

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
THE PEOPLE OF THE STATE OF NEW YORK,

-against-

X. SALVATORE DEMEO
X. EUGENE OREFICE,
X. GENNARO GERITANO,
X. ANTHONY GIAMMARINO,
X. ROCCO MAGLIONE,
X. WINDSOR LEWIS,
X. JACKIE CHARLTON,
X. MICHAEL EPSTEIN,
X. VINCENT TALIERCIO,
X. JOHN GIGLIO,
X. THOMAS ALEXIOU,
X. JOSEPH TOMMASINO,

Defendants.
-----X

T12-B
INDICTMENT NO.

9898-2016

Non-Aligned

DEC 07 2016

ORIGINAL TESTAMENT
SALVATORE DEMEO
2016 DEC -7 PM 2:59

FIRST COUNT

ENTERPRISE CORRUPTION

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, ANTHONY GIAMMARINO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, VINCENT TALIERCIO, JOHN GIGLIO, THOMAS ALEXIOU, and JOSEPH TOMMASINO of the crime of **ENTERPRISE CORRUPTION**, in violation of Penal Law § 460.20(1)(a), committed as follows:

The defendants, in the County of Kings, State of New York, and elsewhere, from on or about August 1, 2014 to October 29, 2015, having knowledge of the existence of a criminal enterprise, to wit, the "GENOVESE BOOKMAKING AND LOANSHARKING

ENTERPRISE,” and of the nature of its activities, and being employed by or associated with said criminal enterprise, intentionally conducted and participated in the affairs of the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE by participating in a pattern of criminal activity.

The Criminal Enterprise

At all times relevant to the First Count:

A group of persons, namely defendants SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, ANTHONY GIAMMARINO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, VINCENT TALIERCIO, JOHN GIGLIO, THOMAS ALEXIOU, and JOSEPH TOMMASINO, along with numerous known and unknown co-conspirators, were employed by or associated with the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE, sharing a common purpose of engaging in criminal conduct, associated in an ascertainable structure distinct from a pattern of criminal activity, and with a continuity of existence, structure, and criminal purpose beyond the scope of the individual criminal incidents.

Structure of the Criminal Enterprise

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, VINCENT TALIERCIO, JOHN GIGLIO, THOMAS ALEXIOU, and JOSEPH TOMMASINO were members of the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE, which engaged in unlawful bookmaking and loansharking in the County of Kings and elsewhere. The GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE constituted a “criminal enterprise” as that term is defined in Penal Law Section 460.10(3).

The Genovese Organized Crime Family is one of the five longtime organized crime families operating in the New York area and elsewhere in the United States and abroad. The other four families are the Columbo, Bonanno, Gambino, and Lucchese. The families are part of a criminal network variously known as "the Mafia", "the Mob", and "La Cosa Nostra." Organized crime seeks to be a secret society.

Organized Crime Families have a hierarchical structure headed by a "boss." The boss is assisted by an "underboss" or "street boss," and by a counselor and mediator known as a "consigliere." The Genovese Organized Crime Family is believed to utilize a panel of captains as its administration or upper-level management. The Genovese Organized Crime Family operates through groups of individuals known as "crews." Each crew is led by a captain or "capo" or "capo de regime." The crew consists of "soldiers" and "associates." Soldiers and those above in the hierarchy are considered "made members," "friends of ours," "wise guys," or "good fellows," having taken an oath of "omerta," a code of silence prohibiting cooperation with law enforcement, and an oath to put the interests of the crime family above their personal lives. A capo typically has at least two soldiers who report to and serve him, but it could be many more. Soldiers try to insulate and protect their capo. In addition to "made members," each crew has associates who are sometimes referred to as being "connected" or identified as being "with" the soldiers and capo. The associates report to and serve a given soldier. The associates engage in the day-to-day criminal activities of the crew and seek to insulate and protect the "made members."

During the period relevant herein, the defendant SALVATORE DEMEO was a "made member" in a crew run by a capo and un-indicted co-conspirator herein referred to as P.D. SALVATORE DEMEO delegated the oversight of the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE to EUGENE OREFICE who was aided in the

criminal endeavors relating to illegal sports gambling by Genovese Organized Crime Family associates GENNARO GERITANO, ANTHONY GIAMMARINO, ROCCO MAGLIONE, and VINCENT TALIERCIO as well as by participants MICHAEL EPSTEIN, WINDSOR LEWIS, JACKIE CHARLTON, and JOHN GIGLIO. In addition, within the period alleged herein, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, JOSEPH TOMMASINO, and THOMAS ALEXIOU functioned as a part of the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE by engaging in shared criminal activities and purposes in furtherance of loansharking. These "made members," associates, other participants, and co-conspirators comprised the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE.

