

FILED

MAY 14 2010

**SUPERIOR COURT
CLERK'S OFFICE**

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ585-10-2

Superior Court

Docket Number 10-05-00057-S

STATE OF NEW JERSEY)

v.)

INDICTMENT

JOSEPH DI NAPOLI)

MATTHEW MADONNA)

RALPH V. PERNA)

NICODEMO SCARFO, JR.)

JOSEPH M. PERNA)

MICHAEL CETTA)

FRANK CETTA)

JOHN G. PERNA)

RALPH M. PERNA)

JOHN MANGRELLA)
AKA "Blackie")

GARY MEDURE)

ELLIOT PORCO)

MARTIN TACCETTA)

ANTONIO RUSSO)
AKA "CURLY")

ALFONSO CATALDO)
AKA "TIC")

MICHAEL RAMUNO, III)

RONALD SCRIPPS)
GIANNI IACOVO)
ROBERT DECRESCENZO)
CHARLES BOLOGNA)
JAMES FURFARO)
ROBERT ROMANO)
JOHN TURI)
MICHAEL MAFFUCCI)
GEORGE MAIORANO)
BLERIM IBRIAMI)
SHPETIM HANI)
AKA "TIM")
ROSANNA PERNA)
VITA CETTA)
EDWIN SPEARS)
SAMUEL A. JULIANO)
MICHAEL BRUINTON)
AKA "MAC")
DWAYNE SPEARS)
and)
KRISTEN GILLIAM)

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

COUNT ONE

(Racketeering - First Degree)

JOSEPH DI NAPOLI

MATTHEW MADONNA

RALPH V. PERNA

NICODEMO SCARFO, JR.

JOSEPH M. PERNA

MICHAEL CETTA

FRANK CETTA

JOHN G. PERNA

RALPH M. PERNA

JOHN MANGRELLA

GARY MEDURE

ELLIOT PORCO

MARTIN TACCETTA

ANTONIO RUSSO

ALFONSO CATALDO

MICHAEL RAMUNO, III

RONALD SCRIPPS

GIANNI IACOVO

ROBERT DECRESCENZO

CHARLES BOLOGNA

JAMES FURFARO

ROBERT ROMANO

JOHN TURI
MICHAEL MAFFUCCI
GEORGE MAIORANO
BLERIM IBRIAMI
SHPETIM HANI
ROSANNA PERNA
VITA CETTA
EDWIN SPEARS
SAMUEL A. JULIANO
MICHAEL BRUINTON
DWAYNE SPEARS
and
KRISTEN GILLIAM

who are named as the defendants herein, and other persons whose identities are known and unknown to the Grand Jurors, who are co-conspirators and members of the criminal enterprise but not named as defendants herein, at the times and places herein specified, did commit the crime of racketeering, that is, the defendants and other persons employed by or associated with an enterprise engaged in or the activities of which affected trade or commerce, purposely or knowingly did conduct or participate directly or indirectly, or did conspire in the conduct of the enterprise's affairs through a pattern of racketeering activity, in violation

of N.J.S.A. 2C:41-2c and N.J.S.A. 2C:41-2d, all as hereinafter described.

THE RELEVANT TIMES

1. The predicate criminal activity occurred between in or about January 2005, and in or about April 2010.

THE RELEVANT PLACES

2. The predicate criminal activity took place at the Township of Galloway, and at the City of Ventnor, in the County of Atlantic, at the Borough of Elmwood Park, at the Borough of Fort Lee, at the Borough of Glen Rock, and at the Township of Wyckoff, all in the County of Bergen, at the Township of Belleville, at the Township of Cedar Grove, at the Borough of Glen Ridge, and at the Township of West Caldwell, all in the County of Essex, at the Township of East Amwell, in the County of Hunterdon, at the Borough of Farmingdale, and at the Township Neptune, both in the County of Monmouth, at the Township of East Hanover, at the Borough of Florham Park, at the Township of Parsippany, and at the Township of Pequannock, all in the County of Morris, at the Township of Brick, and at the Township of Toms River, both in the County of Ocean, at the Borough of Bloomingdale, at the City of Clifton, at the Borough of Hawthorne, and at the Borough of North Haledon, all in the County of Passaic, at the City of Rahway, in the County of Union, in the

State of New York, in the Commonwealth of Pennsylvania,
elsewhere, and within the jurisdiction of this Court.

