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ESTRANGED WIFE AND COUSIN SENTENCED IN MURDER-FOR-HIRE PLOT
IN SHOOTING DEATH OF QUEENS ORTHODONTIST

Defendants Receive Sentence of Life In Prison Without Parole

Queens District Attorney Richard A. Brown today announced that Dr. Mazoltuv Borukhova and her cousin by marriage, Mikhail Mallayev, have been sentenced life in prison without the chance for parole for conspiring to kill Dr. Borukhova's estranged husband, Dr. Daniel Malakov, who was gunned down execution-style by Mallayev in October 2007 in a Forest Hills playground.

District Attorney Brown said, "Daniel Malakov looked to the law for justice when it came to gaining custody of his young daughter several years ago. Today, the judicial system was there once again to ensure justice for this promising young man whose life was cut short. First, prosecutors made sure that those guilty of his murder were held accountable for their actions with a conviction. Today, the judge who presided over the trial sentenced each of the defendants to the maximum allowed by law. This is a measure of justice for Daniel's family and for society."

District Attorney Brown identified the defendants as Dr. Mazoltuv Borukhova, 35, of 65-10 108th Avenue in Forest Hills, who maintained a medical office nearby at 64-42 108th Avenue, and Mikhail Mallayev, 51, of 3016 Henderson Mills Road in Atlanta, Georgia.

The District Attorney said that the defendants were convicted last month following a five-week jury trial of first-degree murder and second-degree conspiracy. Mallayev was also convicted of second-degree criminal possession of a weapon. Queens Supreme Court Justice Robert J. Hanophy, who presided at trial, today sentenced each of the defendants to life in prison without parole on the murder, 8 1/3 to 25 years each on the conspiracy conviction to run consecutive to the murder sentence. Also, Mallayev was sentenced to 15 years on the weapon possession charge to run concurrent to the murder sentence.

District Attorney Brown said that, according to testimony at trial, Dr. Borukhova and Mallayev had 90 telephone conversations with each other in the weeks prior to the murder, during which they came to an agreement that Mallayev would kill Dr. Borukhova's estranged husband, Daniel Malakov, in exchange for a sum of money. In carrying out their conspiracy, it was charged Dr. Borukhova arranged for Malakov to meet her on the morning of Sunday, October 28, 2007, in the Annadale Playground so that he could deliver their daughter for a visit with her. Malakov had won custody of the child after a bitter court battle. Also present near the location that morning was Mallayev, who utilized a makeshift silencer to shoot Malakov twice in the chest.

Following the murder, it was testified, Dr. Borukhova and Mallayev had two more telephone

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conversations which were followed by a meeting at Dr. Borukhova's Forest Hills medical office, and that on November 8, 2007, in Brooklyn, Mallyayev deposited a total of \$19,800 into ten different bank accounts.

District Attorney Brown said that Mallyayev was arrested in November 2007 in Georgia after NYPD detectives matched fingerprints on the makeshift silencer found at the scene to fingerprints taken from Mallyayev in 1994 after he was charged with subway fare-beating. Borukhova was arrested in February 2008 after a Queens County grand jury charged both her and Mallyayev with the murder of Dr. Daniel Malakov.

The investigation was conducted by Detective Ismet Hoxha, of the NYPD's 112th Precinct Detective Squad, under the supervision of Sergeant Claudia Bartolomei, Commanding Officer of 112th Precinct Detective Squad, and by Det. Edward Wilkowski, of the Queens Homicide Squad, under the supervision of Lieutenant John Perdoch, Commanding Officer of the Queens Homicide Squad.

Also participating in the investigation was Assistant District Attorney Teri Ann Puliafico, of the District Attorney's Homicide Investigations Bureau, under the supervision of Assistant District Attorneys Peter Reese, Bureau Chief, and Peter McCormack III, Deputy Bureau Chief, and under the overall supervision of Executive Assistant District Attorney for Major Crimes Charles A. Testagrossa and Deputy Executive Assistant District Attorney for Major Crimes Daniel A. Saunders. Assistant District Attorney Donna Aldea, Counsel for Special Litigation in the District Attorney's Legal Affairs Division, also assisted in the investigation.

Assistant District Attorney Brad A. Leventhal, Bureau Chief of the District Attorney's Homicide Trial Bureau, prosecuted the case, with the assistance of Assistant District Attorney Donna Aldea, under the overall supervision of Executive Assistant District Attorney for Major Crimes Charles A. Testagrossa and Deputy Executive Assistant District Attorney for Major Crimes Daniel A. Saunders.

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