Purpose of the Criminal Enterprise

The common purpose of the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE was to make money through illegal activities including illegal gambling and loansharking. The money flowed upwards. That is, the associates were obligated to give part of their earnings to their soldier. The soldier shared the money with the capo, and then those above the capo received their share of illicit gains. The defendants and others associated with them engaged in surreptitious conduct and coded communication to try to prevent law enforcement from detecting their identities and their illegal conduct. The defendants and others were willing to resort to violence or physical force, or threats of violence or physical force, to further their money-making schemes or to resolve disputes. It was the common purpose of the members of the enterprise to operate an illegal gambling and loansharking operation to generate money for its members through the specialized roles of each defendant in the enterprise. Additionally, it was the common purpose of the enterprise to conceal its illegal conduct from law enforcement agencies, protect the

enterprise from infiltration by law enforcement, and conceal and preserve the proceeds of the illegal activities by its members. The participants of this enterprise coordinated their activities to achieve its common purpose through a hierarchical structure.

Illegal Gambling Activity

It was the common criminal purpose of the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE to generate financial profits through its participation in illegal bookmaking activities (Promoting Gambling in the First Degree) from on or about September 2014 through on or about October 2015. The GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE conducted these illegal activities throughout Kings County and elsewhere.

Each defendant participated in the furtherance of the enterprise's criminal purpose by fulfilling his specialized role within the enterprise. SALVATORE DEMEO was the de facto leader of the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE, and its participants conducted its criminal activities under his authority and protection. SALVATORE DEMEO delegated the management of the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE to associate EUGENE OREFICE. During the course of the enterprise, defendant EUGENE OREFICE was the "Master Agent" who ran the profitable offshore sports betting/bookmaking business for the enterprise. The bookmaking operation's wire room was based in Costa Rica. The offshore wire room was run via toll-free telephone numbers and through an online sportsbook, www.4Spades.org, where wagers were placed which generated business and income for the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE. Access for bettors to this website was obtained through the combination of an account code and password unique to each Agent and bettor.

Defendant ANTHONY GIAMMARINO was the enterprise's bookmaking controller, charged with overseeing the bookmaking operation. ANTHONY GIAMMARINO engaged in the daily activity of the bookmaking business which included: handling disputes and accounting discrepancies; controlling the access of the Agents and individual bettors to the www.4Spades.org online sportsbook through his management and control of account codes and passcodes; setting wagering limits; and collecting/disbursing monies from/to the Agents on the weekly "settle up" day. ANTHONY GIAMMARINO ultimately answered (and controlled the flow of money) to Master Agent EUGENE OREFICE. As the Master Agent, OREFICE had oversight and controlled the access to the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE's gambling "package" and all Agents within that "package." The wagers accepted by the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE's offshore sports betting operation were placed through defendants GENNARO GERITANO, ROCCO MAGLIONE, MICHAEL EPSTEIN, WINDSOR LEWIS, JACKIE CHARLTON, and un-indicted others, who were the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE Agents. As Agents, defendants GENNARO GERITANO, ROCCO MAGLIONE, MICHAEL EPSTEIN, WINDSOR LEWIS, and JACKIE CHARLTON, had a number of responsibilities. They solicited players to wager with the operation, thereby generating income for the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE. When an Agent set up a new bettor with a password-protected account with the offshore wire room, the bettor was given a code; part of that code identified the Agent responsible for that bettor. The Agent was also responsible for collecting losses or "settling up" with individual bettors. Defendant JOHN GIGLIO advanced the bookmaking operation as a Sub-Agent under GERITANO who placed wagers through GERITANO. On a weekly basis, Agents reviewed the gambling "figures", the amount of money won or lost by each player on their "sheet",

with GIAMMARINO or GERITANO. Bettors placed wagers on various professional and collegiate sporting events, including football, basketball, baseball, and hockey. Defendant VINCENT TALIERCIO, who operated the Smith Union Market located in Kings County, served as the money collector/distributor of illegal gambling proceeds.