THE ENTERPRISE

3. JOSEPH DI NAPOLI, MATTHEW MADONNA, RALPH V. PERNA,
NICODEMO SCARFO, JR., JOSEPH M. PERNA, MICHAEL CETTA, FRANK
CETTA, JOHN G. PERNA, RALPH M. PERNA, JOHN MANGRELLA, GARY
MEDURE, ELLIOT PORCO, MARTIN TACCETTA, ANTONIO RUSSO, ALFONSO
CATALDO, MICHAEL RAMUNO, III, RONALD SCRIPPS, GIANNI IACOVO,
ROBERT DECRESCENZO, CHARLES BOLOGNA, JAMES FURFARO, ROBERT
ROMANO, JOHN TURI, MICHAEL MAFFUCCI, GEORGE MAIORANO, BLERIM
IBRIAMI, SHPETIM HANI, ROSANNA PERNA, VITA CETTA, EDWIN SPEARS,
SAMUEL A. JULIANO, MICHAEL BRUINTON, DWAYNE SPEARS, KRISTEN
GILLIAM, all of whom are co-conspirators, and Francine Hightower
who is a co-conspirator and member of the enterprise, but not
charged in this indictment, and other persons whose identities
are both known and unknown to the State Grand Jurors, would
constitute an enterprise within the meaning of N.J.S.A. 2C:41-1c,
that is, a union or group of individuals associated in fact, or
associates thereof, which, among other names, members or
associates thereof self identified as the "Lucchese" organized
crime family or the "Nine-Trey Gangster Bloods," for the purposes
set forth below.

THE PURPOSES OF THE ENTERPRISE

The purposes of the enterprise would include the maintenance of its strength and the assurance of its perpetuation through specific rules and protocols applicable to its members and associates, including: discussing matters pertaining to the operation, conduct and control of the enterprise with no one other than members or highly trusted associates of the enterprise; resolving disputes or seeking direction from superiors within the enterprise through a specific chain of command; enforcing the protocols of the enterprise through any means necessary, including threats or use of violence; keeping a member's immediate supervisor within the enterprise informed of illegal activities and law enforcement activities targeting the enterprise; collectively generating income on behalf of and for the benefit the enterprise through various illicit schemes; and dividing proceeds from enterprise members' criminal activities in accordance with enterprise protocol. A further purpose of the enterprise would be to shield its operation from detection by law enforcement authorities by, among other means: using code names when communicating; resorting to in-person meetings; using wireless telephones in fictitious or nominee names; prohibiting membership or association in the enterprise to those who may have law enforcement familial relationships or familial relationships with those who may have cooperated with law enforcement.

THE PATTERN OF RACKETEERING ACTIVITY

The pattern of racketeering activity, as defined in N.J.S.A. 2C:41-1d, engaged in by members of the enterprise, did consist of at least two incidents of racketeering conduct during the relevant time period stated above, including but not limited to: gambling offenses in violation of N.J.S.A. 2C:37-1 et seq., theft offenses in violation of N.J.S.A. 2C:20-1 et seq., aggravated assault in violation of N.J.S.A. 2C:12-1b(1), forgery and fraudulent practices in violation of N.J.S.A. 2C:21-1 et seq., failure to file tax returns or reports in violation of N.J.S.A. 54:52-8, failure to pay gross income taxes in violation of N.J.S.A. 54:52-9, bribery in violation of N.J.S.A. 2C:27-2, possession with intent to distribute controlled dangerous substances in violation of N.J.S.A. 2C:35-5 et seq., unlawful use of firearms in violation of N.J.S.A. 2C:39-1 et seq., money laundering in violation of N.J.S.A. 2C:21-25, involving property valued in excess of \$500,000, and conspiracy to commit the foregoing crimes in violation of N.J.S.A. 2C:5-2, primarily in the following ways:

JOSEPH DI NAPOLI

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by

deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

MATTHEW MADONNA

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

RALPH V. PERNA

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11,

12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

NICODEMO SCARFO, JR.

