

Henry V. B on Oct. 8, 1965

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EDWARD

DE PINA

JAN 28 1966

MURRAY LEVYSON
OFFICIAL STENOGRAPHER

Statement of: Edward DiPina
Made to: Herbert J. Stern, ADA
Stenographer: Dennis Sheehan
Place: CO's Office, 34th Pct.
Date: February 21, 1965 9:18 P.M.
Present: Det. J. Keely, #1568, MHN
Det. W. Confrey, #2161, MHN
Det. F. Cavallero, 34th Sqd.

BY MR. STERN:

Q What is your name?

A Edward DiPina.

Q Where do you live?

A 198-03 111th Avenue.

Q That's in Hollis, Long Island, is that right?

A Yes.

Q Mr. DiPina, today about two-thirty in the afternoon did you go to the Audubon Ballroom here in Manhattan?

A Yes.

Q Was that for a rally where Malcolm X was supposed to speak?

A Yes sir.

Q When you got there about two-thirty where did you seat yourself?

A I sit down about ten or eight rows back.

Q Back from the stage?

A Yes.

Q What happened after you sat down?

A One man was speaking.

Q Malcolm?

A No, not him. A man speaking about almost fifteen minutes after I got there.

Q Another man?

A Yes. He's the one introduced Malcolm X.

Q He introduced Malcolm X?

A Yes. Malcolm X come out and sit in the chair. The only thing when the guy introduced him he walked on the side. He walked away, Malcolm come. He hold the microphone like that and raise it up to start and say salaam aleikum.

Q You say the man who introduced Malcolm X sat down, is that right?

A No, he walked away, because if he was there the bullets would get him too.

Q Malcolm X stood up and said salaam aleikum?

A Yes.

Q What happened when Malcolm X said that?

A When he said that two guys -- first they start fighting, arguing, you know, in the seats.

Q You're referring to two men now?

A Yes.

Q Where were these two men?

A Sitting down, about three rows of chairs.

Q In front of you?

A Yes. No, about three rows from Malcolm X.

Q That would be about five rows from you?

A Yes. So when they jump up the taller fellow --.

Q Wait a minute. When they were seated were they in the middle or on the side?

A Almost on the side. Like sitting down here's one here and about two or three people here but this man sit down I think on the third chair.

Q Were they seated next to each other?

A Yes.

Q Were they seated in the center or to the left or right as you look toward the stage?

A On my left.

Q In the left hand side?

A Yes.

Q Seated next to each other?

A Yes.

Q You say they were arguing between themselves?

A Yes. They rush like they want to do something. They try to do together. Take your hand out of my pocket.

Q Who said that?

A The one that shot.

Q One of the people who shot said that?

A Yes. He tell the other guy take his hand from his pocket. Everybody get excited. This tall fellow jumped up.

Q The taller fellow who jumped up, he was the one who said take your hand out of my pocket?

A Yes.

Q Did the shorter man jump up also?

A Yes.

Q Both men jumped up?

A Yes.

Q What happened when the two men jumped up?

A This one make a big jump, he stand right in front of Malcolm X. He pump five bullets.

Q That's the tall man, is that right?

A Yes.

Q What about the short man?

A The short man he shoot but he shoot on the side.

Q The shorter man was firing too?

A Yes. Even shoot while running out. Running out they shoot the people.

Q The tall man stood up, he fired at Malcolm X, is that right?

A Yes.

Q The short man stood up, he fired at Malcolm X,

is that right?

A Yes, but this big one he was right in front, like I face you.

Q The tall man was standing right in front of Malcolm X and the other one was to the side?

A Yes.

Q But both men were firing in the direction of Malcolm X?

A Yes.

Q Now, later on this evening did you go to the hospital?

A Yes.

Q That would be Bellevue Hospital?

A Yes.

Q At Bellevue Hospital did you see a man there?

A Yes. He won't speak.

Q The man you saw in Bellevue Hospital, had you seen him before?

A No.

Q Had you seen him today?

A Yes, I seen him today in the hospital.

Q The man you saw in the hospital, was he one of the two men you just told us about?

A Yes.

Q Which one was he, the tall or short man?

A Short man.

Q He was one of the two men that stood up and fired at Malcolm X, is that right?

A Yes.

Q He ran out with the other man, is that right?

A Yes, they run together.

Q Did you see these two men when you first walked in?

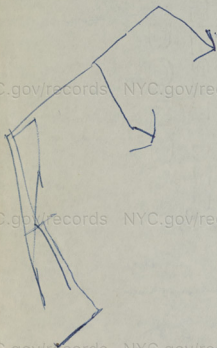
A No.

Q The first time you noticed them was when they were seated together and arguing and both stood up and both fired at Malcolm X, is that right?

A Yes.

MR. STERN: Thank you very much.

-- 9:25 P.M. --



Al Heru

AL5-4481

*Nagan

had a 45 Cal clip
spr Armaff with 4 unfired shells
Right tower porch.

Edward di Pena

198-03 111 Ave

Harris C.I.

Got to rally, around 2:30.

Saw 8 rows back, X Saw down
behind speaker. 2 men seated
3 rows in front and to left of X.
when X started to speak, both
men got up. one who stood
said don't you see your back
in my pocket, ~~after man~~ ^{other man} on left.
both pulled guns. ~~Don't~~ who hid.
Saw shot about 5 times.
After man shot to side of X about
5 times. Man saw at hospital fired
towards Stogie.