Loansharking Activity

In addition to illegal gambling, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, JOSEPH TOMMASINO, and THOMAS ALEXIOU functioned as a part of the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE by engaging in shared criminal activities and purposes in furtherance of loansharking. Within the period alleged herein, defendants JOSEPH TOMMASINO and THOMAS ALEXIOU participated with GENNARO GERITANO to knowingly facilitate the charging, taking, and receipt of usurious loans by GENNARO GERITANO. Both JOSEPH TOMMASINO and THOMAS ALEXIOU were agents and intermediaries for the extension of usurious loans by GENNARO GERITANO in that they solicited loanshark victims for the operation, thereby generating income for the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE. Additionally, JOSEPH TOMMASINO and THOMAS ALEXIOU engaged in the ongoing scheme and business by functioning as collectors of weekly usurious loan payments and by urging loanshark victims to pay debts in a timely manner. GENNARO GERITANO and ANTHONY GIAMMARINO extended usurious loans to numerous individuals and, by regularly collecting weekly payments, provided the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE with a consistent source of income. Defendant VINCENT TALIERCIO served as disburser of usurious loans and the regular receiver of weekly payments due on usurious loans.

Scope of the Pattern of Criminal Activity

During the period of this criminal enterprise, the defendants intentionally conducted and participated in the affairs of the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE by participating in a pattern of criminal activity with the goal of advancing the affairs of the enterprise. That pattern included generating financial profits through their participation in illegal bookmaking activities (Promoting Gambling in the First Degree) and loansharking (Criminal Usury in the First Degree) throughout Kings County and elsewhere for the benefit of the GENOVESE BOOKMAKING AND LOANSHARKING ENTERPRISE.

Pattern of Criminal Activity

During the period of this offense, the defendants, with intent to participate in and advance the affairs of the criminal enterprise and pursuant to a common scheme and plan, engaged in conduct constituting, and were criminally liable for, the following criminal acts included within a pattern of criminal activity:

Bookmaking

PATTERN ACT 1

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, WINDSOR LEWIS, JACKIE CHARLTON, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about September 14, 2014 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 2

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, WINDSOR LEWIS, JACKIE CHARLTON, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about September 21, 2014 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 3

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about January 3, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 4

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, VINCENT TALIERCIO, and JOHN GIGLIO, each aiding and acting in concert with each

other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about January 10, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 5

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, VINCENT TALIERCIO, and JOHN GIGLIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about January 11, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 6

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about January 17, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 7

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about January 18, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 8

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, VINCENT TALIERCIO, and JOHN GIGLIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about January 24, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 9

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, VINCENT TALIERCIO, and JOHN GIGLIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about January 25, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 10

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, VINCENT TALIERCIO, and JOHN GIGLIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about February 1, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 11

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, WINDSOR LEWIS, JACKIE CHARLTON, VINCENT TALIERCIO, and JOHN GIGLIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of

PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about March 8, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 12

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, VINCENT TALIERCIO, and JOHN GIGLIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about March 12, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 13

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, VINCENT TALIERCIO, and JOHN GIGLIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about March 20, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 14

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about March 26, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 15

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, WINDSOR LEWIS, JACKIE CHARLTON, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about June 14, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 16

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about July 26, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 17

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about July 29, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 18

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, and VINCENT TALIERCIO, each aiding and acting in concert with

each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about September 12, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 19

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about September 13, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 20

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about September 19, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 21

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about September 20, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 22

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about September 26, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging

in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 23

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about September 27, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 24

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about October 3, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 25

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about October 5, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

PATTERN ACT 26

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, VINCENT TALIERCIO, and JOHN GIGLIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CONSPIRACY IN THE FIFTH DEGREE in violation of Penal Law §105.05(1), as follows:

The defendants, from on or about September 14, 2014, through October 5, 2015 in the County of Kings and elsewhere, with intent that conduct constituting a felony, to wit: PROMOTING GAMBLING IN THE FIRST DEGREE (Penal Law § 225.10(1)), be performed, agreed with one or more persons to engage in or cause the performance of such conduct.

OVERT ACTS

In furtherance of said conspiracy and to effect the objects thereof, and during the course thereof, the following overt acts, among others, were committed:

1. On or about August 14, 2015, JACKIE CHARLTON and ANTHONY GIAMMARINO had a telephone conversation during which JACKIE CHARLTON stated, in sum and substance, "yeah, okay so so whenever, you know, it's not me, it's just the guys that work with me, I'm not doing that, I'm a football guy, so I just, you know, make sure they give me the cash."

2. On or about March 3, 2015, SALVATORE DEMEO and EUGENE OREFICE had a telephone conversation during which SALVATORE DEMEO stated, in sum and substance, "when I see you tomorrow remind me I gotta, Buckwheat, alright."

