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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

APR 12 1978
CLERK OF COURT
DADE COUNTY
MIAMI, FLORIDA
[Handwritten Signature]

DEPOSITION OF:

RAOUL ROS

April 10, 1978
Monday, 12:00 noon

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.

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<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
Raoul Ros	3	14	14	--

EXHIBITS

(None marked)

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TELEPHONE 374-1714

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

APPEARANCES:

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

GINO NEGRETTI, Esquire,
On behalf of the Defendant.

ALSO PRESENT:

SUSAN ASTRIN, Interpreter.

- - - - -

Thereupon:

RAOUL ROS

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

DIRECT EXAMINATION

BY MR. SLATER:

Q Mr. Ros, my name is Andrew Slater.
I'm a Certified Legal Intern, and I'm working with
the State Attorney's Office, and I'm going to be
handling a portion of the State's case against
Antonio Calatayud.

Do you understand what I'm saying?

MR. NEGRETTI: He says he does not
dominate English. He needs an interpreter.

MR. SLATER: Who is an interpreter?

MR. NEGRETTI: He needs one.

MR. SLATER: Oh, he needs one?

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MR. NEGRETTI: If you want me to do

1 it, I'll do it gladly or get one.

2 MR. SLATER: If you will promise
3 not to be offended, I will be back in a minute.

4 (Thereupon, a brief recess
5 was taken, after which the
6 following proceedings were
7 had:)

8 (Thereupon, Susan Astrin
9 was duly sworn to interpret.)

10 Q (By Mr. Slater) (Continuing) I
11 think we should start from the beginning again.

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

15 A Correct.

16 Q We're here to take a deposition in
17 the case of the State of Florida versus Antonio
18 Calatayud.

19 A That's correct.

20 Q Okay. I want to explain to you
21 that the purpose of a deposition is that it gives
22 the State of Florida and Mr. Negretti, should he
23 care to, the chance to find out a little bit about
24 each other's case.

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A. I think it's the State of Florida

1 that's creating the problem for this gentleman.

2 Q. Well, be that as it may, okay.

3 Sir, would you state your full name
4 for the record, please?

5 A. Raoul Ros Gonzalez.

6 Q. And your address?

7 A. 521 Northwest 32nd Court.

8 Q. And sir, are you employed?

9 A. Yes, sir.

10 Q. How are you employed?

11 A. I work for Antilla Marine (phonetic).

12 I supply food to the boats.

13 Q. Which boats?

14 A. OMAR EXPRESS, JOSE EXPRESS, REGINA
15 EXPRESS and the ATLANTIC EXPRESS.

16 Q. And are you an employee or do you
17 own this business?

18 A. No. I'm an employee. I'm an
19 employee for the company, and I'm the one who supplies---

20 MR. NEGRETTI: He's a ship chandler.

21 Q. Sir, do you know a gentleman by
22 the name of Antonio Calatayud?

23 A. Yes, sir. I know the gentleman
24 Antonio Calatayud.

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Q In what regard do you know this

1 gentleman?

2 A I've known Mr. Antonio Calatayud
3 for many years.

4 Q How have you known him? Have you
5 known him in a business sense or a personal sense?

6 A No, in the personal sense, personal
7 sense.

8 Q Is he a friend?

9 A Friend.

10 Q Okay. How long have you known him?

11 A Well, I'll tell you, personally,
12 since the year 1970.

13 Q And before that?

14 A Before that, an uncle who is a
15 brother of his mother, of his mother, who is in
16 jail, and I believe he died in the Cuban jails.

17 Q Okay. Mr. Ros, are you aware of
18 Mr. Calatayud's Cuban or anti-Cuban activities?

19 A Well, I know Mr. Calatayud's activities
20 --rather, you know, Mr. Calatayud is an anti-Communist.

21 Q What do you know of his activities?

22 A Against what is called Communism.

23 Q Do you know of any specific activities
24 of Mr. Calatayud?

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A. Well, as well as that of all other

1 Cubans being against the regime of Fidel Castro.

2 Q Have you ever had any personal
3 conversations with Mr. Calatayud, regarding his
4 anti--excuse me for one minute.

5 (Thereupon, pursuant to a
6 brief telephone interruption
7 the following proceedings
8 were had:)

9 (Thereupon, the court
10 reporter read back the pend-
11 ing question as above recorded.)

