

Justice Shows Up At Third Trial Following More Than A Decade Of Hearings In New York

A New York Federal Appeals court which threw out the murder conviction of a former Gambino associate who choked his girlfriend to death in a Brooklyn motel room ruled that an unlawfully obtained confession from defendant Guy Zappulla "was far and away the most convincing evidence of his guilt" and should not have been admitted into evidence at his 1999 trial.

It would take another trial and more than a decade for justice to show up.

The Victim's Mother

It wasn't a trip back home Roberta Cambria wanted to make.

The 63-year-old woman had a pair of anxiety attacks during the half-day flight from Nevada to the East Coast. It wasn't a fear of flying which triggered the attacks.

She was going to see Guy Zappulla, the man who killed her daughter ten-years earlier.

"Every time I entered the courtroom, I became nauseous," Cambria recently said. "I would look at him and think he can still sleep after killing someone loved by her family."

Zappulla was a mob turncoat in 1998 when he strangled 28-year-old Jennifer Scarpati to death In Sheepshead Bay.

Zappulla was convicted for the killing and [the conviction](#) was overturned on appeal. Zappulla had been hit by a car while fleeing police custody and investigators never re-Mirandized him. That was enough leverage for Zappulla to get a new trial — his third.

Cambria, at home on the West Coast, was notified she would need to return to court, as a witness, again. Someone had to speak for Jennifer, her slain daughter, and Cambria was the only one who could.

How The Third Trial Came To Be

Zappulla was detained at the Golden Gate Inn in Brooklyn, as spelled out in a police report, he had stolen his girlfriend's fur coat and jewelry. When arrested, the police read Zappulla his Miranda rights and then tried to talk to him about the theft. Zappulla refused to talk.

While going through his pockets contents, cops found a motel room key. Going to the room, the cops found the fur coat which was reported stolen and Jennifer Scarpati's body.

Zappulla momentarily escaped and was hit by a car and taken to the hospital. The following day, when Zappulla, back in police custody, was questioned again. This time the cops failed to warn him about his Miranda rights and was interrogated about the murder.

Zappulla told the detectives he wanted a lawyer, but then confessed about the murder and signed a statement documenting his confession.

Zappulla admitted to smoking crack with Scarpati and became angry when he found she had stolen jewelry from him. The pair got into an argument, Zappulla choked her to death and left the room.

Third Trial Produces A Conviction

Following a two-week trial, the jury took an hour and a half to convict him. He was found guilty — again. When the verdict was read, Cambria found enough courage to tell Zappulla what she had wanted to say for ten-years.

“You took a child from her mother,” Cambria said. “You took a sister, a mother, a granddaughter, a cousin and a friend. May you rot in hell and never see the light of day.”

Zappulla remained seated quietly. He also stayed mum during his sentencing on July 21.

“My daughter was a good person who got on the wrong path,” Cambria said. “I’m hoping with all my heart her soul is at rest.”

The tears still fall.

“I went home to Nevada with a light heart and good news for the family, but there’s no such thing as closure,” she added.

The Takeaway

Long and dryly written in the manner accustomed by the courts, Guy Zappulla, Petitioner-appellant, v. People of the State of New York, Respondent-appellee, 391 F.3d 462 (2d Cir. 2004) Annotate this Case US Court of Appeals for the Second Circuit - 391 F.3d 462 (2d Cir. 2004) spells out the details of the case.