3. On or about September 9, 2015, MICHAEL EPSTEIN and ANTHONY GIAMMARINO had a telephone conversation during which ANTHONY GIAMMARINO stated, in sum and substance, "I'm going to meet with that guy tomorrow, your friend. If he vouches, I'll take it. If not I, I, I can't, I can't take a lay down Mike." Also within that conversation, MICHAEL EPSTEIN stated, in sum and substance, "I'm not going to give you no sours, I'm gonna give you all good people."

4. On or about July 28, 2015, ANTHONY GIAMMARINO had a telephone conversation with an unidentified individual during which he stated, in sum and substance, "Just tell me what you need, your amount and per game that's all I need. And I'll get back to you in about an hour."

5. On or about January 16, 2015, JOHN GIGLIO and GENNARO GERITANO had a telephone conversation during which JOHN GIGLIO stated, in sum and substance, "One more play, I'll leave you alone for this guy." Also in that conversation JOHN GIGLIO stated, in sum and substance, "Memphis Grizzly game, under one ninety four and a half for five hundred."

6. On or about July 25, 2015, ROCCO MAGLIONE and ANTHONY GIAMMARINO had a telephone conversation during which ROCCO MAGLIONE stated, in

sum and substance, "I'm just calling to tell you that, I told you, remember I told you the other account the guys are gonna lay low probably until football season, just mine's gonna be open, but a couple of the guys called me up today and asked me for the accounts, to open them up again, so, just keep an eye out, the, the other accounts are gonna be open too."

7. On or about April 15, 2015, EUGENE OREFICE and ROCCO MAGLIONE had a conversation during which ROCCO MAGLIONE stated, in sum and substance, "oh the other thing I gotta ask you. Any shot on my account only you can give me the dime line? Just on my account alone instead, instead of the twenty cent line, the ten cent line?" Also in that conversation, EUGENE OREFICE stated "I'll ask but I don't think they're gonna do it."

8. On or about February 14, 2015, VINCENT TALIERCIO and GENNARO GERITANO had a telephone conversation during which VINCENT TALIERCIO stated, in sum and substance, "Michigan State's two and a half, thirty-seven and a half, Clemson is nine, no total, Xavier is eight and forty-eight." Also in that conversation, GENNARO GERITANO stated, in sum and substance, "do me a favor Vinny? Tell Buckwheat to call me please, he's got the number to the office." Also in that conversation, VINCENT TALIERCIO stated, in sum and substance, "I'll tell him."

9. On or about September 24, 2015, WINDSOR LEWIS and ANTHONY GIAMMARINO had a telephone conversation during which WINDSOR LEWIS stated, in sum and substance, "I collected that money, and the account comes to about three thousand." Also in that conversation, WINDSOR LEWIS stated, in sum and substance "I picked up twenty-three hundred, and that's all I'm gonna pick up. So in other words, they're short."

Loansharking

PATTERN ACT 27

The defendants, SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, THOMAS ALEXIOU, and JOSEPH TOMMASINO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between August 2, 2014 and March 30, 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

PATTERN ACT 28

The defendants, SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and JOSEPH TOMMASINO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between August 8, 2014 and September 11, 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

PATTERN ACT 29

The defendants, SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and JOSEPH TOMMASINO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between September 3, 2014 and October 11, 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

PATTERN ACT 30

The defendants, SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between October 9, 2014 and July 16, 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

PATTERN ACT 31

The defendants, SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between December 30, 2014 and August 25, 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

PATTERN ACT 32

The defendants, SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and THOMAS ALEXIOU, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between January 18, 2015 and June 3, 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

PATTERN ACT 33

The defendants, SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and VINCENT TALIERCIO, each aiding and acting in concert with each other

and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between January 13, 2015 and July 11, 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

PATTERN ACT 34

The defendants, SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and JOSEPH TOMMASINO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between January 10, 2015 and July 30, 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

PATTERN ACT 35

The defendants, SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and THOMAS ALEXIOU, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between January 20, 2015 and October 8, 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

PATTERN ACT 36

The defendants, SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, ANTHONY GIAMMARINO, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between January 6, 2015 and October 7, 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

PATTERN ACT 37

The defendants, SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and JOSEPH TOMMASINO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between January 6, 2015 and October 10, 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

PATTERN ACT 38

The defendants, SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and JOSEPH TOMMASINO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between January 30, 2015 and September 26, 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

