

Widow testifies in murder trial of 2 mobsters

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When John "Jackie" DeRoss first visited William Cutolo's home, it was not to grieve over his missing friend, but to ransack the house looking for his records. That's when Marguerite Cutolo knew "that my husband was dead," the woman testified yesterday.

DeRoss and Colombo boss Alphonse "Allie Boy" Persico, two crime family members charged with Cutolo's murder, are being re-tried in U.S. District Court in Central Islip after a hung jury in their original trial last year.

Federal prosecutors say Persico had Cutolo killed in 1999 be-

cause he feared that "Wild Bill" would take over his seat as the heir to the crime family's top spot while Persico went to jail on racketeering charges.

Prosecutors say DeRoss helped Persico plan and cover up the hit.

Cutolo's widow did not testify in the first trial. Taking the witness stand wearing blue jeans, a black blazer and her short silver hair slicked back, the woman answered her initial questions with "I plead the Fifth," before prosecutors guaranteed her immunity from charges, as expected. Until recently, she and her family had spent more than a year in a federal witness protection program.

Cutolo breathed heavily and gripped a microphone with two hands as she recalled her final days with her husband, who disappeared on May 26, 1999, after a planned meeting with Persico in Bay Ridge.

She recalled that her husband appeared agitated when he left their Staten Island home that morning in his Ford Expedition truck. "That was the last time I saw my husband."

Asked by a federal prosecutor whether DeRoss seemed upset about Cutolo's disappearance when he came to visit her a day later, she testified, "Let's put it this way. There wasn't a tear in his eye."

Earlier in the day, Persico's defense attorney, Sarita Kedia

of Manhattan, suggested that William Cutolo might have been killed by his son, William Jr., who she said had had a rift with his dad going back to when the elder Cutolo spent a year in jail on racketeering charges. She said William Jr.

spent his family's money "lavishly" while his father was away and had all his dad's watches re-sized.

Unbeknownst to his family, William Cutolo Jr. was cooperating with the FBI at the time of his father's disappearance.

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Misled by feds, he says

Alleged Colombo family mobster takes back guilty plea

By JOHN MARZULLI
DAILY NEWS STAFF WRITER

A reputed mobster who says the feds tricked him into pleading guilty tried to take it back yesterday, citing government reports that the key witness against him is crazy.

Reputed Colombo crime family associate Joseph (Joey Green Eyes) Anemone, 33, is facing two years in prison on an extortion charge he copped to in March.

But when prosecutors revealed in June that mob informant William Cutolo Jr. had serious mental problems, Anemone, who was free on \$1 million bail, felt he had been misled.

Yesterday, his lawyer said prosecutors had pressured Anemone to plead guilty by falsely claiming that Cutolo, who turned informant to avenge the 1999 murder of his father, Colombo capo William (Wild Bill) Cutolo, would testify against him.

Attorney Joseph Tacopina told Brooklyn Federal Court Judge Reena Raggi the feds

knew the younger Cutolo was in no shape to take the stand.

Tacopina said his client pleaded guilty not because he was guilty, but because he feared the charming and dapper-looking Cutolo's "acting skills and charisma" would win over jurors.

Thrown behind bars

In an affidavit submitted to the judge, Anemone admitted, "I said what I thought was necessary in order to have my guilty plea accepted by the court."

If convicted, Anemone could have been sentenced to up to 20 years in prison.

Raggi did not hide her displeasure. She immediately revoked

Anemone bail and ordered him jailed.

"Certainly I'm disturbed," the judge said. "No matter what the circumstances, no one can lie in the court."

Raggi scheduled a hearing Sept. 5 on Anemone's admission of perjury and to determine whether prosecutors lied about Cutolo, who is still in the witness protection program.

Tacopina said he advised his client against admitting to perjury because he risks getting a stiffer sentence if the judge denies his motion to withdraw the guilty plea.

Assistant U.S. Attorney Amy Walsh denied that she lied about

Cutolo's status. She will probably be called as a witness at the hearing.

In court papers, Walsh said Cutolo's downward mental spiral began last summer.

"He began to experience serious psychological problems related to living outside New York City and being separated from the rest of his family," Walsh wrote in a June 19 letter to the judge.

"These psychological problems began manifesting themselves in the form of violent behavior [as exhibited by his kicking in the wall of a safehouse], depression and alcohol abuse," according to the letter.