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IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR DADE
COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

JOHN EDWARD CASTRO, :
 :
 Plaintiff, :
 :
 -vs- : CASE NO. 76-6263 CA18
 :
 MIAMI DAILY NEWS, INC., :
 :
 Defendant. :
 :
 _____ :

1237 City National Bank Building
25 West Flagler Street
Miami, Florida
Monday, 10:45 a.m.
July 17, 1978

- - - - -

D E P O S I T I O N

of

JOHN OLON
taken on behalf of the Defendant
pursuant to a Notice of Taking Deposition

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- A P P E A R A N C E S -

For the Plaintiff: DANIEL L. GINSBERG, ESQ.
Ginsberg & Goldman
1721 Northeast 164th Street
North Miami Beach, Florida

For the Defendant: JOSEPH P. AVERILL, ESQ.
1237 City National Bank
Building
25 West Flagler Street
Miami, Florida

Also Present: John Edward Castro

- I N D E X -

<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>
JOHN OLON	3	52

1 Thereupon:

2 JOHN OLON

3 was called as a witness and, having been duly sworn,
4 was examined and testified as follows:

5 DIRECT EXAMINATION

6 BY MR. AVERILL:

7 Q For the record, sir, would you state
8 your name.

9 A Colonel John M. Olon, O-l-o-n, U.S.
10 Marine Corps, Retired.

11 Q Your current business or profession, sir?

12 A Retired. I have been a policeman also.

13 Q What is your present residence address?

14 A 4024 Northwest 4th Street, Miami,
15 Florida.

16 Q Sir, what was your most recent employ-
17 ment?

18 A City of Miami policeman. City of Miami
19 policeman.

20 Q How long were you a policeman for the
21 City?

22 A Twenty-one years.

23 Q When was it that you retired from the
24 police department?

1 A Retired in 1969.

2 Q Since then, you have had no employment?

3 A I have no employment, no.

4 Q I take it, sir, that you are acquainted
5 with the plaintiff in this matter, Mr. Castro?

6 A I sure am.

7 Q How long have you known Mr. Castro?

8 A Approximately ten years.

9 Q How was it, sir, that you met Mr.
10 Castro?

11 A Well, I dealt with guns, and he was a
12 salesman in a gun shop in the City of Miami.

13 Q Which gun shop is that?

14 A Tamiami Gun Shop.

15 Q Then you have known Mr. Castro since,
16 approximately, 1968?

17 A That's right.

18 Q You knew him before you retired?

19 A That's right.

20 Q With what frequency did you see Mr.
21 Castro in the period from 1968 to 1974?

22 A Quite frequent. I mean, I see him
23 quite often because my son has a business of reloading,
24 and he has a range, and we load ammunition for him,

1 and we see him quite frequently, maybe once or twice
2 a week.

3 Q So your son has a business relationship
4 with Mr. Castro?

5 A Yes.

6 Q What is your son's name?

7 A Michael Olon.

8 Q With what frequency did you see Mr. Castro
9 before he opened up his range?

10 A Oh, we used to go in the gun shop. I
11 had dealings with Tamiami Gun Shop before I had the
12 business, before I got disabled.

13 Q When was it that you were disabled?

14 A 1969.

15 Q You no longer earn any money from the
16 reloading business?

17 A No, I don't. I just work in the
18 business as a hobby because of doctor's advice.

19 Q Does the business have a name?

20 A No--Olon's Reloading Service.

21 Q That was your business, and it is now---

22 A Yes, before I was shot downtown.

23 Q I did not know that.

24 A Shot in the line of duty, right downtown

1 at the Met Sandwich Shop, and that's when I--the doctor
2 figured--told me I had to have something for my nerves
3 to keep me going. I had to be doing something, so the
4 business was--I just transferred it over to my son's
5 name, my wife's. They were handling the business in
6 their signatures.

7 Q Does your wife derive any income from
8 this business?

9 A Well, a small salary. It's not a big
10 business, more or less a hobby, doesn't do that much
11 business, because we don't have that much.

12 Q Does it occupy your son full time?

13 A No, my son has three corporations.

14 Q Okay.

15 A It's just a sideline for him, because
16 he use it in his business, because of the security
17 guards he has in his business, see.

18 Q Okay.

19 What are the other names of your son's
20 businesses?

21 A He's got Guardsman Security. He got
22 investigation--- I don't know what the other---

23 Do you remember the investigator?

24 I had some cards with what they go under,

1 but they go under three different names. They're in
2 the Plaza Building over in the Gables.

3 Q Do you speak Spanish at all?

4 A No, I don't.

5 Q Am I correct in assuming that you do
6 not read, then, the Spanish language press?

7 A No, I don't.

8 Q Do you subscribe to the Miami Herald?

9 A Yeah.

10 Q It comes daily to your house?

11 A That's right. We have copies in there,
12 too, Spanish.

13 Q Is the same true or not true of the
14 Miami News?

15 A I don't know. We don't get the News.

16 Q Okay.

17 A We stopped that. We ceased that one.

18 Q Why is it that you ceased that one?

19 A I don't know. I just stopped getting
20 it.

21 Q When was it that you stopped getting it?

22 A It's been, I would say, five years ago,
23 four or five years ago.

24 Q There is no particular reason why you

1 stopped?

2 A I don't know whether it was duplication
3 of the Herald, or what it was, but we had enough news
4 as it was in the Herald, more than enough.

5 Q Would you tell me what your primary
6 duties were with the police department while you were
7 a police officer.

8 A Full time, or just the last few years?

9 Two years I was in traffic right down
10 here on the corner. You should have seen me down here.

11 I haven't given him a ticket, so he
12 probably didn't know me. Traffic policeman downtown
13 here, at Miami Avenue and Flagler, or First Avenue and
14 First Street.

15 Q Before that, what were your duties?

16 A I was instructing in the Academy, fire-
17 arms instructor, because it coincided with my Marine
18 Corps Reserve affiliation, you know, handle a lot of
19 riot squads and set up the riot squads.

20 As a matter of fact, I set up the first
21 SWAT team, was set up here in the 50's before SWAT was
22 even organized, and set that up.