PATTERN ACT 39

The defendants, SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, ANTHONY GIAMMARINO, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between September 28, 2015 and October 22, 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

PATTERN ACT 40

The defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, THOMAS ALEXIOU, and JOSEPH TOMMASINO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CONSPIRACY IN THE FOURTH DEGREE in violation of Penal Law §105.10(1), as follows:

The defendants, from on or about August 2, 2014 through October 29, 2015 in the County of Kings and elsewhere, with intent that conduct constituting a felony, to wit: CRIMINAL USURY IN THE FIRST DEGREE (Penal Law § 190.42), be performed, agreed with one or more persons to engage in or cause the performance of such conduct.

OVERT ACTS

In furtherance of said conspiracy and to effect the objects thereof, and during the course thereof, the following overt acts, among others, were committed:

1. On or about January 28, 2015, THOMAS ALEXIOU and GENNARO GERITANO had a telephone conversation during which THOMAS ALEXIOU asked, in sum and substance, "what's the figure?" GENNARO GERITANO responded: "340, 340, 740, 760." THOMAS ALEXIOU then said, "I saw everybody, I just wanted to make sure what the figure is." THOMAS ALEXIOU further stated "I'm on my way there, you don't hear from me, that means I left it with him."

2. On or about January 23, 2015, GENNARO GERITANO and a person known to the grand jury had a telephone conversation during which GENNARO GERITANO stated, in sum and substance, "you gotta go get my two hundred. You gotta go get this money and send it. I don't care where you get it. Or bring it. Either way."

3. On or about March 20, 2015, JOSEPH TOMMASINO and GENNARO GERITANO had a telephone conversation during which JOSEPH TOMMASINO stated, in sum and substance, "I'm coming down, for him. Yeah he just gave me." Also in that conversation, JOSEPH TOMMASINO stated, in sum and substance "I'm gonna go home and see for my brother and then Frankie Coppola's supposed to call me."

4. On or about August 14, 2015, VINCENT TALIERCIO and GENNARO GERITANO had a telephone conversation during which VINCENT TALIERCIO stated, in sum and substance, "I gave you Derek, Buckwheat, Joe Twin, and I got Ania now."

5. On or about January 6, 2015, EUGENE OREFICE and GENNARO GERITANO had a telephone conversation during which EUGENE OREFICE stated, in sum and substance, "you know where you were yest-, where you went yesterday?" Also in that conversation EUGENE OREFICE stated, in sum and substance, "he wants to know if you could be there for one o'clock."

6. On or about February 9, 2015, SALVATORE DEMEO and EUGENE OREFICE had a telephone conversation during which EUGENE OREFICE stated in sum and substance, "Gerry wants to stop by, he'll be there in twenty minutes."

7. On or about September 16, 2015, ANTHONY GIAMMARINO and a person known to the Grand Jury had a telephone conversation during which the person known to the Grand Jury asked ANTHONY GIAMMARINO, in sum and substance, whether ANTHONY GIAMMARINO could see if his friend "could rent me the two videos, I need it, 'cause I gotta pay my union dues this week, I really don't have the money for you." Also in

the conversation, ANTHONY GIAMMARINO stated, in sum and substance, "I'll try my best, that's all I can tell you."

8. On or about January 6, 2015, SALVATORE DEMEO met with GENNARO GERITANO and they engaged in a "walk and talk" in the vicinity of Myrtle Avenue and Hall Street, Brooklyn, New York.

9. On or about March 24, 2015, GENNARO GERITANO met with EUGENE OREFICE in the vicinity of State Street and President Street, and handed him an envelope.

COUNT 2

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, WINDSOR LEWIS, JACKIE CHARLTON, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about September 14, 2014 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 3

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, WINDSOR LEWIS, JACKIE CHARLTON, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about September 21, 2014 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 4

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about January 3, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 5

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, VINCENT TALIERCIO, and JOHN GIGLIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about January 10, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in

bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 6

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, VINCENT TALIERCIO, and JOHN GIGLIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about January 11, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 7

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about January 17, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 8

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about January 18, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 9

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, VINCENT TALIERCIO, and JOHN GIGLIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about January 24, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 10

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO,

GENNARO GERITANO, ROCCO MAGLIONE, VINCENT TALIERCIO, and JOHN GIGLIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about January 25, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 11

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, VINCENT TALIERCIO, and JOHN GIGLIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about February 1, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 12

