

Alleged 'blind' lookout is acquitted

4 convicted, 1 acquitted in failed Balmoral heist

By John O'Brien

A federal court jury on Tuesday convicted four members of a super-cautious gang of burglars who came within minutes of pulling off an anticipated \$1 million heist at Balmoral Park Race Track in suburban Crete.

A fifth man was acquitted of all charges in the case, which stemmed from an aborted attempt in 1983 to crack open a safe containing \$600,000.

Only the unexpected arrival of two guards and a sure bet that more guards would soon follow prompted the gang to abandon the safe, leave the grandstands and retreat emptyhanded out of an old railroad tunnel to getaway cars.

The jury's verdicts, reached after five hours of deliberation, were returned before U.S. District Judge Harry Leinenweber, who set sentencing for July 28.

Found guilty of conspiracy and attempting to steal the money were Paul DiCaro, 48, of Oak Lawn; Walter Leszynski, 59; Michael Gurgone, 52; and Thomas Harty, 63, all of Chicago. All face up to 50 years in prison.

The jury acquitted David P. Sheehan, 38, also of Chicago, of identical charges.

In all, eight people were originally charged in the failed theft. Two of them, career criminals Paul "Peanuts" Panczko and James "Duke" Basile, pleaded guilty, testified against the others and now have new identities as members of a witness protection program.

As informants secretly working for the FBI, Panczko and Basile identified all five defendants as

fellow thieves. The jury also heard a dozen incriminating conversations they recorded among themselves, DiCaro, Gurgone and Harty.

Another defendant, Gerald "Bootsie" Ciancio, 49, of Palos Hills, faces trial next Monday.

He was given a separate trial on his claim that DiCaro forced him at gunpoint to participate and silence the safe's burglar alarm.

DiCaro was portrayed by prosecutors John Scully and Stephen Anderson, as the gang's "take-no-chances" boss.

A former Balmoral horse trainer, he is currently serving an 18-year prison term for a theft of industrial cobalt in Chicago Heights and the armed robbery of a Chicago food store.

Leszynski is in prison as a bank robber and parole violator.

He and Harty are former associates of "Peanuts" Panczko, youngest of three Panczko brothers whose crimes against jewelry salesmen across the nation began in the 1940s and continued for nearly four decades.

Neither DiCaro, Leszynski, Harty, Gurgone or Sheehan testified in his own defense.

Witnesses testified on behalf of Gurgone, an employee of the city department of Streets and Sanitation, and Sheehan, a former city worker, that both men were with their families on the night of the attempted break-in.

Though the jury convicted Gurgone, Sheehan's lawyers, Lawrence Gillespie and Marc Marini, said the jury no doubt opted to acquit Sheehan because his name never came up in any of the Panczko-Basile taped conversations.

Defense attacks witness credibility in Balmoral case

By CHRIS CONLEY
Staff Reporter

Attorneys for five men charged in the 1983 attempted robbery of Balmoral Park Race Track on Tuesday attacked the credibility of the government's two main witnesses, both convicted felons.

"The government cut a sweetheart deal with a person who is not much better than the devil," defense attorney Marc Martin said of government informant James "Duke" Basile, who along with Paul "Peanuts" Panczko will key the government case.

On trial in U. S. District Court in

Chicago are Paul DiCaro, 47, of 4800 W. 101st Pl.; Oak Lawn; and Michael Gurgone, 52; David P. Sheehan, 38; Thomas Harty, 62; and Walter Leszczynski, 58, all of Chicago. They are charged with conspiracy, armed robbery and firearms violations in connection with the February 1983 incident at the Crete track.

DiCaro's attorney, Marvin Bloom, described Panczko as a robber, jewelry thief and counterfeiter who "will do anything for a break."

Prosecutor John Scully, of the Justice Department's Chicago Strike Force on Organized Crime, conceded Tuesday that Basile and

Panczko were "not the best people in the world."

"They are convicted felons, and they carry a lot more baggage," he said.

Basile, he said, was "involved with the Chicago mob" in the late 1970s and early 1980s as a loan shark and "street tax" collector and was convicted of bank robbery, gambling and burglary. "Street tax" is the term for the monthly payment extorted by organized crime from illegal businesses to allow them to keep operating.

Scully said Basile once confessed

to the murders of four people, including William "Billy" Dauber, a reputed mob hit man who became a government informant, and Dauber's wife in 1980. Basile later retracted the confession.

Basile, 53, pleaded guilty to taking part in the aborted Balmoral heist and agreed to testify. Panczko, 65, became a government informant shortly after receiving a 10-year prison term in 1985 for weapons violations.

The Balmoral plan, Scully told jurors, fell through because Gurgone and Basile arrived one hour late,

and the robbers found "they didn't have time to burn through the safe" they believed contained \$1 million.

The group, along with Gerald "Bootsie" Ciancio, met in an abandoned railroad station across from the race track, forced their way through a closed tunnel leading under the grandstand and circumvented the alarm, Scully said.

After overpowering two security guards, the would-be robbers left when they learned a new shift of guards was coming on duty, he said.

Ciancio, 48, of Palos Hills, was granted a separate trial on Monday.

By CHRIS CONLEY
Staff Reporter

Four members of a mob-connected ring that attempted to rob the Balmoral Park Race Track in 1983 were convicted Tuesday in federal court in Chicago.

A fifth man was acquitted of all charges.

The jury took only five hours to find Michael Gurgone, 52, Thomas Harty, 62, and Walter Leszczynski, 58, all of Chicago, and Paul DiCaro, 47, of Oak Lawn, guilty of conspiracy to commit armed robbery, attempted armed robbery and unlawful weapons use.

They face up to 50 years in prison. Sentencing is set for July 28 before U.S. District Judge Harry Leinenweber.

David Patrick Sheehan, 38, of 3332 S. Normal Ave., accused of being the lookout for the robbers, was found not guilty of all charges.

Jurors queried after the verdict noted that Sheehan's name did not appear in any of a dozen transcripts of telephone conversations tape-recorded by government witnesses Paul "Peanuts" Panczko and James "Duke" Basile.

Basile pleaded guilty to conspiracy and attempted robbery in return for a government recommendation that he be sentenced to 15 years in prison.

Panczko became a government witness in 1985, after he was sentenced to 10 years in prison for weapon violations. He was not charged in the robbery attempt.

Sheehan's wife, Rosalyn, told jurors that on Nov. 28, 1983, the night of the attempted robbery, she and her husband discussed her plans to have a tubal ligation, a surgical method of birth control, the following day.

"Mrs. Sheehan is a very credible witness, and it happened to be true," Sheehan's attorney, Marc Martin, said.

"If anybody could be convicted on the uncorroborated word of 'Duke' Basile and 'Peanuts' Panczko ... this country is in bad shape," Martin said following the verdict.

Jurors rejected Gurgone's alibi that he was at a birthday party of a niece in Chicago Heights the night of the robbery.

Prosecutors in closing arguments noted that the site of the party was only minutes from the track, and that Gurgone showed up late for the break-in.

The would-be robbers, after circumventing the alarm system and overpowering two guards, left empty-handed upon learning that a new shift of guards was coming on duty.

Gerald "Bootsie" Ciancio, 48, of Palos Hills, the accused "wire expert" of the group, will be tried separately Monday.