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A Murderous Case of Mistaken Identity

By **JERRY CAPECI** | October 13, 2005



ON CHRISTMAS DAY IN 1986, A YOUNG, HARD-WORKING TELEPHONE installer named Nicholas Guido was in front of his Park Slope, Brooklyn, home proudly showing off his new red sports car to his uncle Tony when he was shot to death in a gangland-style slaying.

Guido, 26, was killed by the mob, but he had no underworld ties. Like George Aronwald, a 78-year-old retired civil lawyer whose 1987 murder was solved many years later, his execution was a bonehead case of mistaken identity by murderous mobsters eager to please their boss.

Making the Christmas Day slaying even more heartbreaking for the still suffering Guido family, secret FBI documents obtained by Gang Land indicate that the killers initially had the "right" Nicholas Guido in their sights but switched to the "wrong" man in a truly colossal blunder.

Guido was murdered because he had the same name and was about the same age as a 29-year-old Gambino associate who was on a hit team that had tried to kill Luchese chieftain Anthony "Gaspipe" Casso three months earlier, according to a racketeering indictment against ex-NYPD detectives Louis Eppolito and Stephen Caracappa.

Messrs. Eppolito, 58, and Caracappa, 63, are charged with Guido's murder, but he was killed by three Luchese mobsters who are not likely to be charged with the crime, even though the feds know their names and their roles in the slaying, according to the FBI documents.

In October 1986, a month after Casso was wounded, he extracted Guido's name from James Hydell, another member of the failed hit team, by torturing him after "the Mafia cops," who are also charged with Hydell's murder, abducted him and delivered him to Casso, according to court papers. After Hydell gave up Guido's name, Gaspipe killed Guido.

Messrs. Eppolito and Caracappa later "provided ... an address and photograph of Nicky Guido" to Casso through a longtime Luchese associate who served as his intermediary with the rogue detectives, Burton Kaplan, according to a report by FBI agents James Brennan and Richard Rudolph.

After learning from "the cops" and fellow wiseguys that "Nicky Guido" was a "big kid" who lived in the "Court Street section of Brooklyn," Casso assigned mobsters George "Georgie Neck" Zappola and Frank Lastorino to track him down and kill him, the agents wrote. The pair recruited prolific killer Joseph Testa for the hit team, the agents wrote.

Meanwhile, the bloodthirsty Casso, accompanied by Luchese boss Vittorio "Vic" Amuso, searched for Guido near "the address on Court Street on several occasions but never did observe anyone at the house," Messrs. Brennan and Rudolph wrote.

At some point, Lastorino, Zappola, and Testa spotted a "small red car" parked near the Court Street address that resembled a sports car in which an armed man had been seen scouting a location a few days before Gaspipe was shot, so they "recorded the license plate and gave it to" Casso, the agents wrote.

Casso "asked Kaplan to have 'the cops' run the plate," the agents wrote.

Casso later learned from the police that the car was registered to a Nicholas Guido, who lived "a few neighborhoods away from the Court Street area," and he gave the new address to Zappola.

The hit team "set up on the house." Zappola initially told Casso that "they saw a guy fitting Guido's description get into the red car at the new address" and would "try to get a better look before proceeding." He later reported back to Casso that they'd shot and killed the man they believed to be Nicky Guido, the agents wrote.

When newspaper accounts stated that the dead man worked for the telephone company, Gaspipe realized that his hit team had killed the wrong man, and he called Zappola on the carpet, the agents wrote.

Zappola blamed Lastorino for the gaffe, explaining that when Guido "came out of the house, Lastorino" fingered him as "the right guy," and that he and Testa "went over to Guido, and Testa shot him, killing him," Messrs. Brennan and Rudolph wrote. Later, Lastorino and Testa backed up Zappola's account, Casso told the agents, with Lastorino stating "that he truly believed that the victim was the guy they were after."

Killing the wrong man did not deter Casso's quest to find and kill the right Guido. But the only time he ever saw him was in 1989, when the Gambino associate was on trial for the attempted murder of Casso. From the witness stand, Gaspipe recognized him as "the same person in the photograph" he had gotten from the "the cops," the agents wrote.

