

'Nodfather' guilty of racketeering

BY JOHN MARZULLI
DAILY NEWS STAFF WRITER

HE CAME into the courthouse in a wheelchair, but 93-year-old Colombo underboss John (Sonny) Franzese left in a prison van.

Franzese, dubbed The Nodfather for snoozing during the three-week racketeering trial, was wide awake when a jury convicted him yesterday of racketeering — and shaking down the Hustler and Penthouse strip joints in midtown Manhattan.

Resting both hands on a wooden cane, he smiled at his daughter and grandson in the front row.

After more than a half-century in the Mafia, the legendary gangster was done in by the testimony of his own son, John Jr., a former drug addict who recorded hundreds of hours of incriminating conversations with his father as a government informant.

"It's hard to understand how a jury, all of whom have families, would tolerate a son setting up

his father, essentially sending him to death behind bars," said the gangster's stepson Michael Franzese, a former capo who left the mob years ago.

"To see him go down like this and have to die in prison is devastating for him and for those who love him," he said.

After Brooklyn Federal Judge Brian Cogan revoked his bail, Franzese handed his belt, a wad of cash, billfold and business cards to defense lawyer Richard Lind.

Co-defendant John Capolino, who remained free on bail, hugged Franzese and kissed him on both cheeks. "Z, save a space for me," Capolino said.

Franzese's estranged wife, Cristina, who played a starring role in the trial when she hijacked his wheelchair on the way to the men's room and urged him to plead guilty, had little sympathy.

"I'd be shocked if he doesn't live to 100," she said. "That man can do jail time standing on his

head. He's true to his position. He lived it. He breathed it. He'll die it."

Franzese's hearing aid began whistling as he waited for the jury to enter the courtroom. He listened with his head cocked to one side as the judge read the verdict.

A female juror who declined to give her name told reporters that Franzese's advanced age was not discussed in deliberations.

Franzese boasted on a tape that he was the "official" underboss of the crime family, but his lawyer argued he was an insecure old man living on Social Security.

The jury acquitted Franzese of shaking down a pizzeria while he was in jail — co-defendant Joseph DiGorga was taped fuming that all Sonny got out of that place was a free slice of pizza.

"This office is committed to prosecuting members and associates of organized crime who



Wheelchair-using Colombo underboss John (Sonny) Franzese, 93, was convicted yesterday. Photo by Jesse Ward

prey on business owners and threaten the public safety," said Brooklyn U.S. Attorney Loretta Lynch.

Back in the day, Franzese was fast friends with Frank Sinatra and Sammy Davis Jr. and was a financial backer of the iconic porn flick "Deep Throat."

He also was caught on tape boasting of his role in numerous gangland murders and opining on the art of body disposal.

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Creep leaves pooch to die in brutal heat

BY DANIEL BEEKMAN
DAILY NEWS WRITER

A BRONX MAN beating the heat at a swimming pool was charged with animal cruelty for leaving his dog to die inside a scorching 140-degree van.

Heriberto Palacio, 41, told investigators he had left two windows cracked open for the dog and thought that was enough in Monday's 95-degree weather.

A passerby at FDR State Park in Yorktown Heights, Westchester County, spotted the pooch — who was tied to a hand truck in the cluttered work van and struggling to breathe while convulsing, officials said.

Park police broke in and moved the dog to shade, but it continued to convulse and refused water. Minutes later, it died.

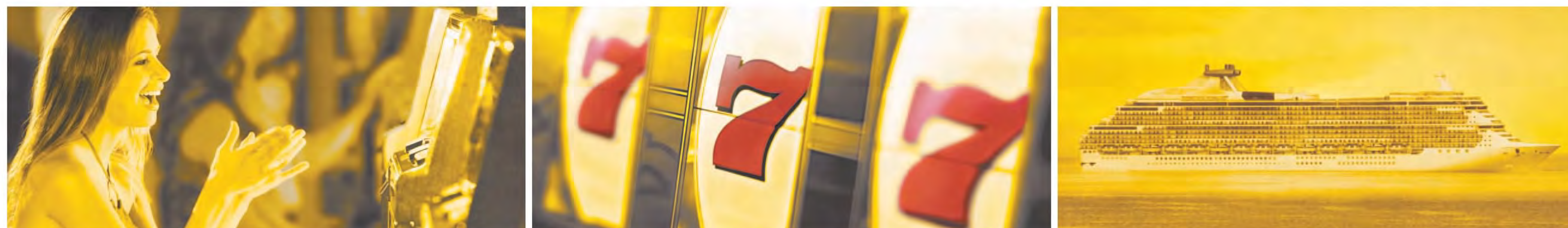
"The dog was basically cooked," said Ken Ross, chief of Westchester's Society for the Prevention of Cruelty to Animals.

Palacio told police he had been at the park pool for more than an hour, cooling off, said Ross.

The Bronx man said "there should have been a public service announcement, someone should have warned us," Ross said.

Ross said he gets an average of a dozen calls on hot days about dogs left in cars.

With Lisa L. Colangelo



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