

NEW YORK, NEW YORK, MARCH 12, 2011 (HWY11MH005)

HUMAN PERFORMANCE GROUP CHAIRMAN FACTUAL

ATTACHMENT # 13 (REDACTED)

HOT DOG VENDOR STATEMENT TO POLICE

(5 pages)

SUPPORTING DEPOSITION (CPL § 100.20)

THE PEOPLE OF THE STATE OF NEW YORK  
- VS.

DEFENDANT(S)

**LOCATION OF INCIDENT:**

STATE OF NEW YORK \_\_\_\_\_ COURT

COUNTY OF Bronx

\_\_\_\_\_ OF \_\_\_\_\_

**LOCATION OF DEPOSITION:**

STATE OF NEW YORK

COUNTY OF [REDACTED]

\_\_\_\_\_ OF \_\_\_\_\_

On DATE: 05/18/11 at TIME STARTED: 1:10 PM I, FULL NAME: [REDACTED] 09/22/61

state the following: On 05/18/11 at approx. 11:00 AM, I was shown a photograph of a african-american male by a State Police Investigator. I recognize the man as a customer who stopped at my stand and I remember serving him. I don't remember the exact date, but it was early march and it was chilly (I had the heaters on). I remember him by his bald wrinkly head. He was driving a dark blue SUV which I believe was a Ford Escape with zipcar on the back. I don't remember what he ordered, but it was around 12:30 - 1:00 pm. I think he was also at my stand in December.



**NOTICE**

(Penal Law § 210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York.

Affirmed under penalty of perjury

this 18th day of May, 2011

- OR -

\* Subscribed and Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_,

[REDACTED]

(WITNESS)

Juv P. Schmeckel  
(NAME OF PERSON TAKING DEPOSITION)

TIME ENDED: \_\_\_\_\_

\* This form need be sworn to only when specifically required by the court

**Lead No. Lead Instruction and Lead Result(s)**

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**138**

*Research various GPS locations where Williams' cell phone was used (as per the Sprint PCMD report).*

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*Assigned Inv Paul Schneeloch*

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**Entered By** Inv Paul Schneeloch

**Date Entered** 05/25/2011

On 05/18/11, I, Inv. Paul M. Schneeloch (Troop K-MCU) traveled to the Roosevelt Field area of Nassau County / Long Island in reference to Williams' phone call PCMD data placing him in the area on March 9th and March 10th (during the time periods in which he alleged he was at home sleeping).

I checked the with Roosevelt Field Mall Security since it appears that Williams' phone was used from the mall and the mall parking lot for several calls on 03/10/11. I was advised that the video surveillance recordings are only retained for a period of 2 weeks prior to being written over (it was now approx. 9 weeks).

I also checked with "AAR" which is located at 747 Zeckendorf Blvd. - Garden City, NY and spoke with [REDACTED] [REDACTED] advised that AAR reconditions aircraft parts for various commercial aircraft companies and the military. The GPS coordinates appear to place Williams' cell phone at the shipping/receiving doors of the facility on 03/09/11 at approx. 12:51pm. [REDACTED] and I checked with several employees in the shipping/receiving department none of which recognized a photograph of Williams. The video surveillance footage for the facility was also checked in which it was determined that the system records for approx. 60 days prior to being written over (it was now approx. 70 days). Several employees also checked their personal logs to determine if any license plates (of persons picking up packages) were written down for March 9th with negative results.

I continued to check various GPS point where Williams' cell phone appeared to have been used. On such GPS location places Williams' phone in the rear of the Garden City/Roosevelt Field Lowes parking lot adjacent to a thinly wooded area which runs up against the Meadowbrook pkwy. There is a cul-de-sac on the access road to the parking lot which is a few feet from where the GPS points were (03/10/11 6:08:59pm on the PCMD - which is between calls 52 and 53 on the timeline). In that cul-de-sac, there was a hot dog truck [REDACTED] "operated by [REDACTED] [REDACTED] 09/22/61 of [REDACTED]. I showed him the picture of Williams and asked if he knows him. [REDACTED] replied that he knew him and recognized him from his "wrinkly bald head". [REDACTED] believes that he served Williams in early March at around 12:30-1:00pm (he obviously could not recall the exact date, but recalls that it was still cold and in early March). When asked what Williams was driving, he replied that it was a blue SUV which he recognized as a Ford Escape. He also noted that there was something written on the back of the SUV to which I which I mentioned "something with a z" and he immediately replied

*Lead No. Lead Instruction and Lead Result(s)*

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"ZIPCAR."

- The PCMD report has the call from LOWES at 6:08pm on 03/10; [REDACTED] advised that he generally closes the truck at 3:00pm-3:30pm.

- The PCMD puts Williams at the exact same longitude coordinates on 03/09 at the 12:50pm-1:35pm time period (right after the AAR location which is a short distance away). It appears that WILLIAMS was at the hot dog stand on 03/09 and went back in the evening on 03/10 at 6:08pm in which the truck was closed. Williams then likely parked in the Lowes lot and made a call (to his wife at 6:08pm). [REDACTED] also served WILLIAMS once before, which he believes was in December of 2010.