Casso, still looking to exact his own revenge, did all he could to help Guido beat the case, testifying that he didn't recognize Guido as one of his attackers. He was acquitted of attempted murder but found guilty of assault and spent the next 11 years in various prisons for that and a subsequent cocaine-trafficking conviction. Gaspipe periodically "asked Kaplan to have 'the cops' check on [his] prison location," but eventually gave up the obsession, the agents wrote.

Casso began cooperating with the FBI in 1994, but later fell out of favor with the feds, who refused to use him as a witness. Given those problems, it is very unlikely that Zappola, Lastorino, and Testa - all of whom are currently incarcerated for other crimes - will be prosecuted for the 1986 Christmas Day killing of the "wrong" Nicholas Guido.

Only Lastorino, 66, will be released anytime soon. He is due out the week before Christmas 2008. Zappola, 46, is set for release in 2014. Testa, 50, a key member of a crew of Brooklyn-based drug dealers and car thieves who dismembered their victims for disposal in a city dump, was convicted of 10 murders in 1989. He's not due out until 2032.

AN EMPTY CHAIR MARKS HIS SPOT

After sitting through three weeks of testimony at his labor racketeering trial, Genovese mobster Lawrence Ricci has disappeared, and federal authorities fear that something didn't agree with him.

Authorities believe that whatever troubles befell Ricci, they had little to do with fraud charges he still faces in Brooklyn Federal Court, where he is on trial. Ricci and two top International Longshoremen's Association officials are charged with racketeering and extortion. The trial is ongoing, but now there's an empty chair marking his spot at the defense table. Ricci, 60, serves as an acting capo under feared New Jersey docks boss Tino Fiumara. Authorities suspect that higher-ups in the Genovese family found some fault with Ricci's performance of his duties and have dispatched him - permanently.

"I do not consider my client's absence to be a voluntary one," lawyer Martin Schmuckler told Judge I. Leo Glasser.

Yesterday, Judge Glasser told jurors not to draw any "adverse inference" against Ricci or his co-defendants, ILA officials Harold Daggett and Arthur Coffey, because of Ricci's "absence."

If convicted, Ricci faces five years - a much more lenient penalty than the one authorities believe has already been meted out.