23 MR. AVERILL: Off the record.

24 (Discussion off the record.)

1 Q [By Mr. Averill] With what frequency
2 do you see Mr. Castro now?

3 A Well, I go out to the range and shoot
4 a little bit, about two or three times a week, keep my
5 hands in firearms, and help instructing a little bit,
6 but not with him.

7 I am an NRA instructor, and, also, a
8 firearms instructor for the State, and I did it for
9 my son's business, too, you know, did it on the side-
10 line to help him out, because he had quite a few
11 security guards he needs to instruct. They have to
12 have a permit to carry a weapon. They have to have
13 so many hours of instruction in firearms, and I did
14 that for him.

15 Q You used Mr. Castro's range for that
16 purpose?

17 A No, no, no, not now. We used to use
18 American Range.

19 Q Okay.

20 A That's up in Hollywood, Pembroke Road.
21 We had that range set up.

22 I guess a little conflict with Mr.
23 Castro. He had his business, and we had ours up there.

24 Q Am I correct, then, that you and your

1 brother still have a shooting range of your own?

2 A No, my son.

3 Q I mean your son.

4 A No, that's the range--we didn't have
5 the range. We just used the range on a consignment
6 basis with Mr. Blanton at American Range.

7 Q Which range do you presently use?

8 A We don't use any at all, because he
9 ceased training these security guards at the present
10 time.

11 Q Which was the last one that you used?

12 A Up there at American Range.

13 Q Did you ever use Mr. Castro's range?

14 A Not for training purposes. We use it
15 for firing, but not for training.

16 Q Okay.

17 How is his business? Does it seem good?

18 A Well, it could be a little better. If
19 ~~his appearance would be a little better, his nervousness~~
20 would calm down--I think his nervousness has jumped up
21 quite a bit, and people don't like that in a shooting
22 range, and I tried to tell him that, "Get somebody else
23 in there," you know.

24 Q In what way does this nervousness

1 manifest itself?

2 A In the years I knew him, he was calm
3 and likable. Everybody could see that by the amount
4 of sales he used to make over at Tamiami Gun Shop, and
5 then, all of a sudden, the nervous condition come up,
6 complaints, you know.

7 Q Tell me, sir, in what way does it
8 manifest itself?

9 A Well, you can't tell it unless you're
10 around the man to see it. When you see a man get
11 jumping up and down, and he's afraid this guy isn't
12 going to do this, and jumps in the range because a man
13 is over in the range firing. He been on a range
14 several times firing, so leave him alone. He's doing
15 all right. Until he makes a mistake, or something, then
16 come back to him. Don't get on a man's back because
17 he's doing little things.

18 He'll do little things. Someone put a
19 tin can on the top of a lamp, and because his kid won't
20 clean it off, he'll get all over his stepson because he
21 don't clean that cold drink can off there. That's
22 nervousness. That's a condition you see a psychiatrist
23 because I've been to them. I've been on that road for
24 three years. My wife had to watch me after I got shot.

1 Q You are telling me, then, that Mr.
2 Castro is overly interfering with the customers at
3 the range?

4 A Not only the customers, but his own
5 family, and I've seen too many people working for him,
6 that worked for him, two, three different people. I
7 think they're good people. He just jumpy about this,
8 and jumpy about that, and you can just look at his
9 records and see how many people he fired out there,
10 and I know they're good people, because I was around
11 them.

12 Q You think he fires them because he is
13 what you call nervous?

14 A I think so. I think it's a nervous
15 condition. I think there is a breakdown somewhere
16 along the line, because before, when I knew him at the
17 gun shop, before the condition, just happy, jolly.
18 There was always people around him. Now, people stray
19 off to get away from him.

20 Q Did Mr. Castro have any financial
21 interest in the gun shop?

22 A No, no, he just worked for the gun shop.

23 Q Just a salaried employee?

24 A As far as I know.

1 I knew the man that owned the gun shop,
2 because I used to reload for him. for years, from the
3 time he built the gun shop. As a matter of fact, I
4 helped him set up the gun shop--Mr. Katon.

5 Q Do you have any idea what financial
6 obligations Mr. Castro has in connection with his
7 shooting range?

8 A I have no idea.

9 Q Do you know if he is making money out
10 there?

11 A Mustn't be making money, because he
12 owes me considerable amount of money.

13 Q I am sorry?

14 A He owes us money.

15 Q He owes your company---

16 A Ever since I started loading for him,--
17 I helped him set up in his loading where he wanted to
18 do his own loading, but he can't because of the
19 nervous condition, and all this, and getting different
20 helpers in there. He couldn't load because he was
21 having problems with guns, and this and that, and he
22 asked me to come over and help him out and do his
23 loading. Since last October, when we started over
24 there, to load his ammunition for him, he been in the

1 hole all the time, you know.

2 Q When you say, "He owes you a considerable
3 amount of money," what amount of money are you referring
4 to?

5 A Anywhere from \$500 to \$1,000.

6 Q Is there usually an outstanding balance
7 of that amount?

8 A All the time, because I know he just
9 doesn't have it.

10 Q Okay.

11 A I'm not pushing it. I don't have it
12 myself, because I'm not in no big business or nothing
13 like that. My son, he keeps the joint to keep me going,
14 keep me active so I won't be disturbed. I have to
15 stay active. I'm in more or less a situation like he
16 is. If I get dormant, I get in problems, nervous
17 breakdown.

18 Q Do you know if Mr. Castro has ever had
19 a business of his own before?

20 A I have no idea, you know, other than
21 going to work here at the---

22 Q Why is it that Mr. Castro is unable to
23 do his own reloading?

24 A Well, you know, it's one of those things.

1 Maybe the same thing why he can't keep his help working
2 for him. He isn't stabilized enough, the nervous
3 conditions, or something; I don't know.

4 Q Have you ever seen him physically
5 operate reloading equipment?

6 A Well, he used to reload it, and then he
7 got people to reload in there for him, and I tried to
8 help him out.

9 As a matter of fact, I set up the
10 American Range. They're doing fine. They have help
11 out there.

12 I'm not one that worries about competi-
13 tive business, or anything like that. I tried to help
14 him out. They do all their own up at American. They
15 have their own machines.

