

Lawyer for accused madam Anna Gristina argues for an ankle bracelet

By LAURA ITALIANO

"The French guy" got an ankle bracelet -- so why not Anna Gristina?



Anna Gristina in court in March

In a rollicking hearing today, Appellate Division judges voiced a spirited openness to potentially springing accused Upper East Side brothel boss Anna Gristina on a lower bail -- even dropping the names of such famous recent ankle bracelet "models" as Martha Stewart and infamous "French guy" Dominique Strauss Kahn.

"How come an ankle bracelet is OK for 'The French Guy' -- and Martha Stewart by the way -- but not this defendant?" Appellate Division Justice Sallie Manzanet grilled Manhattan Assistant District Attorney Charles Linehan.

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It was a tough hearing all around for Manhattan prosecutors, with all the love in the gilded courtroom going to Gristina lawyer Norm Pattis, who was there to argue for the lowering of Gristina's bail, now a whopping and unattainable \$1 million cash or \$2 million bond.

Pattis, who came to court sporting

his trademark ponytail, could barely get a word out before a judge piped up in agreement.

"What do you think bail should be?" Justice James Catterson asked him.

"One-hundred thousand, just like Jaynie Mae Baker," Pattis answered, referring to Gristina's beautiful strawberry-blonde alleged assistant madam.

"Didn't Miss Baker leave for Mexico and then return [when first charged], and aren't they facing similar charges?" Catterson said -- essentially stating Pattis's point.

To make matters still worse for prosecutors, Catterson slammed Linehan for what he called an "appalling" misinterpretation of case law in the DA's appellate brief.

"I have great respect for your office," Catterson told the prosecutor. "But I'm appalled by that citation you made."

Catterson then spent the next few minutes explaining a simple, law-school-level misinterpretation in the paperwork, having to do with how risk of flight alone is insufficient as a determinant of bail.

"I'll concede that point," Linehan

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responded. "I apologize for that statement."

That back-and-forth -- and the comments by Catterson and Manzanet -- had Gristina's husband, Kelvin Gorr exchanging wide grins with family lawyer Peter Gleason in the audience, possibly the only cheerfulness the hunky hubby has exhibited in a courtroom since his wife was incarcerated.

Gristina, mother of four and a self-described "Hockey Mom," has been in Rikers unable to raise either amount since February. The appellate division can rule on whether to lower her bail at any time.

"It's a little like the Wizard of Oz," Pattis said. "They decide when they decide."

Prosecutors say Gristina is the lynchpin in an ongoing probe into an alleged \$15 million high-price escort operation -- and of the alleged law enforcement protection and money-men collusion that helped it flourish for more than a decade.

Manhattan Supreme Court Justice Juan Merchan had set Gristina's bail based on DA assertions that that they have Gristina on tape from 2008 boasting that her high-power friends in law enforcement and finance would tip her off to any imminent bust and help her while on the lam.

But no such pals have been publicly implicated -- and the tape that keeps her locked up has never been released to the defense. Meanwhile, prosecutors had told Gristina as soon as she was busted that she

could go free providing she cooperate, former Gristina lawyer Gary Greenwald has said in open court.

"We now have bail being used as a tool of interrogation," Pattis complained in court today. "If you cop, you can go home. If not, sit for a while."

Today's arguments were based on an appellate brief filed by Greenwald. ■