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, WINDSOR LEWIS, JACKIE CHARLTON, VINCENT TALIERCIO, and JOHN GIGLIO, each aiding and acting in concert with each other and

others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about March 8, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 13

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, VINCENT TALIERCIO, and JOHN GIGLIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about March 12, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 14

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, VINCENT TALIERCIO, and JOHN GIGLIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of

PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about March 20, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 15

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about March 26, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 16

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, WINDSOR LEWIS, JACKIE CHARLTON, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about June 14, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 17

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about July 26, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 18

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about July 29, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in

bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 19

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about September 12, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 20

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about September 13, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 21

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about September 19, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 22

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about September 20, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 23

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO,

ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about September 26, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 24

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about September 27, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 25

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others

known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about October 3, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 26

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of PROMOTING GAMBLING IN THE FIRST DEGREE in violation of Penal Law § 225.10(1) as follows:

The defendants, on or about October 5, 2015 in the County of Kings and elsewhere, knowingly advanced and profited from unlawful gambling activity by engaging in bookmaking to the extent that they received or accepted on that date more than five bets totaling more than five thousand dollars.

COUNT 27

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, ROCCO MAGLIONE, WINDSOR LEWIS, JACKIE CHARLTON, MICHAEL EPSTEIN, VINCENT TALIERCIO, and JOHN GIGLIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CONSPIRACY IN THE FIFTH DEGREE in violation of Penal Law §105.05(1), as follows:

The defendants, from on or about September 14, 2014, through October 5, 2015 in the County of Kings and elsewhere, with intent that conduct constituting a felony, to wit: PROMOTING GAMBLING IN THE FIRST DEGREE (Penal Law § 225.10(1)), be performed, agreed with one or more persons to engage in or cause the performance of such conduct.

OVERT ACTS

In furtherance of said conspiracy and to effect the objects thereof, and during the course thereof, the following overt acts, among others, were committed:

1. On or about August 14, 2015, JACKIE CHARLTON and ANTHONY GIAMMARINO had a telephone conversation during which JACKIE CHARLTON stated, in sum and substance, "yeah, okay so so whenever, you know, it's not me, it's just the guys that work with me, I'm not doing that, I'm a football guy, so I just, you know, make sure they give me the cash."

2. On or about March 3, 2015, SALVATORE DEMEO and EUGENE OREFICE had a telephone conversation during which SALVATORE DEMEO stated, in sum and substance, "when I see you tomorrow remind me I gotta, Buckwheat, alright."

3. On or about September 9, 2015, MICHAEL EPSTEIN and ANTHONY GIAMMARINO had a telephone conversation during which ANTHONY GIAMMARINO stated, in sum and substance, "I'm going to meet with that guy tomorrow, your friend. If he vouches, I'll take it. If not I, I, I can't, I can't take a lay down Mike." Also within that conversation, MICHAEL EPSTEIN stated, in sum and substance, "I'm not going to give you no sours, I'm gonna give you all good people."

4. On or about July 28, 2015, ANTHONY GIAMMARINO had a telephone conversation with an unidentified individual during which he stated, in sum and substance,

"Just tell me what you need, your amount and per game that's all I need. And I'll get back to you in about an hour."

5. On or about January 16, 2015, JOHN GIGLIO and GENNARO GERITANO had a telephone conversation during which JOHN GIGLIO stated, in sum and substance, "One more play, I'll leave you alone for this guy." Also in that conversation, JOHN GIGLIO stated, in sum and substance, "Memphis Grizzly game, under one ninety four and a half for five hundred."

6. On or about July 25, 2015, ROCCO MAGLIONE and ANTHONY GIAMMARINO had a telephone conversation during which ROCCO MAGLIONE stated, in sum and substance, "I'm just calling to tell you that, I told you, remember I told you the other account the guys are gonna lay low probably until football season, just mine's gonna be open, but a couple of the guys called me up today and asked me for the accounts, to open them up again, so, just keep an eye out, the, the other accounts are gonna be open too."

7. On or about April 15, 2015, EUGENE OREFICE and ROCCO MAGLIONE had a conversation during which ROCCO MAGLIONE stated, in sum and substance, "oh the other thing I gotta ask you. Any shot on my account only you can give me the dime line? Just on my account alone instead, instead of the twenty cent line, the ten cent line?" Also in that conversation, EUGENE OREFICE stated "I'll ask but I don't think they're gonna do it."