12 Q (Continuing) --his anti-Castro
13 or anti-Cuban activities?

14 A. Well, all of the Cubans here con-
15 spire against Cuba and Castro.

16 (Thereupon, pursuant to a
17 telephone interruption, the
18 following proceedings were
19 had:)

20 Q Okay. But have you ever had specific
21 conversations about Mr. Calatayud's activities,
22 against Mr. Calatayud--

23 I mean, against Castro or--

24 Let me rephrase the question. Have

you ever had any personal conversations with Mr.

1 Calatayud, concerning his personal activities?

2 A Well, with him personally, I have
3 not had a conversation.

4 Q Okay. Mr. Ros, are you involved,
5 personally, in the anti-Castro movement?

6 A As a Cuban, totally. I don't have
7 any type of organization or--I don't belong to any
8 type of organization.

9 Q But do you take an active participa-
10 tion in any of the anti-Cuban activities, such as
11 rallies?

12 A Any act as the one in which is
13 right, now, I attend.

14 (Thereupon, pursuant to a
15 telephone interruption, the
16 following proceedings were
17 had:)

18 (Thereupon, the court reporter
19 read back the above question
20 and answer as above recorded.)

21 Q All right. Mr. Ros, were you at
22 a rally or a meeting that was--it had a purpose to
23 protest the present United States government ties
24 with Cuba in September of last year, 1977?

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A. Yes, sir.

1 Q. You were present at that rally?

2 A. In a meeting, was a public meeting
3 where we all walked.

4 Q. Okay. Did you see Mr. Calatayud
5 at that meeting?

6 A. Well, when he arrived with the
7 newspaper--as a matter of fact, I was standing
8 facing Martis' (phonetic) statue.

9 Q. And did you notice anything--did
10 you see Mr. Calatayud arrested by the police or
11 put into custody by the police?

12 A. Well, I cannot assure you of that,
13 since that was not at the place where the act
14 occurred, where the fact took place.

15 Q. But are you aware that Mr. Calatayud
16 was, for at least a time, placed into custody at
17 that particular rally?

18 A. Well, as a matter of fact, when I
19 was asking him, he told me, "I can't talk to you
20 now. I have a problem. I have to leave."

21 (Thereupon, pursuant to a
22 telephone interruption, the
23 following proceedings were
24 had:)

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Q Okay. So you were present at that

1 rally?

2 A I attended that rally, and I want
3 to clarify that. I was surprised, very surprised
4 by the amount of people that were coming behind him.

5 Q Behind who?

6 A Behind Mr. Calatayud. He was coming
7 and then a great number of people were coming behind
8 him.

9 Q Okay. Did you have any discussions
10 with Mr. Calatayud, prior to this march in September
11 of 1977, regarding the purposes and possibly the
12 goals of this particular march?

13 A No, because I went there voluntarily.
14 I was not called.

15 Q Did you ever have any discussions
16 about--with Mr. Calatayud about him carrying a
17 gun?

18 A Well, the only thing is when I saw
19 that so many people were coming behind him and I
20 said to him, "What's this?"

21 Q Okay, but you had no prior knowledge,
22 before this particular march, that--

23 You had no prior discussions with
24 Mr. Calatayud, prior to this march about the march?

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A. No.

1 Q Okay. Mr. Ros, are you aware of
2 any bombings or bomb threats directed at Mr. Calatayud?

3 THE INTERPRETER: Could you repeat
4 the question, please?

5 Q (Continuing) Mr. Ros, are you
6 aware of any bombings or bomb threats directed at
7 Mr. Calatayud?

8 A It's not that I'm aware of it, but
9 in the press and through the city police, there
10 was a statement that there was a bomb placed in his
11 place of business.

