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MAY 11 2009

**SUPERIOR COURT
CLERK'S OFFICE**

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury
Number SGJ 571-09-25

Superior Court
Docket Number 09-05-00089-S

STATE OF NEW JERSEY)	
v.)	
STEFAN ARTEAGA-PITZENBAUER)	INDICTMENT
and)	
LUIS MAURA)	

The Grand Jurors of and for the State of New Jersey, upon their oaths, present that:

COUNT ONE

(Conspiracy - Second Degree)

STEFAN ARTEAGA-PITZENBAUER

and

LUIS MAURA

between on or about March 3, 2006, and on or about September 7, 2006, at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crimes of official misconduct, theft by deception and tampering with public records or information, did agree together that:

1. One or more of them would engage in conduct which would constitute the aforesaid crimes, or

2. One or more of them would aid in the planning, solicitation or commission of said crimes, that is:

A. Official Misconduct, in that one or more of them, with purpose to obtain a benefit for himself or another or to injure or to deprive another of a benefit in excess of \$200, did commit one or more acts relating to his office, but constituting an unauthorized exercise of his official functions, knowing that such acts were unauthorized or that he was committing them in an unauthorized manner, contrary to the provisions of N.J.S.A. 2C:30-2a;

B. Theft by Deception, in that one or more of them, purposely did obtain the property of another in excess of \$500 by deception by creating or reinforcing a false impression, contrary to the provisions of N.J.S.A. 2C:20-4;

C. Tampering with Public Records or Information, in that one or more of them, with purpose to defraud or injure another, did make, present, offer for filing or use any record, document or thing knowing it to be false and with purpose that it be taken as a genuine part of the information or records belonging to or received or kept by the government for information or record, contrary to the provision of N.J.S.A. 2C:28-7a(2); and

D. Falsifying or Tampering with Records, in that one or more of them, did falsify or utter a writing or record, knowing

that it contained a false statement or information, with purpose to deceive or injure another, contrary to the provisions of N.J.S.A. 2C:21-4a.

3. At all times relevant to the allegations contained in this indictment:

a. Defendant, STEFAN ARTEAGA-PITZENBAUER, was employed by the State of New Jersey Division of Taxation as a Technical Assistant 2 and was responsible for processing claims for unclaimed property.

b. Defendant, LUIS MAURA, a non-public employee who worked with STEFAN ARTEAGA-PITZENBAUER as a waiter at Enzos Restaurant in Trenton.

Among the means by which the aforesaid conspirators would carry out the conspiracy are the following:

It was part of the conspiracy that one or more of the conspirators created Division of Taxation unclaimed property claims under \$1,000 so no additional payment authorization was needed by a Division of Taxation supervisor.

It was further part of the conspiracy that one or more of the conspirators authorized payment of the unclaimed property claims under \$1,000.

It was further part of the conspiracy that one or more of the conspirators cashed or caused to be cashed the checks generated from the creation and payment authorization of the

Division of Taxation unclaimed property claims.

It was further part of the conspiracy that one or more of the conspirators received the money from the Division of Taxation unclaimed property claims for personal use.

The Grand Jurors aforesaid, upon their oaths, do further present that in pursuance of the said conspiracy, the following OVERT ACTS, among others were committed:

1. On or about the following dates, in the City of Trenton, in the County of Mercer, the conspirators, STEFAN ARTEAGA-PITZENBAUER and LUIS MAURA created, authorized, and cashed or caused to be cashed the checks generated from the Division of Taxation unclaimed property claims, knowing that these individuals were not the rightful owners of the unclaimed property claim:

<u>Overt Act</u>	<u>Date</u>	<u>Claim</u>	<u>Amount</u>
1	9/7/06	Yoni Garcia	\$ 962.47
2	8/14/06	Yoni Garcia	\$ 969.80
3	8/7/06	Jhonny Castro	\$ 999.95
4	7/17/06	Zambrano Duvani	\$ 969.13
5	7/12/06	Duvani Zambrano	\$ 977.73
6	6/16/06	Hector Medina	\$ 937.52
7	6/16/06	Hector Medina	\$ 958.58
8	5/23/06	Luis Maura	\$ 869.78
9	3/3/06	Luis Maura	\$ 939.31

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Official Misconduct - Second Degree)