16 Like I even helped locate the machines
17 for Mr. Castro here.

18 Q Did he buy additional machines?

19 A He bought two of them, yeah, to start
20 off with, and he was doing fine.

21 You start blowing up guns, something
22 wrong. You blow the cylinders out of a weapon, and
23 you better get something else; that don't work, or
24 you're liable to have lawsuits all over.

1 Q Is that what was happening with his
2 reloading?

3 A I don't know whether it was that or he
4 couldn't keep the people working in there.

5 Q Are you telling me that some of the
6 reloads that Mr. Castro had, exploded in the guns?

7 A Well---

8 Q We want testimony as to what you know
9 happened.

10 A According to the factory, they say it
11 wasn't due to the fact of an overload. It was due to
12 the fact of an underload.

13 Q Do you, sir, know of any reloads that
14 have caused guns to explode, any of Mr. Castro's reloads?

15 A I don't know whether exactly it was his
16 reloads or people that walked in the range to reload.
17 See, that's not what I'm positive of.

18 Q Are you telling me that there was a gun
19 that exploded--

20 A Yeah, two or three of them.

21 Q --in Mr. Castro's range?

22 A Yeah.

23 Q Were people using his reloads?

24 A There were several people using his

1 reloads. Whether it was his reloads or somebody else's
2 reloads, I don't know. I didn't examine the reloads.

3 Q Was Mr. Castro doing the reloads or
4 an employee?

5 A An employee was working at the time,
6 his son-in-law, or somebody else.

7 Q Have you seen Mr. Castro physically
8 operate the reloading equipment?

9 A Yes, I seen him. I even showed him how
10 to load it up.

11 Q Was he able to do it?

12 A Yeah, at that time.

13 Q When was that time?

14 A This is a year ago.

15 Q Do you know if he can do it today?

16 A Well, I don't know. The machines are
17 just sitting there.

18 Q Do you know if he can operate the
19 reloading equipment today?

20 A I haven't seen him do it today, let's
21 put it that way.

22 Q How long does it take to train an
23 employee to operate the reloading equipment?

24 A Oh, there is no time on it. It depends

1 upon the person, see. It's anywhere from six hours to
2 six months. Depends upon the individual, you know, to
3 show them the important parts, what happens to the
4 machine, watch the powder slide, watch the primers,
5 and watch the cases, and see that little things, that
6 material from the machines--- They loading with
7 **Star** machines, most of them--most standard speed loading
8 machine, other than the automatic machines they have
9 today.

10 Q Mr. Castro had a machine in his home
11 for some period of time before he opened up the shop?

12 A That's right.

13 Q Is that machine in his home now, or is
14 it in the shop?

15 A Well, I don't know, because he never
16 had any of those **Star** machines in his home at the time.
17 They were just individual loading machines. I had been
18 to his home, and he just had, you know, where you load
19 one case at a time. You decap, then you prime, then
20 you bell the case, then you fill it with a powder
21 individually, then you put the bullet in, and you seed
22 it. That's the type of machines he had in his home
23 before I told him where he could buy the **Star** machine,
24 before he had the progressive machines.

1 Q How much does a Star machine cost?

2 A With equipment on it, approximately
3 \$1,000 right now.

4 Q How many of those machines does Mr.
5 Castro have?

6 A He got two of them in the shop. They're
7 not being operated on. I don't know whether he's
8 using them or not. They're set up right in the back
9 of the shop.

10 Q How many of Mr. Castro's employees have
11 you trained to use these machines?

12 A Well, I had two of the boys I worked
13 with, and I kept telling them about little, minor
14 things that happened, to watch out for.

15 Q Does that include his stepson?

16 A Yeah.

17 Q Who else have you taught?

18 A There was another boy in there. I
19 don't know the boy, the Cuban boy that was in there
20 before. I don't know what his name is--Santi, or
21 something like that.

22 Q Other than the business with the can
23 on the undusted lamp, and being overly attentive to
24 customers, what is it, or how is it, that this

1 nervousness, as you call it, manifests itself?

2 A It's hard to say. I can't explain it,
3 because of myself. I had the same situation.

4 When the man shot me, I was just calm
5 as could be. I held my cool until after I went into
6 shock. Then everybody that come up behind me--I was
7 jumpy.

8 Q I am not asking you about your situa-
9 tion.

10 A Well, I'm telling you in my situation,
11 so this is the way I would say it could have happened
12 to him. I don't know.

13 Q I do want you to answer my question,
14 and I do not want you to lead me to believe that you
15 know something as a fact when you are speculating.

16 A That's right, I'm just speculating.

17 Q All right.

18 I am going to ask the court reporter to
19 read back the question, and I would like you to answer
20 the question.

21 [Thereupon, the question referred
22 to was read by the reporter as
23 above recorded.]

24 A Well, by the times I see him, that he

1 just--he never settles down, you know. He's jumping
2 up and going here, and watching this one over here, or
3 going back hollering at his wife over here, and things
4 like this. This is the condition I'm thinking of.
5 I'm not thinking of any other conditions that he goes
6 into hysterical rage, where he liable to hurt anybody,
7 you know.

8 Q Okay.

9 Has Mr. Castro, in the last year, gotten
10 more or less nervous?

11 A I would say more, because he had more
12 people working for him. He fired two or three of
13 them.

14 Q Can you think of any of the people that
15 he has fired?

16 A Well, I know one of them by the name
17 of Mike, and this boy, Santi, and then they had his
18 son-in-law and his daughter were working out there,
19 and he run them off.

