life was threatened on
24 that letter?

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A It could be the work of a crackpot

1 or the heads of a little man, but nevertheless, I
2 gave it to the police and then, like, a month later
3 I received another letter, and it had a little razor
4 attached to it and a cross, where my name went,
5 and I heard from others that whoever received the
6 letter would have a little cross on it, and it said,
7 "Last warning," and I gave it to the police.

8 Q To the best of your knowledge, was
9 Mr. Calatayud's name on that list?

10 A Oh, yes, it was; on both.

11 Q Are you aware of any other activities
12 aimed at either yourself or Mr. Calatayud; specifically,
13 Mr. Calatayud?

14 A Not that I recall, no.

15 Q Had you ever heard that Mr. Calatayud's
16 home or car was bombed?

17 A So many bombs have been--they have
18 been so many things, I'm not sure, but I think--I
19 can't say that. I'm not sure.

20 Q You're not sure?

21 A I'm not sure if it was Calatayud's
22 or somebody else. It could be. It could have been
23 him, that his house was threatened or his car was--
24 I'm not sure.

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Q You have no specific recollection?

1 A I have no recollection. My memory
2 fails me.

3 Q How long have you---

4 A Do you understand? I don't want
5 to mix any one person with another. I am very bad
6 at names.

7 Q Well, okay.

8 How long have you known Mr. Calatayud?

9 A Well, known him personally---

10 Q Known him personally or known of
11 his activities?

12 A Maybe four or five years. Sporadi-
13 cally, I heard about him or seen him; for example,
14 the last time I saw him, just like a week ago at
15 the Casablanca. It's a cafeteria where a lot of
16 Cubans go, and we said, "Hello," and I think I
17 made a joke about the threatening letter and he
18 left.

19 Q Did you know him in Cuba?

20 A No.

21 Q Do you have any opinion about Mr.
22 Calatayud's work or Mr. Calatayud's activity or
23 about Mr. Calatayud, himself?

24 A Not a definite opinion. I think

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he's--

1 If I had to say something, I think
2 he's a man worried about the Cuban problems, as
3 I know he's a decent man, dedicated to his work,
4 but as I say, I don't know enough of him to make
5 a definite--give you a definite picture.

6 Q Okay. Two more questions: Sir,
7 do you live in Dade County, Florida?

8 A I do.

9 Q And do you work in Dade County,
10 Florida?

11 A I do.

12 Q And do you own the business that
13 you work at?

14 A No.

15 Q And what's the address of the business
16 that you work at?

17 A 2301 Southwest 8th Street.

18 MR. SLATER: Okay. I have no
19 further questions of you, sir.

20 I'd like to thank you very much for
21 coming.

22 AND FURTHER DEPONENT SAITH NOT.

23

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It is hereby stipulated and agreed that the reading and signing of the deposition by the witness before filing be, and the same hereby are, waived.

(Signature waived)
Deponent

(Whereupon, the deposition was concluded at 11:40 a.m.)

CERTIFICATE

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STATE OF FLORIDA)

COUNTY OF DADE)

I, the undersigned, do hereby certify that the foregoing deposition of FELIPE RIVERO, by me duly sworn, was taken at the time and place herein set forth; that the deposition was recorded stenographically by me and reduced to typewritten form under my personal supervision; that the foregoing is a true and correct record of the deposition and that I am in no way interested in the event of the cause.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the City of Miami, County of Dade, State of Florida this 11th day of April, 1978.

Sue Ann Kupferberg
SUE ANN KUPFERBERG
Notary Public in and for
the State of Florida at Large

My Commission expires:
October 21, 1980