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**QUEENS DISTRICT ATTORNEY RICHARD A. BROWN'S REMARKS  
FOLLOWING JURY VERDICT IN PEOPLE V. MALLAYEV AND BORUKHOVA**

As you know, a Queens jury today convicted Dr. Mazoltuv Borukhova and her cousin by marriage, Mikhail Mallayev, of first-degree murder – murder for hire – as well as conspiracy – in the shooting death of Dr. Borukhova's estranged husband, Dr. Daniel Malakov.

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I'm joined this afternoon by, among others, the lead prosecutor on the case, Brad Leventhal -- who is the Chief of our Homicide Trials Bureau -- and by Donna Aldea, who is Counsel for Special Litigation in our Legal Affairs Division and who assisted in the prosecution.

Also with us this afternoon is Sgt. Claudia Bartolomei who commands the 112<sup>th</sup> Precinct Detective Squad here in Forest Hills -- and others from the Police Department and from my office who have been involved in the investigation and prosecution of this complicated and difficult case.

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Dr. Malakov – a 34 year old orthodontist with a growing practice within the Bukharian community -- was shot and killed on the sidewalk adjacent to a playground here in Forest Hills on a sunny Sunday morning in October 2007. He was shot twice in the chest. He was at the playground to deliver his daughter for a pre-arranged visit with his estranged wife – the child's mother.

Mr. Malayev – Dr. Borukhova's cousin – was subsequently identified as the shooter after detectives matched fingerprints on a makeshift silencer found at the scene of the shooting with fingerprints taken from him in 1994 after he had been charged with subway fare beating.

Dr. Borukhova – a 33 year old internist – was charged with having lured her estranged husband to the playground that morning and with having conspired with Mr. Malayev to have Mr. Malayev shoot him at that location.

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It's not my intention to go through all of the testimony adduced during trial. Suffice it to say that it is, in my opinion, more than sufficient to sustain the jury's verdict. And Mr. Leventhal and Ms. Aldea -- who did an extraordinary job of investigating and prosecuting this case – can respond to any specific evidentiary questions that you have.

(MORE)

I do, however, want to briefly comment on my view of this tragedy.

\* \* \* \*

A young dentist – with a great deal to look forward to in both his personal and his professional life -- has lost his life after having been shot execution style on a quiet Sunday morning outside of a Forest Hills playground in full view of his four-year old child – all as part of a murder for hire plot hatched by his estranged wife for the purpose of gaining sole custody of the couple 's young child.

A four-year old little girl has been forever traumatized by having witnessed the assassination of her father and that which occurred will forever be etched in her memory.

But beyond that – the child has lost not only her father, but her mother, as well. Her father has been shot to death – and her mother now faces the prospect of spending the rest of her life in prison for having arranged for the father's murder. A little girl whose bond with her father was just beginning to grow strong -- and with whom she had joked and played minutes before he was killed – was gunned down before her eyes to die in a pool of his own blood. A little girl who has now lost both parents to this consuming hatred – and whose scars run deeper than we can fathom.

\* \* \* \*

Today's verdict cannot heal the wounds suffered by the child – perhaps nothing ever can. Nor can it heal those of the family of Dr. Malakov who lost his life so tragically. I hope, however, that it will bring some degree of closure to the Bukharian community and that it will enable them to begin to bridge the divide that has formed as a result of that which has occurred.

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The defendants face up to life in prison when sentenced by Judge Hanophy next month. In the meanwhile, they are being held without bail.

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Once again I want to commend everyone who worked on the investigation and prosecution of this case for their dedication and their professionalism. I believe that it is fair to say that justice has been served -- although the child at the center of this case will probably never recover from having witnessed that which occurred or from the custody fight that to this day remains unresolved.