8. On or about February 14, 2015, VINCENT TALIERCIO and GENNARO GERITANO had a telephone conversation during which VINCENT TALIERCIO stated, in sum and substance, "Michigan State's two and a half, thirty-seven and a half, Clemson is nine, no total, Xavier is eight and forty-eight." Also in that conversation, GENNARO GERITANO stated, in sum and substance, "do me a favor Vinny? Tell Buckwheat to call

me please, he's got the number to the office." Also in that conversation, VINCENT TALIERCIO stated, in sum and substance, "I'll tell him."

9. On or about September 24, 2015, WINDSOR LEWIS and ANTHONY GIAMMARINO had a telephone conversation during which WINDSOR LEWIS stated, in sum and substance, "I collected that money, and the account comes to about three thousand." Also in that conversation, WINDSOR LEWIS stated, in sum and substance "I picked up twenty-three hundred, and that's all I'm gonna pick up. So in other words, they're short."

COUNT 28

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, THOMAS ALEXIOU, and JOSEPH TOMMASINO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between August 2014 and April 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

COUNT 29

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and JOSEPH TOMMASINO, each aiding and acting in concert with each other and others

known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between August 2014 and September 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

COUNT 30

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and JOSEPH TOMMASINO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between September 2014 and October 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

COUNT 31

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others

known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between October 2014 and July 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

COUNT 32

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between December 2014 and August 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

COUNT 33

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and THOMAS ALEXIOU, each aiding and acting in concert with each other and others known

and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between January 2015 and June 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

COUNT 34

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between January 2015 and July 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

COUNT 35

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and JOSEPH TOMMASINO, each aiding and acting in concert with each other and others

known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between January 2015 and August 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

COUNT 36

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and THOMAS ALEXIOU, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between January 2015 and October 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

COUNT 37

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, ANTHONY GIAMMARINO, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of

CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between January 2015 and October 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

COUNT 38

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and JOSEPH TOMMASINO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between January 2015 and October 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

COUNT 39

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, and JOSEPH TOMMASINO, each aiding and acting in concert with each other and others

known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between January 2015 and October 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

COUNT 40

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, GENNARO GERITANO, ANTHONY GIAMMARINO, and VINCENT TALIERCIO, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CRIMINAL USURY IN THE FIRST DEGREE, in violation of Penal Law § 190.42, as follows:

The defendants, from on or about and between September 2015 and November 2015, in the County of Kings and elsewhere, as part of a scheme and business of making and collecting usurious loans, not being authorized and permitted by law to do so, knowingly charged, took, or received money as interest on the loan and forbearance of money, at a rate exceeding twenty-five per centum per annum or the equivalent rate for a longer and shorter period.

COUNT 41

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants SALVATORE DEMEO, EUGENE OREFICE, ANTHONY GIAMMARINO, GENNARO GERITANO, THOMAS ALEXIOU, and JOSEPH TOMMASINO, each aiding

and acting in concert with each other and others known and unknown to the Grand Jury, committed the crime of CONSPIRACY IN THE FOURTH DEGREE in violation of Penal Law §105.10(1), as follows:

The defendants, from on or about August 2, 2014 through October 29, 2015 in the County of Kings and elsewhere, with intent that conduct constituting a felony, to wit: CRIMINAL USURY IN THE FIRST DEGREE (Penal Law § 190.42), be performed, agreed with one or more persons to engage in or cause the performance of such conduct.

OVERT ACTS

In furtherance of said conspiracy and to effect the objects thereof, and during the course thereof, the following overt acts, among others, were committed:

1. On or about January 28, 2015, THOMAS ALEXIOU and GENNARO GERITANO had a telephone conversation during which THOMAS ALEXIOU asked, in sum and substance, "what's the figure?" GENNARO GERITANO responded: "340, 340, 740, 760." THOMAS ALEXIOU then said, "I saw everybody, I just wanted to make sure what the figure is." THOMAS ALEXIOU further stated "I'm on my way there, you don't hear from me, that means I left it with him."

2. On or about January 23, 2015, GENNARO GERITANO and a person known to the grand jury had a telephone conversation during which GENNARO GERITANO stated, in sum and substance, "you gotta go get my two hundred. You gotta go get this money and send it. I don't care where you get it. Or bring it. Either way."

3. On or about March 20, 2015, JOSEPH TOMMASINO and GENNARO GERITANO had a telephone conversation during which JOSEPH TOMMASINO stated, in sum and substance, "I'm coming down, for him. Yeah he just gave me." Also in that conversation, JOSEPH TOMMASINO stated, in sum and substance "I'm gonna go home and see for my brother and then Frankie Coppola's supposed to call me."