STEFAN ARTEAGA-PITZENBAUER

and

LUIS MAURA

between on or about March 3, 2006, and on or about September 7, 2006, at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, with purpose to obtain a benefit for himself or another or to injure or to deprive another of a benefit in excess of \$200, did commit one or more acts relating to his official duties, knowing that such act was unauthorized or that he was committing such act in an unauthorized manner: that is, the said STEFAN ARTEAGA-PITZENBAUER, then and there being a public servant, to wit: State of New Jersey Division of Taxation Technical Assistant 2, having thereby the official functions and duties, among others, to process claims for unclaimed property, to perform his duties in a legal and proper manner, to display good faith, honesty, and integrity, and to be impervious to corrupting influences, with purpose to obtain a benefit for himself or another or to injure or to deprive another of a benefit in excess of \$200, did create and authorize payment on nine unclaimed property claims for the approximate amount of \$8,584.27 to LUIS MAURA and four individuals who were not the rightful owners of the unclaimed

property, contrary to the provisions of N.J.S.A. 2C:30-2a and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Theft by Deception - Third Degree)

STEFAN ARTEAGA-PITZENBAUER

and

LUIS MAURA

between on or about March 3, 2006, and on or about September 7, 2006, at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, purposely did obtain the property of another in excess of \$500 by deception, that is, the said STEFAN ARTEAGA-PITZENBAUER and LUIS MAURA did purposely obtain approximately \$8,584.27 from the State of New Jersey Division of Taxation by creating or reinforcing the false impression that five individuals were the rightful owners of the unclaimed property and made claims for unclaimed property,

WHEREAS, in truth and in fact, as the said STEFAN ARTEAGA-PITZENBAUER and LUIS MAURA well knew, LUIS MAURA and four individuals were not the rightful owners of the unclaimed property, contrary to the provisions of N.J.S.A. 2C:20-4, N.J.S.A. 2C:20-2b(4), and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Tampering with Public Records or Information - Third Degree)

STEFAN ARTEAGA-PITZENBAUER

and

LUIS MAURA

between on or about March 3, 2006, and on or about September 7, 2006, at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, with purpose to defraud or injure another, did make, present, offer for filing or use any record, document or thing knowing it to be false, and with purpose that it be taken as a genuine part of information or record belonging to, or received or kept by, the government for information or record, or required by law to be kept by others for information of the government, that is, the said STEFAN ARTEAGA-PITZENBAUER, with purpose to defraud the State of New Jersey Division of Taxation, did create and authorize payment on nine unclaimed property claims for LUIS MAURA and four individuals who were not the rightful owners of the unclaimed property, contrary to the provisions of N.J.S.A. 2C:28-7a(2), N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FIVE

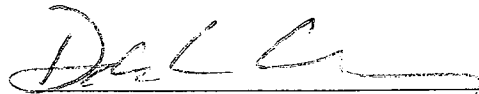
(Falsifying or Tampering with Records - Fourth Degree)

STEFAN ARTEAGA-PITZENBAUER

and

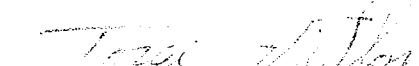
LUIS MAURA

between on or about March 3, 2006, and on or about September 7, 2006, at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, did falsify or utter a writing or record, knowing that it contained a false statement or information, with purpose to deceive or injure another, that is, the said STEFAN ARTEAGA-PITZENBAUER, did falsify nine unclaimed property claims for LUIS MAURA and four individuals who were not the rightful owners of the unclaimed property, knowing that the claims contained a false statement or information, with purpose to deceive the State of New Jersey Division of Taxation, contrary to the provisions of N.J.S.A. 2C:21-4a, and against the peace of this State, the government and dignity of the same.



Deborah L. Gramiccioni, Director
Division of Criminal Justice

A TRUE BILL:



Foreperson

Dated: 05-11-09

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CLERK'S OFFICE**

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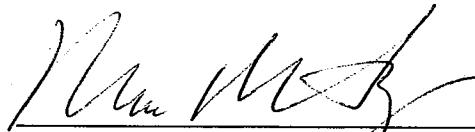
STATE OF NEW JERSEY)
v.)
STEFAN ARTEAGA-PITZENBAUER)
and)
LUIS MAURA)

ORDER OF VENUE

An Indictment having been returned to this Court by the State Grand Jury in the above captioned matter,

IT IS ORDERED on this 11th day of May, 2009, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Mercer be and hereby is designated as the County of venue for the purpose of trial.

IT IS FURTHER ORDERED that the Clerk of the Superior Court shall transmit forthwith the Indictment in this matter and a certified copy of this Order to the Criminal Division Manager of the County of Mercer for filing.



Linda R. Feinberg, A.J.S.C.
Maria Martin Sykes, J.S.C. - P.J.Ch.