20 Q Mr. Castro has a daughter?

21 A Yes, by a previous marriage.

22 Q And he fired her?

23 A He run them off the range and told them
24 not to come back in the range.

1 Q Why was that?

2 A That's his problem. I don't know.

3 Q Have you heard?

4 A No, I haven't heard anything about them,
5 and the son-in-law told me, he says he'd never go
6 back there.

7 Q What is the son-in-law's name?

8 A Tony. All I know is Tony is his first
9 name, and Cindy is his wife's name. That's all I know
10 of them.

11 Q You do not know Tony's last name?

12 A I can't think of his last name. You
13 know, I was not having close relations to them.

14 Q Do you know where he works?

15 A Well, he worked at--- I don't know
16 where he's working right at the present time.

17 Q What line of work is he in?

18 A They have these floor mats like in
19 different places, and they replace them in the stores,
20 like McDonald's, or different stores. It's a company
21 that cleans the mats, and if they're worn, they replace
22 them. He drives around all over town, but what company
23 it is, I don't know. You know, you don't have the
24 relationship with the people, you don't ask them.

1 Q Who else has Mr. Castro run out of his
2 range?

3 A I don't know. There's a couple of
4 girls working for them. I don't know whether they were
5 run out, or what happened to them, but they're not
6 there no longer.

7 Q What are their names?

8 A They might have quit, or anything, you
9 know.

10 Q What are their names?

11 A I don't know.

12 Q Have you ever discussed, with Mr. Castro,
13 this condition that you refer to as nervousness?

14 A Yeah, several times I have discussed
15 with him.

16 Q Tell me about that conversation.

17 A I told him that lots of times he was
18 saying that different ones would steal from him, and
19 this and that, and I told him, "Until you catch them,
20 don't accuse anybody. Catch them first, then you
21 accuse them, because you get in problems that way."

22 Q Which ones were the ones he thought were
23 stealing from him?

24 A Well, there was a guy by the name of

1 Tony. He was another one that worked for him. That
2 name come to my mind, and he was a Cuban fellow. I
3 don't know his last name.

4 Q What was it that Mr. Castro thought he
5 was stealing from him?

6 A Well, there's a lot of things missing,
7 ammunition--like he has ammunition on the counter over
8 there--ammunition, and different things that he has
9 in the range there, cases of brass that comes in the
10 range that was disappearing, and stuff like that.

11 Q Mr. Castro blamed Tony for this?

12 A Tony was the one that was working for
13 him at the time, see.

14 Q What was Mr. Castro's explanation for
15 the nervousness?

16 A I have no idea. Never told me about it.

17 Q He never offered you an explanation?

18 A Never told me any explanation.

19 Q Have you ever discussed, with Mr. Castro,
20 the economics of his rifle range, his shooting range?

21 A No, I helped him design it, that was
22 the only thing, when he first went into it. What's his
23 financial situation, nothing ever was discussed with
24 me.

1 Q Has he ever told you that he is making
2 money--

3 A No way.

4 Q --or losing money?

5 Have you ever discussed this with Mrs.
6 Castro?

7 A No.

8 Q He, himself, has never stated to you
9 what he believed caused this--

10 A No, no.

11 Q --behavior on his part?

12 A No, I don't know.

13 Q Has Mrs. Castro ever told you?

14 A No, nothing was mentioned to me about it.

15 Q Have you been to the range that the
16 Tamiami Gun Shop recently opened?

17 A Yeah, I been there a couple of times,
18 yes.

19 Q Is that competition affecting Mr.
20 Castro's business?

21 A In a way it could be. It has to be,
22 but I had advised him in two or three different ways
23 to try to help him overcome that, little ways of
24 overcoming, the business promotional deals.

1 Q Has Mr. Castro recently opened a gun
2 shop?

3 A Yeah. Well, he opened it up in the
4 place of business there.

5 Q Does that seem to be making any money?

6 A No, I haven't see any sales, but I
7 don't know. I couldn't tell you. You know, I'm not
8 there all the time, like I told you.

B 9 Q Was that one of the things that you
10 advised Mr. Castro to do?

11 A I told him it would be a good idea
12 there to set up a little gun shop in there; help him
13 out. People come in there that shoot, and want to get
14 a certain type gun, see. My idea was not to buy the
15 guns, but just to go ahead and order it on consignment,
16 make a deposit, and have your logging there, and you
17 wouldn't have to have the guns there at all. He could
18 go ahead and order the gun and take a deposit, make
19 a percentage, and go ahead and order it instead of
20 having a display.

21 There is a display. You can make a
22 display, and have them on consignment, and make a
23 little bit.

24 Q But there is a display there?

1 A There is a display, a counter, but if
2 you have to keep anybody there to sell them, you never
3 make enough money to pay the help, because you don't
4 know when the shooter is coming in--maybe 2:30 in the
5 afternoon. One may come in at 7:30 at night that
6 wants to buy a gun, and you can't have anybody selling
7 guns unless they're registered with the State down
8 here, and with the County, and qualified salesmen, so
9 he can't have his son-in-law or somebody else, his
10 daughter-in-law, or anybody else, to sell a gun unless
11 they're qualified, see. So he would be the only one
12 to sell it to them. It's a handicap. I mean, it's
13 something nice to have, displaying.

14 Q What other bits of advice did you give
15 Mr. Castro, vis-a-vis his conduct of the business?

16 A Well, in promoting the shooting, just
17 like competition of Tamiami was giving him. They pay
18 \$35 for membership, and they get free shooting without
19 any time limit charge. Like Mr. Castro charges \$1.50,
20 or something plus. Instead of paying \$2 an hour, or
21 \$3 an hour for a regular non-member, he'd charge \$1.10
22 or \$1.50 for a member shooter while Tamiami gives
23 free shooting.

24 So I suggested, to him, to charge \$4 an

1 hour and give them a box of ammunition. To test it,
2 give them one box of reloads free of charge with shoot-
3 ing. This way, you get the man in there. He gets a
4 box of ammunition. In an hour's time, you're going to
5 shoot more than that. You go back and get another
6 box and shoot. This might promote the deal. So he
7 hasn't started that yet, but I talked to his wife
8 yesterday about it, and she says he planned on adver-
9 tising a little bit on that, which should be a good
10 suggestion to help him build up.

