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**ESTRANGED WIFE CHARGED IN MURDER-FOR-HIRE PLOT
IN SHOOTING DEATH OF FOREST HILLS ORTHODONTIST**

Queens District Attorney Richard A. Brown, joined by New York City Police Commissioner Raymond W. Kelly, today announced that Dr. Mazoltuv Borukhova and her uncle by marriage, Mikhail Mallyayev, have been indicted by a Queens County grand jury for conspiring to kill Dr. Borukhova's estranged husband, Dr. Daniel Malakov, who was gunned down execution-style last October adjacent to a Forest Hills playground in front of Dr. Borukhova and their four-year-old daughter.

District Attorney Brown said, "The charges are, of course, particularly shocking. A young father with a great deal to look forward to in his life was unceremoniously gunned down on a quiet Sunday morning outside a Forest Hills playground in full view of his four-year-old child in an alleged murder-for-hire plot hatched by his estranged wife for the sole purpose of gaining custody of the four-year-old. What makes this case particularly sad is the fact that the child has now lost both of her parents – her father has been killed and her mother faces the justice system on charges that she arranged for his murder."

Police Commissioner Kelly said, "The detectives in this case were steadfast, from their painstaking efforts that linked the shooter to fingerprints taken 14 years ago in a fare evasion arrest, to the continued focus on the second suspect in this case. Her arrest without incident last night for murder and conspiracy was successfully accomplished in partnership with Queens prosecutors."

District Attorney Brown identified the defendants as Dr. Mazoltuv Borukhova, 34, of 65-10 108th Avenue in Forest Hills, who maintains a medical office nearby at 64-42 108th Avenue, and Mikhail Mallyayev, 50, of 3016 Henderson Mills Road in Atlanta, Georgia. The defendants were arraigned today before Queens County Supreme Court Justice Robert J. Hanophy on a five-count indictment charging them each with first-degree murder, second-degree murder (intentional) and second-degree conspiracy. The defendants, who each face life in prison without parole if convicted, were ordered held without bail and to return to court on February 15, 2008.

District Attorney Brown said that, according to the indictment, Dr. Borukhova and her uncle through marriage, Mikhail Mallyayev, had 90 telephone conversations with each other in the weeks prior to the murder, during which they came to an agreement that Mallyayev would kill Dr.

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Borukova's estranged husband, Daniel Malakov, in exchange for a sum of money. In carrying out their alleged conspiracy, it is charged that Dr. Borukova 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. It is alleged that also present near the location that morning was Mallayev, who utilized a makeshift silencer to shoot Malakov twice in the chest.

The indictment further charges that, following the murder, Dr. Borukhova and Mallayev had two more telephone conversations which were followed by a meeting at Dr. Borukhova's Forest Hills medical office, and that on November 8, 2007, in Brooklyn, Mallayev deposited a total of \$19,800 into ten different bank accounts.

The District Attorney said that Mallayev was arrested in November 2007 in Georgia after NYPD detectives matched fingerprints on the makeshift silencer found at the scene to fingerprints taken from Mallayev in 1994 after he was charged with subway fare-beating. Mallayev had been in the custody of the DeKalb County (GA) Sheriff's Office until his extradition last month. Today's charges are in addition to those for which he was arraigned on January 17, 2007 in Queens Supreme Court: one count of second-degree murder, two counts of second-degree criminal possession of a weapon and one count of third-degree criminal possession of a weapon. Mallayev is presently being held without bail at Rikers Island.

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, is prosecuting the case 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.

It should be noted that an indictment is merely an accusation and that a defendant is presumed innocent until proven guilty.

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