

SUPERIOR COURT OF N.J.
FILED

JAN 31 2007

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Clerk

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ533-07-7

Superior Court

Docket Number

07-01-00012-S

STATE OF NEW JERSEY

)

v.

)

INDICTMENT

JOHN G. MESSINA

)

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

COUNT ONE

(Theft by Deception - Third Degree)

JOHN G. MESSINA

between on or about March 1, 2005, and on or about May 31, 2005,
at the Township of Clark, in the County of Union, and at the City
of Rahway, in the County of Union, elsewhere and within the
jurisdiction of this Court, purposely did obtain property of
another by deception valued in excess of \$500, that is, the said
JOHN G. MESSINA purposely did obtain the property of the Bank of
America formerly known as Fleet Bank, by deception, in excess of
\$500, by creating or reinforcing the false impression that
numerous checks written on the accounts of the said JOHN MESSINA
at Ameritrade that he deposited in the account of Margaret
Messina at Bank of America formerly known as Fleet Bank were good

and negotiable,

WHEREAS IN TRUTH AND IN FACT, as the said JOHN G. MESSINA well knew, the said checks were not good and negotiable, contrary to the provisions of N.J.S.A. 2C:20-4a and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Theft by Unlawful Taking - Third Degree)

JOHN G. MESSINA

between on or about October 1, 2004, and on or about November 30, 2004, at the City of Rahway, in the County of Union, elsewhere, and within the jurisdiction of this Court, knowingly did unlawfully take or exercise unlawful control over movable property of another valued in excess of \$500 with purpose to deprive him thereof, that is, the said JOHN G. MESSINA did unlawfully take or exercise unlawful control over funds in excess of \$500 belonging to John Burchardt with purpose to deprive him thereof, contrary to the provisions of N.J.S.A. 2C:20-3a, and against the peace of this State, the government and dignity of the same.

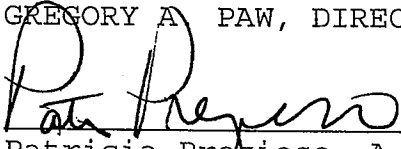
COUNT THREE

(Theft by Unlawful Taking - Third Degree)

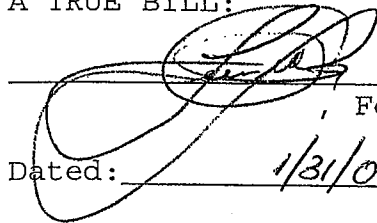
JOHN G. MESSINA

between on or about November 1, 2004, and on or about December 31, 2004, at the City of Rahway, in the County of Union, elsewhere, and within the jurisdiction of this Court, knowingly did unlawfully take or exercise unlawful control over movable property of another valued in excess of \$500 with purpose to deprive him thereof, that is, the said JOHN G. MESSINA did unlawfully take or exercise unlawful control over funds in excess of \$500 belonging to Shawn Prescott with purpose to deprive him thereof, contrary to the provisions of N.J.S.A. 2C:20-3a, and against the peace of this State, the government and dignity of the same.

GREGORY A. PAW, DIRECTOR


by: Patricia Prezioso, A.A.G.
Deputy Director
Division of Criminal Justice

A TRUE BILL:


_____, Foreperson
Dated: 1/31/07

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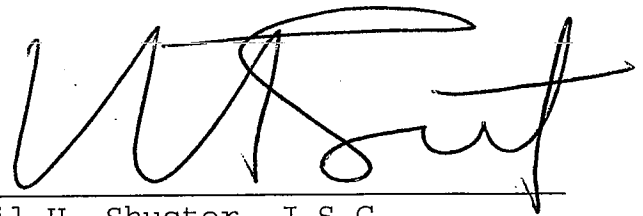
JOHN G. MESSINA)

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 31st day of JANUARY, 2007,
pursuant to paragraph 8 of the State Grand Jury Act, that the
County of Union 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 Union or filing.



Neil H. Shuster, J.S.C.