11 The promotion of I had the Marine Corps
12 Reserve come down there and give them free range fee
13 over there, because the Reserve had no place to shoot
14 at, and I had the City range. I used to have them come
15 in my City range. They had no place to shoot, and
16 they have no obligation--funds for shooting, so I had
17 them come down. They bring their own targets and
18 everything, and they shoot free of charge over there,
19 which is very nice of him, and that builds up promotion.
20 Their members of families, they bring them down there
21 for most of the little bit of it.

22 You have to have some sort of promotion,
23 but he don't have the money to go ahead and advertise
24 like Tamiami does at Concord.

1 Q When did Tamiami open?

2 A I don't know. It's been last fall
3 sometime. I don't know exactly what day it was.

4 Mr. Martin come to me and took all my
5 blueprints on building a range there, and I helped
6 them.

7 Q Did you discuss, with Mr. Castro, the
8 impact Tamiami would likely have on his business?

9 A Not at all. It was like I told him,
10 I said. it would help him.

11 Q Did he share that view?

12 A I don't know. I don't know how his
13 business is, so I couldn't tell you.

14 Q But did he say it was good?

15 A Felt this way, because of the way
16 Tamiami, at the present time, were treating people in
17 their sales, different things like that, the remarks
18 they got back from some of the people, you know.

19 Q Did Mr. Castro ever tell you that he
20 had an arrangement with Tamiami Gun Shop, that he
21 would stay out of the gun business if they would stay
22 out of the shooting range business?

23 A I've heard something about that, you
24 know.

1 Q From Mr. Castro?

2 A Yeah, he mentioned it in conversations
3 before, but like I told him, I says, "Ron Martin asked
4 me for my papers, folder on ranges; that it was his
5 best ambition, only ambition, to have an indoor range,
6 a real nice one, where people could come to him."

7 I thought it was good to have a few
8 of them around to keep the people off the canal banks,
9 and the safety of the people in Dade County here, from
10 shooting in woods and so forth.

11 Q What was Mr. Castro's reaction when you
12 told him about Tamiami having an interest in opening
13 a shooting range?

14 A Never said nothing until the range
15 come out, and they started doing these little things
16 of free range--range free with a certain price. Then
17 he started getting upraged. It probably hurt him that
18 way.

19 You pick up a thousand members, and
20 you hurt somebody. Business is business.

21 Q That is not what I asked you. What was
22 his reaction?

23 A He was upset, let's put it this way.

24 Q What did he say that led you to conclude

1 that he was upset?

2 A He'd get up, walk around. I can't
3 express.

4 Q Try, please.

5 A Just trot around the room, jump up
6 around the room, and nervous as could be, see. That's
7 the only thing.

8 Q Did he express displeasure?

9 A I think so. Not verbally, you know,
10 but you could see it the way he was acting.

11 Q Before this conversation, had he known
12 that Tamiami was opening up a pistol range, or a
13 shooting range?

14 A Yeah.

15 Q Was that the most upset you have seen
16 him?

17 A No, I've seen him several times upset
18 in there, at the range, like I told you, about the
19 personnel.

20 Q I understand, but was that the most
21 upset you have seen him?

22 A No.

23 Q When was it that he was the most upset?

24 A Depends upon the days, you know. I don't

1 know. I couldn't tell you.

2 Q I am asking you for the one instance.

3 A One instance--I couldn't tell you the
4 one instance which he was most upset.

5 Q Okay. What does he get upset about
6 most often?

7 A I don't know. I would say his help,
8 because he fired so many of them.

9 Q Do you have any idea why he fires them?

10 A No idea. I don't keep his records,
11 and I don't know what goes on, and whether they have
12 anything to do with his business, or whether it's just
13 his personnel.

14 Q Was Mr. Castro this abrupt before he
15 opened his range?

16 A No, I don't think so, not at all.
17 Even the time when he started to build
18 the range, when he was nervous about the County
19 Commission turned him down the first time, he wasn't
20 that abrupt at all, and he wasn't that nervous. He
21 said, "Well, we'll try again."

22 Q You participated in the planning, in
23 the layout of this range?

24 A Yeah, he got the planning drawn up, and

1 I told him suggestions of the type of steel to use for
2 backstops, and the distance, and the lighting, targets,
3 positions between targets, and the carriages, and how
4 to handle the carriage, back and forth, rather than
5 have a common carriage, and having the targets losing
6 time; an individual can shoot by himself, and so forth,
7 and just to help him in a way.

8 Q Where was this planning done?

9 A At his home.

10 Q Can you tell me in terms of time?

11 A What?

12 Q Can you place it in terms of time?

13 Can you tell me when it was?

14 A In the evenings; couple of evenings I
15 had gone out there.

16 Q When was this?

17 A It's been a couple of years ago, I mean.

18 Q Was it before or after he was arrested?

19 A Oh, it was way before. It had nothing
20 to do with his arresting.

21 Q Did you go up to the range while it was
22 under construction?

23 A Yes, sir.

24 Q How often?

1 A Fine. It coming along fine.

2 Q I am sorry. How often?

3 A How often?

4 Q Yes.

5 A Oh, I've gone there half a dozen times,
6 I would say, while it was under construction, and
7 Eddy was working like a bee, and just doing fine. He
8 was working right with the personnel there, and some
9 of the personnel he was working with, I wouldn't work
10 with when I was stable.

11 Q Why was that?

12 A To me, I can't explain it. Some people
13 just so dirty, you can't stand them. When you stand
14 next to them, they just smell, and they're people worth
15 millions of dollars.

16 As a matter of fact, one of the owners
17 of the range, the original owner's son, he even come
18 to me, ask me if I could straighten him out.

19 I said, "I can't do anything with that
20 boy." Nice boy, and everything, but you couldn't stand
21 this close to him from the smell. It was neatness
22 and cleanliness, and if he could stand him, he was
23 doing fine.

24 Q Mr. Castro was not as abrupt as he is

1 now?

2 A Not at all.

3 Q Not at all abrupt?

4 A No, he just working like a bee, you
5 know, like I see some of these Marines working, get
6 things done.

7 Q In that time that you have known him,
8 is this abruptness the only change that you observed
9 in Mr. Castro?

10 A Yes, and there is times that he didn't
11 show up at the range. I used to call over there. He
12 was sick or something wrong several times I had called
13 there, and stuff like that. Other than this nervous
14 condition--it shouldn't be, I mean. He should be
15 calmed down, especially in a situation like that.

