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

No. 70-8883 (Morphonios)

STATE OF FLORIDA,

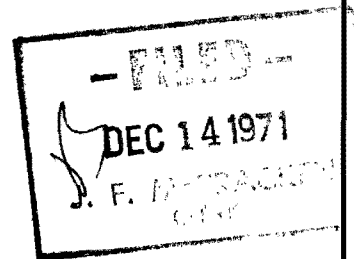
Plaintiff,

-vs-

HECTOR C. LLANO,

Defendant.

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DEPOSITION OF THOMAS J. STICKNEY

The oral examination of Thomas J. Stickney, taken pursuant to Notice of Taking Deposition on behalf of the Defendant, before Leah Hartman, a Notary Public in and for the State of Florida at Large, on Thursday, the 9th day of December, 1971, at 2:30 o'clock p.m., at the Office of the Public Defender, 1351 Northwest 12th Street, Miami, Florida.

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APPEARANCES:

HON. RICHARD E. GERSTEIN,
State Attorney.
By: DOUGLAS WILLIAMS, ESQ.,
Assistant State Attorney.
On behalf of the Plaintiff.

HON. PHILLIP A. HUBBART,
Public Defender.
By: JAMES BOCZAR, Legal Intern.
For: THOMAS J. MORGAN, ESQ.,
Assistant Public Defender.
On behalf of the Defendant.

ALSO PRESENT:

PETER D. AIKEN, ESQ.,
Assistant U.S. Attorney.

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I N D E X

<u>Witness</u>	<u>Direct</u>	<u>Cross</u>	<u>Redirect</u>
Thomas J. Stickney	3	15	15

CERTIFIED QUESTION

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Thereupon

THOMAS J. STICKNEY

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

DIRECT EXAMINATION

BY MR. BOCZAR:

Q Please state your name and official capacity?

A Thomas J. Stickney. I'm a Special Agent for the Federal Bureau of Investigation. I'm stationed in Miami.

Q Were you so employed on October 28, 1971?

A Yes.

Q In the performance of your official duties on October 28, 1971, did you have an opportunity to come in contact with a Hector C. Llano?

A It was in 1968.

Q On October 28, 1968, were you so employed?

A Yes, I was.

Q On that date, did you come in contact

with a Hector C. Llano?

A Hector Cornillot. By the way, his first surname is Cornillot, C-O-R-N-I-L-L-O-T.

Q Now do you spell his last name?

A L-L-A-N-O. That's his mother's surname. So he would be Hector Cornillot.

Q Could you tell us what transpired, what you observed with regard to Hector Llano?

A We went up to his front door; were admitted upon identification.

I had previously talked to him, so he recognized me.

I advised him that he was under arrest based on an unlaw flight to avoid prosecution warrant issued in California for a bombing in California.

Q Was that the reason you went to his house that day?

A Yes, sir.

MR. WILLIAMS: I will object as to the reason.

You may answer, Agent.

THE WITNESS: Yes.

Q (By Mr. Boczar) Did you place him

under arrest at that time?

A Yes, I did.

Q What transpired after you placed him under arrest?

A I advised him of his Rights.

Q What Rights did you advise him of?

A I advised him of his Right to remain silent. He was not obligated to furnish any information. Any information he furnished to us -- could be used against him in a Court of Law. I advised him that if he desired an attorney, if he could not afford one he would be given an attorney at no charge to him.

Q What occurred after that advisement of Rights, that you observed?

A This was several years ago.

I vaguely recall he attempted to pass an object to his sister. It turned out to be a key, or a blank -- something like that -- and we took it.

Then he was taken outside, put in the car, and he was taken to the headquarters at the FBI office in Miami.

Q Did you transport him?

A Yes.

Q Did he make any statements to you while you were transporting him?

A No, he did not.

Q Did he make any statements to you during the time he was processed on that date?

A Well, at -- the only statement -- he was fingerprinted and photographed at the FBI headquarters and another Agent gave him an Interrogation Waiver of Rights Form which explains his Rights, his Right to an attorney. It was in Spanish/English. He read this form, explained that he understood it but that he did not care to sign it for fear of perhaps that it might tend to incriminate him. So that ended it. And then from there we transported him to the Dade County Jail.