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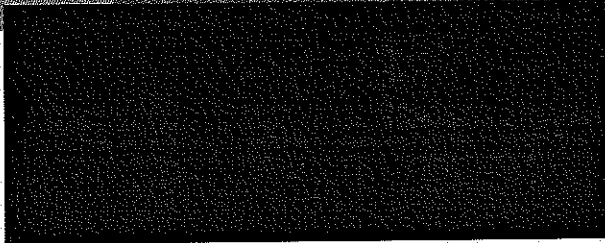
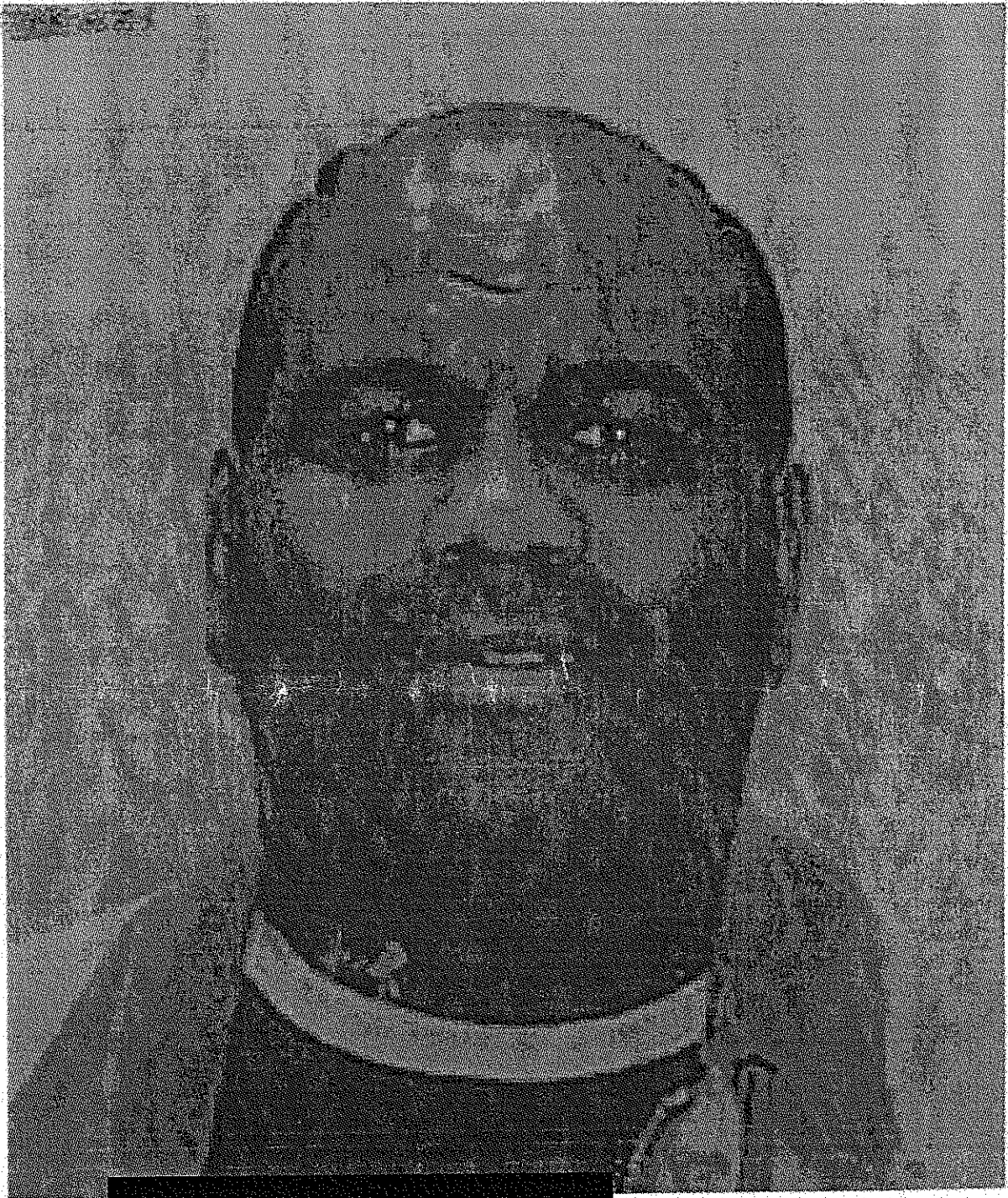
On 05/24/11, I, Inv. Paul M. Schneeloch (Troop K-MCU) and Inv. Jose Lopez traveled to Manhattan in reference to Williams' phone call PCMD data placing him in the area on March 11th (during the time period in which he alleged he was at home sleeping).

We checked numerous hot dog/fast food vendors, retailers, and commercial business locations in the area of 34th, 35th, and 36th Streets between 5th and 6th Avenues with negative results of anyone recognizing a photograph of Williams.

We also check with JOHN FLAHERTY (Director of Security – CUNY – 365 5th Avenue) since it appears that Williams' phone was used in that vicinity. FLAHERTY advised that he would check the video surveillance footage and speak with his security personnel who were present on 03/11/11 between 12:00pm and 2:00pm.

Various retailers and commercial business locations in the area of 1st Avenue between 10th and 11th Street were also checked with negative results.

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5-18-11