16 Q Has Mr. Castro ever told you what causes
17 this nervousness or this abruptness?

18 A Not at all.

19 Q But it first developed after the range
20 opened?

21 A It seemed that way. I don't know
22 whether it was the range, or whether it was the
23 situation, or the publicity, or anything like that.
24 I don't know.

1 Q I am asking you for when it developed.
2 When did it develop?

3 A I don't know. Like I say, since last
4 October, when I--October, November, when I started
5 dealing with him over at the range, I noticed that.

6 Q You did not notice it while the range
7 was under construction?

8 A Oh, it wasn't while it was under con-
9 struction.

10 I don't know. Maybe he was working too
11 hard.

12 Q Did you notice it while you were laying
13 out the range?

14 A No, not at all. Just like I mentioned
15 to you about the County Commission turning it down
16 that one time, he said, "Well, we'll try again," and
17 he could have gotten upraged then.

18 Q Was that the---

19 A Permit to build.

20 Q I understand, but the application for
21 the permit was for the same site?

22 A Yeah.

23 Q In other words, they applied twice for
24 the same site? They did not move the range?

1 A It went before the Board, or whatever
2 it was.
3 Q Okay.
4 Did you, with any frequency, visit Mr.
5 Castro's home?
6 A Not very often.
7 Q Not very often?
8 A No.
9 Q Apart from the times that you were over
10 there to plan the range, had you ever been in his house?
11 A No. I don't think I been there once
12 or twice. other than that.
13 Q Those were social visits?
14 A Yeah, just visit the family.
15 Q Do you regard yourself as a friend?
16 A I think so.
17 Q Do you regard him as a friend?
18 A That's right.
19 Q Did he pay you at all for this consulta-
20 tion?
21 A No.
22 Q Did Tamiami pay you?
23 A No. They don't even give you a thank
24 you, and there's a lot of them.

1 The biggest range I helped build was
2 Dade County Range out here. Clem Theed, he ~~works~~ for
3 the County. I helped to build the Dade County Range.
4 We got that before the Board. He got the outdoor
5 range built, and the public never said thank you.

6 Q Let me ask you this: Why do you give
7 your advice and your expertise without charge?

8 A Well, it helps me and helps my son,
9 and it keeps me going. I like to see better--more
10 ranges in the city where it's under control. Then,
11 that way, you will have less gun control. I don't
12 believe in gun control of innocent people. I believe
13 in people be able to have guns and thieves not having
14 guns, you know, and by having these indoor ranges,
15 I think you can have more control of weapons and
16 teaching these people. They'll be less accidents, to
17 my opinion.

18 Q There was a time when Mr. Castro did
19 his own reloading at the range; is that correct?

20 A Yeah.

21 Q Then he came to your son and had your
22 son's business do it?

23 A Yeah.

24 Q Which, in effect, you are the one that

1 does it?

2 A No, my wife and I, my son, we all work
3 at it.

4 Q Where do you have the equipment?

5 A In back of our house, in the garage.

6 Q Does your son live with you?

7 A Not now. He's married, and he is living
8 with his wife.

9 Q Has he lived with you in the past year?

10 A Yes, having problems with his wife, so
11 he's living with me last month.

12 Q How long did that last?

13 A About a month only. They're back
14 together.

15 Q They worked it out?

16 A Hope so.

17 Q They worked it out this month. Okay.

18 A How newlyweds are. Of course, she
19 being a policewoman, City of Miami, and he not being
20 able to get on because he's a gentile--- I worked my
21 butt off at \$5 a night at extra jobs all over town,
22 even that rollerskating rink that used to be back here,
23 right over on First Street, over here, to give my son
24 a college degree, because I never did have one myself.

1 He got a Bachelor's degree in criminology. They wouldn't
2 accept him on the police department, because he wasn't
3 a lady; he wasn't a Latin; he wasn't a black. They
4 had a quota system. I sued for it, but what good is
5 it. Hope to have better things coming, you know,
6 Federal grants.

7 I told a lot of them in Washington
8 there the same thing. What are you going to do? We
9 have a Federal grant.

10 Q Okay.

11 You are aware, are you not, of the
12 fact that the Metro Police, the Organized Crime
13 Bureau, searched Mr. Castro's home and arrested him?

14 A I read that in the paper.

15 Q Which paper did you read it in?

16 A I think it was in the News that time,
17 the ones that I read at the time, because somebody
18 showed it to me is the reason.

19 Q Do you remember who it was?

20 A No. Neighbor of mine, or something
21 like that. I didn't recall the name until--I knew
22 Eddy, you know at the time, and heard the last name,
23 and then get it.

24 Q So you did not know it had reference

1 to this?

2 A To him, no.

3 Q Why was it that the neighbor showed it
4 to you?

5 A Well, he knew him, see, and he worked
6 in the gun shops, see. He says, "You know Eddy that
7 works in the gun shop, Eddy: Castro."

8 I know a lot of these Eddys: that I
9 told you about, the last names that I told you about,
10 unless they're---

11 Q Up until that time, you and Mr. Castro
12 were not friendly enough that you knew his last name?

13 A That's right.

14 Q Were you friendly enough with Mr. Castro
15 to glean from this article that, in fact, this was
16 Mr. Castro?

17 A Yes, the address and location.

18 Q The neighbor is also something of a
19 gun buff?

20 A Yeah, the guy that come over. You know,
21 we have several buffs come over and shoot the breeze.
22 That's how I spend my time most of the time.

23 Q With what frequency were you seeing
24 Mr. Castro, at that time, outside of the gun shop?

1 A I would say half a dozen times the most
2 I ever seen him before, you know.

3 Q So, at that time, you really were not
4 at all friendly with him?

5 A No, not at all friendly, close relations
6 or friendly at all.

7 Q Have you ever discussed, with Mr. Castro,
8 his arrest?

9 A No. He mentioned to me the arrest,
10 something about he was making bombs, and I laughed.

11 Q Why did you laugh?

12 A I had been to his place there. If he
13 was making bombs, I would've noticed, if they were
14 bombs he was making, or anything like that. It's just
15 ridiculous.