4. On or about August 14, 2015, VINCENT TALIERCIO and GENNARO GERITANO had a telephone conversation during which VINCENT TALIERCIO stated, in sum and substance, "I gave you Derek, Buckwheat, Joe Twin, and I got Ania now."

5. On or about January 6, 2015, EUGENE OREFICE and GENNARO GERITANO had a telephone conversation during which EUGENE OREFICE stated, in sum and substance, "you know where you were yest-, where you went yesterday?" Also in that conversation, EUGENE OREFICE stated, in sum and substance, "he wants to know if you could be there for one o'clock."

6. On or about February 9, 2015, SALVATORE DEMEO and EUGENE OREFICE had a telephone conversation during which EUGENE OREFICE stated in sum and substance, "Gerry wants to stop by, he'll be there in twenty minutes."

7. On or about September 16, 2015, ANTHONY GIAMMARINO and a person known to the Grand Jury had a telephone conversation during which the person known to the Grand Jury asked ANTHONY GIAMMARINO, in sum and substance, whether ANTHONY GIAMMARINO could see if his friend "could rent me the two videos, I need it, 'cause I gotta pay my union dues this week, I really don't have the money for you." Also in the conversation, ANTHONY GIAMMARINO stated, in sum and substance, "I'll try my best, that's all I can tell you."


8. On or about January 6, 2015, SALVATORE DEMEO met with GENNARO GERITANO and they engaged in a "walk and talk" in the vicinity of Myrtle Avenue and Hall Street, Brooklyn, New York.

9. On or about March 24, 2015, GENNARO GERITANO met with EUGENE OREFICE in the vicinity of State Street and President Street, and handed him an envelope.


Dated: December 7, 2016
Kings County, New York

PERI ALYSE KADANOFF
Deputy Attorney General
Statewide Organized Crime Task Force

By:


Diego Hernandez
Assistant Deputy Attorney General
Statewide Organized Crime Task Force
44 South Broadway
White Plains, NY 10601

A TRUE BILL


GRAND JURY FOREPERSON
Dated: December 7, 2016

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Indictment No. 9898-2016

DEFENDANT SALVATORE DEMEO

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Conspiracy in the Fifth Degree (Count 27)
Criminal Usury in the First Degree (Counts 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40)
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DEFENDANT EUGENE OREFICE

Enterprise Corruption (Count 1)
Promoting Gambling in the First Degree (Counts 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26)
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DEFENDANT ANTHONY GIAMMARINO

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Enterprise Corruption (Count 1)
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DEFENDANT JACKIE CHARLTON

Enterprise Corruption (Count 1)
Promoting Gambling in the First Degree (Counts 2, 3, 4, 7, 8, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26)
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DEFENDANT MICHAEL EPSTEIN

Enterprise Corruption (Count 1)
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DEFENDANT VINCENT TALIERCIO

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Enterprise Corruption (Count 1)
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DEFENDANT THOMAS ALEXIOU

Enterprise Corruption (Count 1)
Criminal Usury in the First Degree (Counts 28, 33, 36)
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DEFENDANT JOSEPH TOMMASINO

Enterprise Corruption (Count 1)
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Conspiracy in the Fourth Degree (Count 41)

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X

THE PEOPLE OF THE STATE OF NEW YORK

- against -

SALVATORE DEMEO
EUGENE OREFICE,
GENNARO GERITANO,
ANTHONY GIAMMARINO,
ROCCO MAGLIONE,
WINDSOR LEWIS,
JACKIE CHARLTON,
MICHAEL EPSTEIN,
VINCENT TALIERCIO,
JOHN GIGLIO,
THOMAS ALEXIOU,
JOSEPH TOMMASINO,

SPECIAL
INFORMATION

Indictment No.
9898-2016

Certification
Pursuant to
Criminal
Procedure
Law § 200.65

Defendants.

-----X

The Deputy Attorney General of New York State's Organized Crime Task Force, by this Special Information, attests that she has reviewed the substance of the evidence presented to the grand jury in the above-entitled matter and concurs in the judgment that the charge of Enterprise Corruption, in violation of Penal Law Article 460, is consistent with the legislative findings contained in said article.

Dated: Kings County, New York
December 7, 2016



PERI ALYSE KADANOFF
Deputy Attorney General
Statewide Organized Crime Task Force
Office of the New York State
Attorney General