

Man held in Forest Hills dentist slay

Ex-wife's relative from Georgia charged with 2nd degree murder

BY IVAN PEREIRA

Three weeks after a Forest Hills dentist was gunned down in front of his 4-year-old daughter, police arrested a distant relative of his ex-wife on charges of second-degree murder, police officials and the Queens district attorney said.

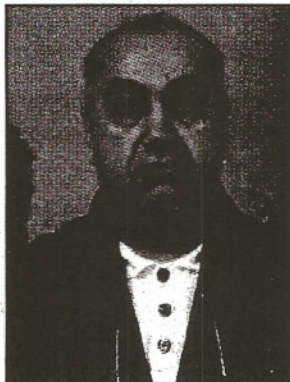
Mikhail Mallyayev, 50, of Atlanta, was apprehended by Georgia police Saturday at his home in connection with the murder of Dr. Daniel Malakov, the Queens DA said. Malakov was shot twice in the chest at point-blank range Oct. 28 outside the Annadale Playground on Yellowstone Boulevard and 64th Road while he was dropping off his daughter Michelle to visit her mother.

Police said Mallyayev was related to Malakov's ex-wife, Dr. Mazoltuv Borukhova, through her sister's husband. Malakov's family repeatedly said that they suspected Borukhova, who had lost temporary custody of Michelle to her ex-husband on Oct. 22 after a bitter and disputed case in Queens Family Court.

"The first thing that came to my mind was, 'Oh my God. They did it,'" said Daniel Malakov's brother, Joseph, referring to Borukhova's family.

Police said they tracked down Mallyayev through fingerprints they found on a makeshift silencer left at the playground crime

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MIKHAIL MALLYAYEV

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scene, Police Commissioner Raymond Kelly told a news conference at One Police Plaza Tuesday. The prints lifted off the plastic bleach bottle that was wrapped in duct tape matched those that were taken from the suspect when he was arrested in 1994 for jumping a turnstile in a Brooklyn subway, according to Kelly.

"We had to use special procedures and darken out the

prints," the commissioner said. "Because of the nature of the prints in 1994 manual procedures had to be used."

Police said Mallyayev closely resembled a sketch of the suspect they released two weeks ago that showed a 50-year-old white man with a stocky build. Mallyayev was awaiting extradition to New York from Georgia. He is charged with second-degree murder and criminal possession of a weapon, according to the DA's office.

Relatives of the slain orthodontist, who emigrated from Uzbekistan, were relieved that

police had found a suspect but were still grieving over their lost family member.

"We are happy that they found the shooter, but where is my son?" said a woman who answered the phone Tuesday at the Forest Hills residence of Malakov's parents.

Borukhova, who is also an Uzbek immigrant, and her attorney were not available for comment. She had told the press several times that she had not been involved.

Borukhova had not been named as a suspect or arrested in connection with the murder

as of press time Tuesday.

Temporary custody of Michelle was given to the city's Administration for Child Services on Nov. 9 following a custody hearing in Queens Family Court that went on for nine days. Judge Linda Tally said Borukhova was unfit to parent the girl, whom the court found to be emotionally fragile even before her father's murder.

The hearings included bombshell testimony from state Sen. Diane Savino (D-Staten Island), who told the court that Borukhova's sisters visited her on Oct. 18 and proposed two sus-

picious scenarios.

"What if something happens? What if he can't take care of her?" the senator recalled the sisters saying during her testimony in Family Court. "What if she [Michelle] disappears?"

Daniel Malakov's brother, Gavril, testified that Borukhova's mother Esther threatened his family during the physical transfer of the girl outside his brother's Forest Hills home days before the shooting.

"She screamed out to my dad, 'Your kids will die. You will bury your kids,'" he said.