16 Being an ordnance man in the Marine
17 Corps, and knowing bombs, experienced in it, that if
18 he had, it would be some signs of bomb equipment being
19 around, or even the powder, the type of powder being
20 used in it, and the type of powder he had there wasn't
21 explosive powder. It was burning powder.

22 Q Did you hear any radio reports concerning
23 Mr. Castro's arrest?

24 A I don't recall at the time. It's been

1 a while back. Probably had, but I don't recall.

2 Q Have you ever discussed the various
3 lawsuits that Mr. Castro has filed?

4 A No. He had mentioned about he had
5 lawsuits when I talked there, but nothing was dis-
6 cussed what's in the lawsuit or anything.

7 Q Did you ever discuss the publicity with
8 Mr. Castro?

9 A Not at all.

10 Q How many times did you see him in, say,
11 the three months following his arrest?

12 A It's been a while back. I couldn't
13 tell you.

14 Q Did you see him?

15 A I probably had, you know, seen him, but
16 I don't know how many times, you know.

17 Q Okay.

18 Do you know anything about the state
19 of his health, his eyes, for instance?

20 A All I know, he has diabetes like I have.
21 I have a mild case of diabetes. He has to take insulin.

22 Q Do you know how long he has been taking
23 insulin?

24 A Just recently. That's the only thing I

1 knew.

2 Q Recently that started?

3 A Within the last six months, I would say,
4 I knew of, you know.

5 Q How does your diabetes affect you?

6 A How does it affect me?

7 Q Yes.

8 A Well, it's hard to say, because I can
9 show you my toes. When I get a little blister on them,
10 it don't heal, and the numbness in my feet, and then,
11 when I stretch out in the morning and get cramps in
12 my leg, then I know my diabetes is up a little bit.
13 I take urine tests to keep checking on it. You have
14 to.

15 Q When it is up a little bit, do you
16 become more tense?

17 A No, it doesn't bother me at all, I mean,
18 as far as tense or anything.

19 Q What impact does it have on your
20 personality? Have you been able to notice any?

21 A Makes me stop drinking. That's about
22 all.

23 Q Does that make you grumpy?

24 A Well, sometimes a drink or so settles

1 a person's nerves, especially when their nerves are
2 up a little bit.

3 Q Do your nerves get up a little bit when
4 your diabetes gets up a little bit?

5 A I don't think so. Never noticed it.
6 The only thing I noticed, like I told you, my numbness
7 in my legs. That's my case. Other people have
8 different cases of it, you know.

9 Q Have you had an opportunity ever to
10 examine the explosive devices the police seized at
11 Mr. Castro's house?

12 A No, never even seen what he had there,
13 but I had been in his loading room. You know, I'm
14 pretty observant in a lot of things. When a person
15 shows me things, I'll remember it.

16 Q Okay.

17 You are not at all familiar, then, with
18 the kind of device that he had?

19 A No, not at all what he had.

20 Q Have you ever discussed what he had
21 with Mr. Castro?

22 A No, I hadn't. He mentioned something
23 about something like that, about the firecrackers,
24 or something like that. I don't know what it was.

1 I couldn't know what they were discussing, because
2 when I went through his last words, I laughed. I said,
3 "You must have moved in a lot of things."

4 Q Apart from this abruptness and the
5 nervousness, have you noticed any other changes in Mr.
6 Castro since his arrest?

7 A I won't say I've noticed any changes,
8 but I've seen him out there with ~~this~~ doctor, and the
9 doctor tells him about different things: "Watch out
10 for this nervous condition, and make sure you take
11 this."

12 A doctor shoots out at the range, and
13 I happened to be there a couple of times when the
14 doctor was there.

15 Q This is Dr. Kessler?

16 A Kessler, yeah.

17 Q How often is he at the range?

18 A Well, I only seen him a couple, three
19 times, and the reason I happen to see him that time,
20 because he shoots an oddball gun. It's a .44 auto-mag,
21 and brass is hard to find, and I get brass mixed up
22 with the other ones, and I give it to him so he could
23 load his own.

24 Q I take it that you need the brass casing

1 to reload?

2 A Yeah, you have to have brass casing the
3 same caliber of the gun to reload.

4 Q But my emphasis was on brass. Your
5 casing must be brass; is that what you are saying?

6 A Yeah.

7 Q I am not sure that you really answered
8 this question, so let me ask it again. Apart from
9 the abruptness and the nervousness, have you noticed
10 any changes in Mr. Castro since his arrest?

11 A I haven't.

12 Q Really, you became aware of those
13 since the range ~~has~~ opened?

14 A Those changes, yes, I have been aware
15 because my more frequent visits to him at that time,
16 you know.

17 Q It has gotten worse in the past year?

18 A It got worse all along.

19 Q Are you familiar with the fact that Mr.
20 Castro has acquired Mr. Tolin's interest in the range?

21 A He mentioned it to me, but I don't---
22 She had mentioned it to me. She was the one that
23 bought the interest out, not him.

24 Q That was about a year ago?

1 A Yeah, about a year.

2 Q In that year, Mr. Castro's abruptness
3 and nervousness has increased some?

4 A It's been increasing all along. I don't
5 know whether it was that or what it was.

6 Q Do you know anyone who has called Mr.
7 Castro a terrorist?

8 A No, I don't.

9 Q Have you ever heard anyone refer to
10 Mr. Castro as a terrorist?

11 A I haven't. Whether the articles in
12 the paper, at the time, or whether it was in there,
13 "terrorist," I can't recall whether I read it or not.
14 I'm not sure. It's been so long ago, so I don't know.

15 Q Has Mr. Castro ever discussed, with
16 you, phone calls that he says he receives?

17 A Yeah, he been saying he been getting
18 phone calls, threatening phone calls out there. Well,
19 just the last month and a half, he getting the phone
20 calls out there, about three or four times, is the
21 only time I've known of, the only ones he's mentioned
22 to me.

