

FEDERAL SUBPOENA

■ **DA Spota's office** gets order, multiple sources say

■ **A lawyer's drug case** focus of investigators

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Federal investigators subpoenaed the Suffolk district attorney's office on Tuesday, according to multiple sources, seeking all records related to its 2008 prosecution of criminal defense attorney Robert Macedonio, whose drug possession case remains shrouded in secrecy and involved unusual legal maneuvering.

Among the materials subpoenaed were wiretap audio and transcripts gathered by District Attorney Thomas Spota's office during its investigation of Macedonio, according to a source close to the district attorney's office familiar with the Macedonio case.

The source said the subpoenaed wiretaps include "evidence of a lot of crimes that have not been acted upon" by Spota's office.

Macedonio ultimately pleaded guilty to felony cocaine possession, a conviction that prosecutors then allowed him to vacate, which paved the way for Macedonio to resume his law career.

In addition to the records sought, federal investigators subpoenaed at least seven indi-



FEB. 8
How Newsday covered the story

DOCUMENT
Statement from DA's office to Newsday on Macedonio's case.
newsday.com/macedonio

viduals directly involved in the Macedonio case, although those subpoenas apparently did not specify the matter under investigation.

A spokesman for Spota declined to comment.

Detective confirms

Suffolk County Police Department Det. Edward Troyano, who had worked with the district attorney's investigators on the Macedonio case, confirmed to Newsday that he had received one of the subpoenas. Troyano said the document ordered him to appear March 22 at the Eastern District's Central Islip court-

house. Federal prosecutor Lara Treinis Gatz's name is on the subpoena, Troyano said.

Gatz did not respond to messages seeking comment.

Macedonio said yesterday he had not received a subpoena. He declined to comment further.

Accused of thwarting probe

The subpoenas arrived on the same day that federal prosecutors, in a separate matter, accused Spota of thwarting a probe of Suffolk County Conservative Party leader Edward Walsh. The pretrial filing in Walsh's ongoing federal case stated that Spota stymied an investigation into whether Walsh neglected to show up for his job as a county correction lieutenant at the Suffolk County Jail and had been caught at an illegal poker game. Walsh, whose case is unrelated to Macedonio's, is charged with theft of government funds and wire fraud.

Spota's spokesman, in a statement issued Wednesday, said Suffolk Sheriff Vincent Demarco — not Spota — was responsible for investigating Walsh.

Newsday published an investigation in February detailing the district attorney office's unique handling of the case against Macedonio, a former Suffolk prosecutor. The story noted that many of the records had been sealed without explanation, and the few available records obtained by the newspaper suggested that alleged criminal activity beyond drug pos-



Spota's office was subpoenaed for items including wiretap audio and transcripts. ■ Photos: newsday.com/macedonio

session had been investigated.

The Suffolk prosecutor who handled the Macedonio case, Christopher McPartland, is the subject of a federal grand jury investigation for possible obstruction of justice charges in connection to former SCPD chief James Burke, Newsday has reported.

Burke pleaded guilty last month to charges that he violated the civil rights of a Smithtown man in custody and then orchestrated a cover-up of the crime.

Newsday filed a Freedom of Information Law request with Spota's office in May seeking

the same records that federal investigators subpoenaed, including the wiretap materials. Spota's office has so far produced none of the records for Newsday.

In addition, a Newsday attorney appeared in Riverhead court on Feb. 18 to argue that certain court records in Macedonio's case, including a search warrant affidavit and his plea agreement, should be unsealed. At Suffolk County Supreme Court Judge James Hudson's request, the newspaper will file a formal motion this week arguing that those records should be unsealed.



The *Aedes aegypti* mosquito is the major carrier of Zika virus.

All 200 U.S. Zika cases tied to travel abroad

Nearly 200 cases of Zika infection have been reported in the United States — all traced to travel abroad.

Health officials released the numbers yesterday, and pleaded for Congress to pro-

vide \$1.9 billion to fight the virus in Latin America and help prevent it from spreading to the continental United States.

Some of the money would go to Puerto Rico, where Zika is spreading locally and 159 cases

have been reported.

Capitol Hill Republicans have deferred the request, insisting leftover Ebola funds can be used. Health officials say new funding is needed.

Zika virus is mainly spread

through mosquito bites. At worst, it causes only mild symptoms. But there's growing evidence linking it to a rare birth defect and to a nerve condition that causes temporary paralysis.

— AP