12 Q Did you ever have any personal
13 conversations with Mr. Calatayud concerning this
14 bombing?

15 A Personally, with him, he explained
16 to us, to a group of friends, that they had put a
17 bomb--as well as on another occasion--he told us
18 of a letter which he had--where the names of ten
19 people were there. They were threatened, and he
20 was one of them.

21 Q Who was one of them?

22 A One of us who were present when he
23 spoke.

24 Q No. Whose name was on the list?

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A. He was there. Eva Guittierez.

1 Q Specifically, was Mr. Calatayud
2 on the list?

3 A Yes.

4 (Thereupon, pursuant to a
5 telephone interruption, the
6 following proceedings were
7 had:)

8 Q Okay. We were talking about the
9 list.

10 Sir, was your name on the death--
11 on the list?

12 A No, no.

13 Q Do you know what threats were made
14 to the people who were named on the list? What
15 threats were made?

16 A Death threats.

17 Q Okay. Have you ever had any personal
18 conversations with Mr. Calatayud outside of that
19 meeting that you had that day, concerning the death
20 list?

21 A No. The death threats was later
22 to this reunion, to this parade.

23 Q Okay.

24 A Through the press, the radio, later

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on, I learned that he had been arrested.

1 Q Yes, but the question was, did you
2 have any personal conversations about this list?

3 A He made a comment to us about it,
4 explained to us that his wife had given the letter
5 to the police, who had come to his house.

6 Q Okay. Did Mr. Calatayud ever have
7 any personal conversations with you concerning the
8 bombings of his car or house or whatever?

9 A Well, that, through the newspapers.

10 Q Did you ever have any conversations
11 with Mr. Calatayud, concerning his possession or
12 carrying of a gun?

13 A Never, never.

14 Q Mr. Ros, you've been called here
15 today, and the reason you're here is that you've
16 been listed as a witness for Antonio Calatayud.

17 A I accept. I'm saying the truth.

18 Q Okay. Is there any reason that you
19 know of why you would be called to testify--let me
20 finish--on behalf of Mr. Calatayud in a concealed
21 weapon case or a concealed gun case?

22 MR. NEGRETTI: Don't answer that
23 question.

24 A I'm surprised by the citation. I

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didn't even know what it was about. I'm surprised.

1 Q Is that an answer to the question?

2 A That's the answer that I'm giving.

3 I didn't even know I was going to be cited for this
4 problem.

5 MR. SLATER: Okay. I have no
6 further questions.

7 MR. NEGRETTI: I have one single
8 question.

9 CROSS-EXAMINATION

10 BY MR. NEGRETTI:

11 Q Do you know a fellow by the name
12 of Nino Diaz, D-i-a-z?

13 A Yes.

14 MR. NEGRETTI: No further questions.

15 REDIRECT EXAMINATION

16 BY MR. SLATER:

17 Q Who is Nino Diaz?

18 A Nino Diaz, he's a Cuban.

19 Q And does Nino Diaz have any relation
20 to Antonio Calatayud?

21 A Nothing that I know of, truly.

22 Q Is Nino Diaz any part of the anti-
23 Cuban movement or the anti-Castro movement?

24 A There is so many things in this that

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they cannot be clarified like that. There are so

1 many.

2 Q Well, what relation does he, Nino
3 Diaz---

4 A Nino Diaz is one of the many people
5 who, instead of struggling for his country, have
6 come to this country instead to enrich himself in
7 the name of Cuba and exploiting workers.

8 Q Did Nino Diaz take any part in
9 planning the protest or the march that took place
10 on September 19, 1977, to your knowledge?

11 A I do not know that. I do not know
12 of that.

13 MR. SLATER: Well, I have no
14 further questions.

15 MR. NEGRETTI: No further questions.

16 AND FURTHER DEPONENT SAITH NOT.

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STIPULATION

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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 12:45 p.m.)

CERTIFICATE

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STATE OF FLORIDA)

COUNTY OF DADE)

I, the undersigned, do hereby certify that the foregoing deposition of RAOUL ROS, 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 Kupperberg
SUE ANN KUPFERBERG
Notary Public in and for
the State of Florida at Large

My Commission expires:
October 21, 1980