23 Q He has only mentioned these to you since
24 we have sent out the Notice of Taking Deposition; is

1 that correct?

2 A No, no, I didn't get no notice of
3 deposition. Before that is when he noticed me.

4 Q When was that--about a month and a
5 half ago?

6 A Yeah.

7 Q That would have been sometime in June?

8 A That's right.

9 Q That is the first time that you heard
10 of them?

11 A That's the first I heard of them, the
12 phone calls.

13 Q Have you ever been present when he has
14 received one?

15 A No, no.

16 Q Has he ever told you that he has been
17 followed by anyone?

18 A No, I haven't heard anything like that.

19 Q Do you know anyone who is a friend of
20 Mr. Castro, who has avoided him because of his arrest
21 and ensuing publicity?

22 A No, I haven't, but I had this man that
23 served the warrant on me, he mentioned to me that two
24 or three of them had cussed him out because they were

1 mad about this deposition or something.

2 Who was the man, the warrant server?

3 Q That is all right.

4 A He's good enough one to say that two or
5 three of the people cussed him out for bringing this
6 notification.

7 Q But other than that---

8 A Other than that, I haven't.

9 Q Do you know about any surgery that Mr.
10 Castro has undergone?

11 A Surgery?

12 Q Yes.

13 A I don't recall of any.

14 Q Did you go to Mr. Castro's house within
15 the three months after his arrest?

16 A I think I have. I probably been there.
17 I'm pretty sure I have, but I don't recall when because
18 you visit somebody, you know---

19 Q Did Mr. Castro ever show you the news-
20 paper articles that he had translated from Spanish to
21 English?

22 A No.

23 Yeah, I've been out there after they
24 had the fire. I think they had a fire afterwards in

1 their home, and that's when I was out there. That
2 particular case, at the time, I remember.

3 Q Do you remember when the fire was?

4 A No, it was after the arrest. I know
5 that.

6 Q Did you ever discuss, with Mr. Castro,
7 the fire?

8 A No, I was just talking--I had talked
9 to his wife about people, the insurance company she
10 had, because I was debating on insurance in my house--
11 about the insurance she had, and it helped them out,
12 and they didn't quibble with the price and who did
13 the repairing and so forth. That's what I was looking
14 for.

15 Q Do you know what caused the fire?

16 A I have no idea.

17 Q When you were discussing the planning
18 of the rifle range with Mr. Castro, it was his intention
19 to work full time, was it not, at the range?

20 A Yes, he planned to work full time on
21 it. That was the purpose of it. He quit the job from
22 Tamiami. He worked there. He was a good salesman,
23 I'll tell you.

24 Q Mr. Castro has never told you that he

1 has been followed by anyone when he leaves the range?

2 A I haven't recalled of any time.

3 Q You do not remember any such incident?

4 A Don't remember any time.

5 Q Has Mr. Castro ever told you that there
6 are people who keep his house under surveillance?

7 A No, don't recall of it.

8 MR. AVERILL: I do not have anything
9 further, Mr. Ginsberg.

10 CROSS EXAMINATION

11 BY MR. GINSBERG:

12 Q To your knowledge, has John Edward
13 Castro ever sold bombs to any Cuban terrorists?

14 A As far as I know, he hasn't.

15 Q You knew Mr. Castro prior to the publi-
16 cation of this article in the Miami Daily News that
17 your neighbor showed to you?

18 A Yes.

19 Q At that time, you said his health
20 seemed fine to you.

21 A Very happy and jolly.

22 Q He was able to do his job as salesman?

23 A That's right.

24 Q He made a good impression upon you?

1 A He made a good salesman, too.

2 Q Do you know what effect the publication
3 of this article had upon Mr. Castro?

4 A I don't know what effect it had at all,
5 whether the article, or what had effect, but I know
6 the effect is there now.

7 Q When you talk about the effect there
8 now--

9 A Nervous condition.

10 Q --you are talking about his nervous
11 condition?

12 A Yeah, that's what I was saying.

13 Q Did you ever ask Mr. Castro if the
14 article that was printed in the Miami Daily News was
15 true?

16 A No, I never mentioned it.

17 Q What was Mr. Castro's reputation in this
18 community prior to the publication of the article in
19 the Miami Daily News?

20 A Well, he was liked by everybody. As
21 far as I know, everybody liked him.

22 Being on the police department at the
23 time, and getting around and all, the policemen liked
24 him and enjoyed him, and then later, they seemed to

1 stray off from him. I don't know why.

2 Q When you say "they," who do you mean?

3 A The police. I was talking about the
4 police, because I worked with the police. I don't
5 know about the individuals.

6 Q You know they started to avoid him after
7 the publication of this article?

8 A That's right.

9 MR. GINSBERG: I have nothing else.

10 MR. AVERILL: Neither do I.

11 [Thereupon, the witness waived the
12 reading and signing of the deposition and the taking
13 of the deposition was concluded at 11:55 a.m.]

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CERTIFICATE

1
2 STATE OF FLORIDA :
3 : SS.
4 COUNTY OF DADE :

5 I, ELLEN SCHAFFER, a Notary Public in and
6 for the State of Florida at Large, do hereby certify
7 that I reported in shorthand the deposition of JOHN
8 OLON, the witness herein; that the deponent was first
9 duly sworn by me; that reading and signing of the
10 deposition were waived; that the foregoing pages,
11 numbered from 1 to 54, inclusive, constitute a true
and correct record thereof.

12 I further certify that I am not of counsel,
13 I am not related to nor employed by an attorney to
14 this suit, and I am not financially interested in the
15 outcome thereof.

16 Dated at Miami, Dade County, Florida, this
17 *2nd* day of August 1978.

18
19
20
21 *Ellen R. Schaffer*

22 NOTARY PUBLIC STATE OF FLORIDA at LARGE
23 MY COMMISSION EXPIRES SEPTEMBER 26, 1980
24 BONDED THRU MAYNARD BONDING AGENCY