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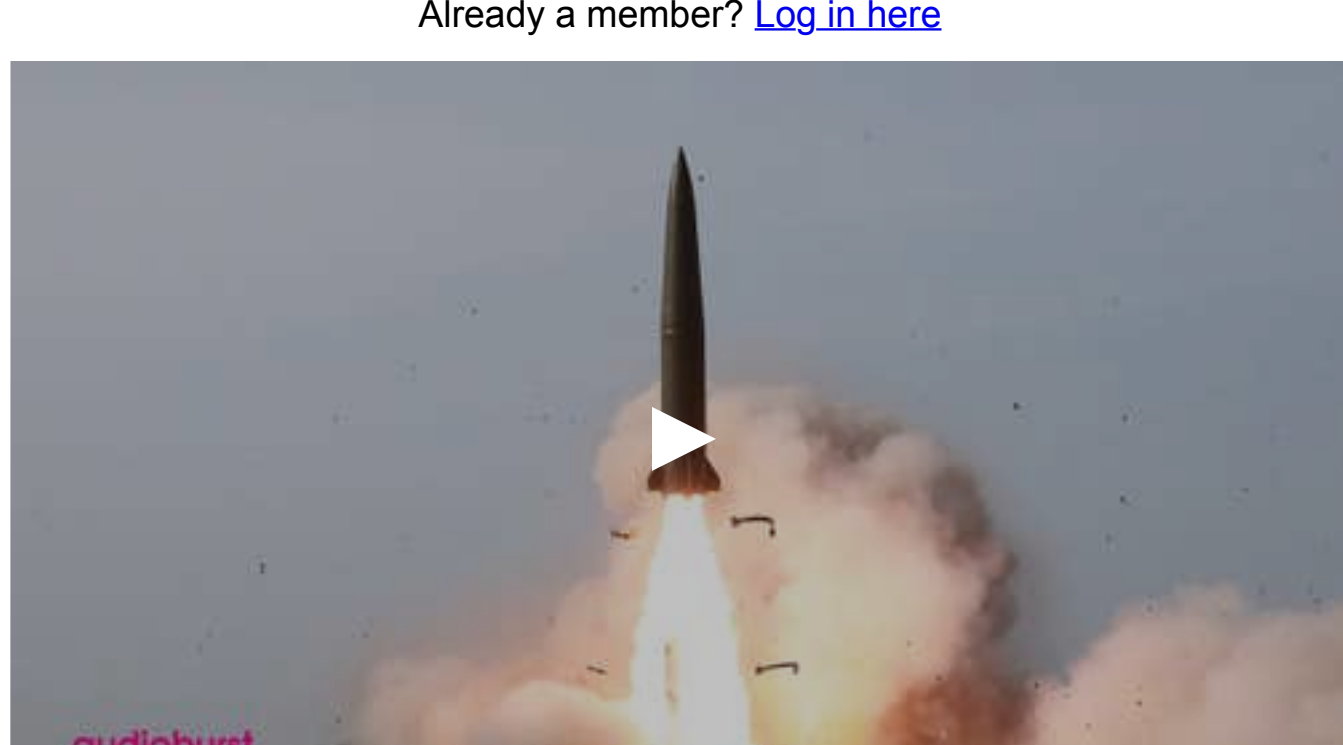
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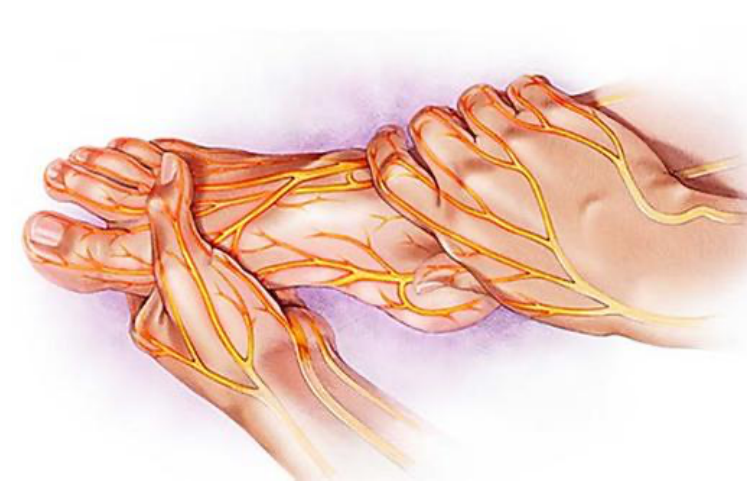
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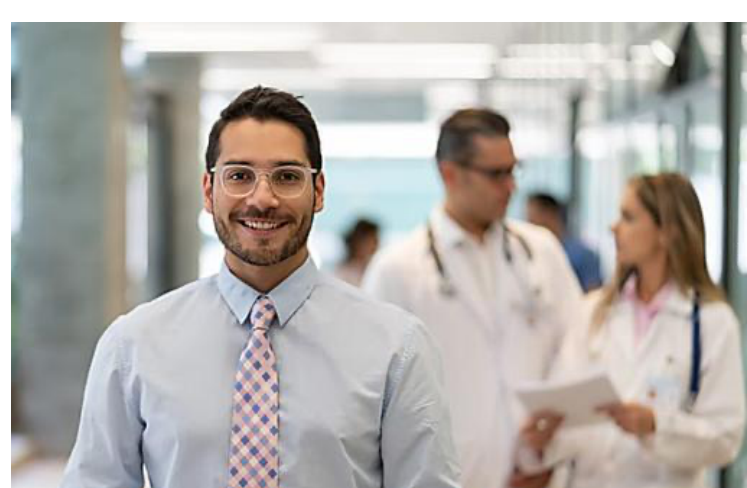
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