

# Garner in court stare-down with accuser; Proclaims innocence on way to arraignment

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By Lou Michel

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Antoine J. Garner appeared Tuesday in Tonawanda City Court to answer a charge of harassing the mother of Amanda L. Wienckowski, but the Buffalo man seemed to be addressing more than that accusation on his way into the courtroom.

"I'm innocent. I'm innocent period," Garner said as Erie County deputies delivered him to the courtroom to answer charges of aggravated harassment for allegedly making threatening remarks to Wienckowski's mother, Leslie L. Brill.

Brill and other family members never have been satisfied with a medical examiner's report that Wienckowski died an accidental death nearly three years ago. Her naked and frozen body was found in a garbage tote across the street from an apartment where Garner met her, the last time she was seen alive.

"If she can put my picture on a flier, I can respond to her any way I want," Garner told reporters.

In the courtroom, Garner and Brill stared at one another until it was his turn to go before Judge Joseph A. Cassata.

Brill, seated in the front row of the court spectator section, expressed shock when Garner began mouthing words at her.

"He said, 'You want a piece of me?' I was looking at him. I wanted him to see me because of my daughter. I know he murdered her. That's why I was here today," Brill said after the court session.

Garner, on his way back to the prisoner van after the appearance, was asked if he had uttered those words to Brill.

"I said, 'You want a picture of me?' She kept staring at me," said Garner, 25, of Cheektowaga, before climbing into the van for a return trip to the Erie County Holding Center in Buffalo.

Brill denied ever placing Garner's image on a flier. During rallies to draw attention to her 20-year-old daughter's death, family members and friends have posted fliers of Wienckowski, a Kenmore native, in the hopes of drawing out witnesses to provide police with information about her death.

Wienckowski was found frozen and upside down in a plastic garbage tote more than two years ago beside a church on the near East Side and directly across the street from Garner's grandmother's home, where he had been staying.

Police say he was the last person known to have seen Wienckowski alive after she was driven to the grandmother's residence for a paid sexual encounter with Garner in the early evening of Dec. 5, 2008. Her body was found Jan. 9, 2009.

In addition to being considered by Buffalo police to be a person of interest in Wienckowski's death, Garner faces two aggravated harassment charges in Tonawanda, where Brill resides, and also a felony assault charge for an alleged June 26 attack on a 43-year-old woman in a vacant house on Jewett Avenue in Buffalo.

He is scheduled to appear on the Jewett Avenue charge Wednesday in Buffalo City Court. Garner has been held without bail on the assault charge.

In Tonawanda City Court, Cassata set bail at \$5,000 for Garner. He originally had been released on his own recognizance.

When Garner attempted to explain his case to Cassata, the judge told him he could not hear details at this stage in the proceedings. Garner requested a public defender in the harassment case. Cassata granted the request and scheduled further proceedings for next Tuesday.

Brill has claimed that Garner made threats against her on Facebook and in a telephone call, wanting to know if she had a "death wish."

Outside the Tonawanda court, Brill also said that she has been receiving anonymous phone calls in recent months.

"It starts with somebody breathing and then a girl starts crying or screaming," Brill said. "But I have not received any of those calls since Garner was picked up last Wednesday."

As for the long-awaited results of a second autopsy of Wienckowski's remains by a West Coast pathologist, Dr. Anthony J. Billittier IV, Erie County health commissioner, disputed claims by the Wienckowski family's attorney that the county has failed to cooperate in providing tissue samples.

Attorney Steven M. Cohen has said that Dr. Silvia O. Comparini has been unable to finish her autopsy because of the delays.

Billittier and his spokesman, Kevin Montgomery, insist they have been more than cooperative, going beyond a court order that required the Erie County Medical Examiner's Office to send the samples.

Comparini twice has requested extensions to review the material and the county has not objected, Montgomery said.

Monday, the medical examiner sent by courier additional tissue samples the pathologist has requested, Montgomery added.

Initial indications from the second autopsy, performed in February 2010 after family and friends of Wienckowski raised money to pay for it, show the young woman was strangled.

The local medical examiner's autopsy had ruled Wienckowski's death accidental from a drug overdose. Her family claimed she had been raped, beaten and slain after being given a date rape drug.

Billittier raised questions about the second autopsy.

"We sent everything and have heard nothing back. We expected we would receive the courtesy of a copy of Dr. Comparini's report. We found it odd we haven't received anything for months, especially if it's that obvious that Amanda was murdered," Billittier said. "It seems like Dr. Comparini would have concluded that long ago, if that were the case."

Brill defended Comparini.

"She wants to rule with everything that [the Erie County medical examiner] had to rule on," Brill said.

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