Q What was the name of the Agent who gave him the form?

A Agent Joseph Dawson.

Q What was done with the key which was seized from the Defendant at his house?

A I would assume it was placed in evidence, or preserved as evidence, in the FBI office.

I'm not certain of that.

Q Did you take the key or did someone else?

A It was Agent Dawson and I who made the arrest in the house and it was either Agent Dawson or myself together.

Q Do you recall whether you turned the key over to anyone at the FBI office?

A I'm sure I must have. It was probably to Agent Dawson.

Q Was any other physical evidence found on the Defendant or seized at his home at the time of his arrest?

A Well, the only item that we took incidental to arrest was either a key or a tab pertaining to a motel on Brickell Avenue, I believe. I'm not sure whether it's a key or just the identification tab to the key, and that was taken incidental to arrest, and nothing else was taken. He may have had other items on his person but nothing else was taken.

Q When you orally gave the Defendant his Rights -- the Rights you enumerated earlier --

did he waive those Rights?

MR. WILLIAMS: Objection. It calls for a legal conclusion.

Q (By Mr. Boczar) When you orally gave the Defendant his Rights, did he make any statement to you at that time?

A No, he did not.

Q Did you give the Rights to him in English or in Spanish?

A Both.

Q You said you had previously spoken to him before the date of arrest?

A Yes.

Q On what occasion did you previously speak with him?

MR. WILLIAMS: Are you asking for a date now?

MR. BOCZAR: Yes.

MR. WILLIAMS: If you recall.

THE WITNESS: I do not recall the date. It was within a month or two, three, something like that.

Q (By Mr. Boczar) What occurred on that

occasion?

A He admitted participation in being present at the time, as I recall, of other bombings he committed in Los Angeles and having made a trip out there I interviewed him alone.

Q Where did you interview him?

A The same place we arrested him. Right in his house.

Q How were you called to his house on that particular day?

A I wasn't called to his house. I was conducting an investigation, knocked on his door, identified myself. He asked me to come in.

Q At that time did you advise him of his Rights?

A Of course, I did.

Q What Rights did you advise him of at that time?

A The same Rights I enumerated there before.

Q What was his response to those Rights?

A He said he understood. He had no objections to discussing the matter. So we proceeded.

Q What was the content of his statement at that time, to the best of your recollection?

A He mentioned that during the specific time that was pertinent -- I don't recall too much about it -- but he recalled having gone to Los Angeles, having seen certain people there, and having been in the vicinity of a bombing in Los Angeles.

Q Did he make any statements at that time with reference to a bombing which took place at the Air Canada Office on 6988 Collins Avenue on Miami Beach?

A No, he didn't.

Q Did he make any statements at that time implicating any other individuals with regard to bombings either in California ---

MR. AIKEN: I would object at this time to any testimony in reference to implications of other individuals regarding offenses committed in other states or outside of this jurisdiction and request that the testimony at this point be limited to the offense involving the Air Canada operation.

MR. WILLIAMS: In the same regard, for the purpose of the record, I also pose an objection

to the last questions on the grounds that it is irrelevant to this case, and we would instruct the witness not to answer.

MR. BOCZAR: I will restrict the question to implicating other individuals with regard to the Air Canada Office. Do you still make the objection? I am restricting the question to whether or not the Defendant made any statements with regard to the bombing of the Air Canada Office at 6988 Collins Avenue on Miami Beach implicating any other individuals.

MR. WILLIAMS: No, I won't object to that.

THE WITNESS: No, he did not.

In fact, I think, at that time, he hadn't -- there hadn't been this bombing.

Q (By Mr. Boczar) At the time you first spoke to him?

A I don't believe so. But I cannot testify to that competently.

Q But to the best of your recollection the sequence of events was that you spoke with him first and the bombing took place after that time?

A I believe this is correct.

Q Did you have any other contact with Hector Llano other than the time you made the arrest and the previous time you spoke with him concerning bombings which occurred in California?