DiPina

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EDWARD DIPINA, called as a
witness, having been first duly sworn,
testified as follows:

BY MR. STERN:

Q What is your name, sir?

A Edward DiPina.

Q Where do you live, Mr. DiPina?

A At 10 -- 10 -- 104-45 199th Street, Hollis, New York.

Q And, Mr. DiPina, I direct your attention to
February 21, 1965. Did there come a time on that date
when you went to the Audubon Ballroom located here in
New York County to hear Malcolm X speak?

A Yes.

Q Did you seat yourself in the audience?

A Yes, sir.

Q And after you sat yourself in the audience,
what happened?

A First of all, one man was speaking first.

Q Who was at the rostrum --

A While he's in the room. Then before this man finished
his speak, he come out.

Q Malcolm X came out?

Per. EXHIBIT 11A ID
N.Y. SUPREME CT.

JAN 28 1966

MURRAY DEUTSCH
OFFICIAL STENOGRAPHER

weapon?

A The one shot him with a pistol because he shot right.

When he shot him he standing still like that while the man is pumping bullets, you know.

Q Did any of the other people who stood up in the group fire a pistol?

A I tell you they act so funny, everybody get excited, everyone jumped. But I was right behind like this.

When this man turned his face to run, I looked right on his face.

Q Before you reach that point, Mr. DiPina, did the other man shoot at Malcolm X, too?

A Yes; they all run together.

Q After they shot at Malcom X, what did they do?

A They run. While they running they still shoot.

Q While they were running they were still shooting back?

A Almost go to the door.

Q Running towards the door?

A Yes, to the door.

Q When they stood up and they fired and when

DiPina

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they turned you had a chance to see their faces; is that right?

A That's right, because I was so far from them.

Q How many men were running and shooting that you saw?

A I saw three men.

Q You saw three; is that correct?

A Yes.

Q I show you these three photographs and -- which have been previously marked 1, 2 and 3, and I ask you if you can identify any of the three men there?

A This man, I recognize this one, this one I recognize --

Q Wait a minute. You are indicating Grand Jury Exhibit 3; is that right?

A Yes.

Q You say you recognize this man?

A Yes. This one shoot with a pistol, this one.

Q You are indicating the man who is portrayed in Grand Jury Exhibit 3 was firing a pistol at Malcolm X?

A Yes.

Q Was he one of the three men that ran away?

A Yes.

Q Do you recognize any of the other photographs?

A This one was on the left side shot with the shotgun.

Q You are indicating Grand Jury Exhibit 2; is that right?

A Yes.

Q You say that the man portrayed in this picture was one of the three men who fired at Malcolm X, but with a shotgun; is that right?

A Yes.

Q After he fired, did he run out also?

A Yes, they all run together.

Q Now, the man that is portrayed in Grand Jury Exhibit 1, do you recognize him at all?

A I don't recognize him at all because, you see, there was no chance to see him, you know, and only thing I have a chance to recognize these two, you know, I was close.

Q You don't know whether he's the third one or not?

A I don't know whether he was the third one.

Q You can't tell; is that right?

A No, but there was the three together.

Q Now, Mr. DiPina, there may be other details

DiPina

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that you have not told us about because I haven't asked you questions about them; is that right, sir?

A Yes. Only thing I think they should go through because --

Q But that's your answer, yes, is that right?

A Yes, sir.

MR. STERN: Are there any questions from the grand jury? Thank you very much,

Mr. DiPina.

THE FOREMAN: Thank you, Mr. DiPina.

THE WITNESS: Okay.

(Witness excused)

District Attorney's Office
COUNTY OF NEW YORK

Di Perna

479-3395

Home

212 Gr 9-3395

new address on the Perna

104-45 199 St.

Hutchins 22

District Attorney's Office
COUNTY OF NEW YORK

1942.

Arrest 2nd

mt Vernon

1 yr Rent. of \$50.

4/8/52 Poling


fined \$10. NYC

4/8/52 120. Bremer

Poss. of money. Still.

9 mos West Street.

March 3, 1865 -

Form 34-75M-701347(64)  114

District Attorney's Office
COUNTY OF NEW YORK

Edward De Ruca -

Grand Juror
Appearance -

De Pinna

identified Butler as
man with Hoyer.

Pls. EXHIBIT 10B in ID
N Y SUPREME CT.

JAN 28 1966

MURRAY DEUTSCH
OFFICIAL STENOGRAPHER

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REPRODUCTION PROHIBITED

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A Yes.

MR. STERN: Thank you very much.

-- 9:25 P.M. --

Exhibit
Shirley Ann Smith
FLUORESCENT

Cross of the Penia by Sabbath

He never saw any 3 days before Dec 2, 1966

He saw no bodyguard of Melch X that day

He says to ask D.A. ready any other skin

Testing re Bellone Hosp -

He says in his main Room at Hosp

Cross of the Penia by Chance

1 -> He says he was prepared to identify the man who shot Melch X - Clear up.

2 -> ~~He~~ He identifies a second man
he says he saw some days - Clear up. if you
can

Go to contacts of id of Butler. - He says
he went to jail

He says the man is a liar

He says it was some day - up in Box - Clear up