

NEWS
HIS LEGAL HOUDINI WAVES MAGIC WAND AT TESTIMONY

JOANNA MOLLOY
BY JOANNA MOLLOY
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WHEN WE first heard about Queens Sen. Hiram Monserrate's girlfriend's face getting all cut up last December, we flashed back to a 1997 incident involving Whitney Houston.

Houston and Bobby Brown were on a 120-foot yacht, and she ended up in an emergency room off the island of Capri with a 2-inch gash in her beautiful face.

The singer said she'd cut herself on a rock while swimming. Oops! A crew member told cops she got cut onboard.

Whitney suddenly remembered that, and said, "I feel like a klutz."

Her spokeswoman explained, "They were having lunch, and she slipped in the dining room. She thinks she cut herself on a dinner plate that broke when she was trying to break her fall." Picture that.

Dinnerware - in this case a glass - also was involved in the injury of Monserrate's gal pal, Karla Giraldo. Her cuts were so extensive they required 40 stitches, not four, like Whitney's.

It, too, was an accident, not a jealous rage over finding another man's phone number in her purse, Monserrate claims.

He was bringing a glass of water to his love and he tripped and it went into her face, slashing her.

Giraldo, shown Wednesday on a videotape in Queens Criminal Court screaming as Monserrate dragged her through a hallway, says that's what happened - an accident.

She didn't always say that.

Yesterday, in Judge William Erlbaum's courtroom, the emergency room nurse who first treated Giraldo at Long Island Jewish Hospital testified that no sooner had she told Monserrate he couldn't enter the triage room and shut the door than Giraldo cried, "He's crazy! He's crazy!"

"She was very upset," nurse Susan Cabibbo said. Earlier, emergency room doctor Dawne Kort testified, "[Giraldo] said, 'I can't believe he did this to me.'"

It all seemed so clear-cut, pardon the expression.

That is, until **Joseph Tacopina** got up, on behalf of his hulking client. Tacopina's the kind of lawyer who makes you want to get into trouble so he can defend you.

With his custom-made suits, expensive haircuts and very expensive watches, the soft-spoken Brooklynite has been the go-to guy for everyone from Foxy Brown to former Police Commissioner Bernie Kerik.

He got Sticky Fingaz cleared of gun charges, and got Lillo Brancato off on a murder rap in a cop killing, convincing jurors the actor was guilty only of burglary.

A legal magician, he represented a descendant of Harry Houdini in his effort to exhume his ancestor's body.

Yesterday's testimony was strong, but Tacopina sliced and diced it as if he had his own broken water glass.

"Here she is, bleeding, crying," he said to Cabibbo, "and you shut the door and she says, 'He's crazy, he's crazy!' and you don't ask, 'Who?'. . . Hospital rules require that if it's a domestic violence case, you have to tell the patient of her victim's rights, but you didn't do that, did you?"

"Only 18 days later, after this story had been on TV and the newspapers, did you remember this quote and write it down."

Monserrate may not have been so smart in Albany this year, but he was brilliant in hiring Tacopina. Monserrate is as knotted up in evidence and negative testimony as could be, but like a legal Houdini, Tacopina may just be able to get him out of it.

jmolloy@nydailynews.com

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