A Yes. I don't recall that I actually spoke to him, but I was involved in surveillances because there were a series of bombings.

Q You do not have to recall dates but approximately, what time in the series of events from the first time you spoke with him to the time you made the arrest where did you have the Defendant Llano under surveillance?

A Where?

Q When? Approximately what time in sequence of events?

MR. WILLIAMS: To the extent the question seeks to elicit testimony pertaining to events that preceded the occurrence which is the subject matter of this charge, I will object to it on the grounds of relevance and to that extent I will instruct the witness not to answer.

MR. BOCZAR: Off the record.

(Thereupon a brief discussion
was held off the record.)

MR. BOCZAR: Certify the question.

Q (By Mr. Boczar) Did you observe the
Defendant between the time you stated earlier that
you had talked to him concerning bombings which
occurred in California and the time you made an
arrest?

A Probably, but not being certain of
the date or the sequence, I can't truthfully -- I
can't really say. Probably.

Q Would you know whether or not you had
the Defendant under surveillance on October -- or
observed the Defendant on October 18, 1968?

MR. WILLIAMS: That calls for a yes
or no answer as to whether you know.

THE WITNESS: I do not know.

Q (By Mr. Boczar) Then other than the
two days you have spoken of, one day you have spoken
on -- on one previous occasion, you are not sure as
to what time during the sequence you observed the
Defendant?

A No, I cannot.

Q But you did observe the Defendant on some days between the time you spoke with him concerning bombings in California and the time you placed him under arrest?

A I feel I may have. I'm not being evasive. I truthfully cannot recall.

Q Did you participate in investigative activities involving the bombing of the Air Canada Office at 6988 Collins Avenue on Miami Beach?

A I do not believe I did. I'm fairly certain of that.

Q To your personal knowledge, the Defendant never made any statement to you concerning the bombing of the Air Canada Office at 6988 Collins Avenue, Miami Beach?

A I don't believe he did.

Q And also within your personal knowledge, naturally, as far as you know, you made no investigation or participated in any investigation as to the bombing of the Air Canada Office on Collins Avenue in Miami Beach?

A I don't believe that I did.

MR. BOCZAR: Your witness.

CROSS EXAMINATION

BY MR. WILLIAMS:

Q Do there exist, Agent Stickney, Memoranda or Reports that you may have made with regard to any surveillance activities you might have conducted in respect to this person to which you might have access at any time for the purpose of refreshing your recollection?

A Yes, sir.

MR. WILLIAMS: I have no further questions.

REDIRECT EXAMINATION

BY MR. BOCZAR:

Q Do you have those reports with you?

A No, I do not.

Q Do you know where those reports would be?

A They'd be in the files of the FBI office in Miami.

Q Would those reports concerning surveillance activities of Hector Llano reveal the dates and times in which you had him under surveillance?

A Yes, they would.

MR. BOCZAR: I have no further questions.

MR. WILLIAMS: Nothing further.

MR. AIKEN: Nothing further.

(Reading, signing and notice
of filing were waived.)

(Thereupon the taking of the
deposition was concluded.)

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CERTIFICATE OF NOTARY

STATE OF FLORIDA)
) SS:
COUNTY OF DADE)

I, LEAH HARTMAN, a Notary Public in and for the State of Florida at Large, hereby certify that I reported the deposition of THOMAS J. STICKNEY at the time and place hereinabove set forth; that the witness was first duly sworn by me; and that the foregoing pages numbered from 1 to 16, inclusive, constitute a true and correct transcription of my stenographic report of the deposition of said witness.

I FURTHER CERTIFY that I am neither attorney or counsel for, nor related to or employed by any of the parties connected with the action, nor financially interested in the action.

WITNESS MY HAND AND SEAL in the City of Miami, Dade County, Florida, this 13th day of December, 1971.

NOTARY PUBLIC, STATE OF FLORIDA at LARGE
MY COMMISSION EXPIRES OCT 15, 1974
BONDED THROUGH FRED W. DIESTELHORST


Notary Public