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

JOSEPH M. PERNA

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, distribution of controlled dangerous substance, bribery, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 33, and 34 of this Indictment, as well as other conduct.

MICHAEL CETTA

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, distribution of controlled dangerous substance, bribery, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 33, and 34 of this Indictment, as well as other conduct.

FRANK CETTA

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

JOHN G. PERNA

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling,

possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

RALPH M. PERNA

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

JOHN MANGRELLA

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering,

all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

GARY MEDURE

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

ELLIOT PORCO

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

MARTIN TACCETTA

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

ANTONIO RUSSO

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

ALFONSO CATALDO

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated

assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

MICHAEL RAMUNO III

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

RONALD SCRIPPS

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11,

12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

GIANNI IACOVO

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

ROBERT DECRESCENZO

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

CHARLES BOLOGNA

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

JAMES FURFARO

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

ROBERT ROMANO

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated

assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

JOHN TURI

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

MICHAEL MAFFUCCI

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11,

12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

GEORGE MAIORANO

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

BLERIM IBRIAMI

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

SHPETIM HANI

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

ROSANNA PERNA

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

VITA CETTA

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of promoting gambling, possession of gambling records, theft by extortion, aggravated

assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, failure to pay gross income tax, and money laundering, all of which is the subject of Counts 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 33, and 34 of this Indictment, as well as other conduct.

EDWIN SPEARS

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of distribution of controlled dangerous substance, bribery, and money laundering, all of which is the subject of Counts 19, 21, 33, and 34 of this Indictment, as well as other conduct.

SAMUEL A. JULIANO

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of distribution of controlled dangerous substance, bribery, possession with the intent to distribute a controlled dangerous substance, unlawful use of firearms, unlawful possession of destructive devices or explosives, and money laundering, all of which is the subject of Counts 19, 21, 23, 24, 26, 27, 28, 30, 31, 32, 33, and 34 of this Indictment, as well as other conduct.

MICHAEL BRUINTON

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of distribution of controlled

dangerous substance, bribery, and money laundering, all of which is the subject of Counts 19, 21, 33, and 34 of this Indictment, as well as other conduct.

DWAYNE SPEARS

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of distribution of controlled dangerous substance, bribery, and money laundering, all of which is the subject of Counts 19, 21, 33, and 34 of this Indictment, as well as other conduct.

KRISTEN GILLIAM

did commit the racketeering conduct by engaging in and or conspiring to commit repeated acts of distribution of controlled dangerous substance, bribery, and money laundering, all of which is the subject of Counts 19, 21, 33, and 34 of this Indictment, as well as other conduct.

All in violation of N.J.S.A. 2C:41-2c, N.J.S.A. 2C:41-2d, and against the peace of this State, the government and dignity of the same.

FORFEITURES

1. All allegations heretofore set forth are hereby incorporated by reference and re-alleged as if fully set forth herein, for the purpose of alleging forfeitures pursuant to N.J.S.A. 2C:41-3b.

2. The defendants have property constituting:

A. Interests, including money and other things of value, established, acquired, maintained, operated, controlled, conducted, or participated in violation of N.J.S.A. 2C:41-2c, and N.J.S.A. 2C:41-2d.

3. The said interests, all subject to forfeiture to the State of New Jersey, shall expressly include all items of real and personal property detailed within the attached "Appendix A" to this indictment which are incorporated herein as if set forth in full.

COUNT TWO

(Leader of Organized Crime - Second Degree)

JOSEPH DI NAPOLI

and

MATTHEW MADONNA

between in or about January 2005, and in or about April 2010, at the Township of Galloway, at the City of Ventnor, in the County of Atlantic, at the Borough of Elmwood Park, at the Borough of Fort Lee, at the Borough of Glen Rock, and at the Township of Wyckoff, all in the County of Bergen, at the Township of Belleville, at the Township of Cedar Grove, at the Borough of Glen Ridge, and at the Township of West Caldwell, all in the County of Essex, at the Township of East Amwell, in the County of Hunterdon, at the Borough of Farmingdale, and at the Township Neptune, both in the County of Monmouth, at the Township of East Hanover, at the Borough of Florham Park, at the Town of Morristown, at the Township of Parsippany, and at the Township of Pequannock, all in the County of Morris, at the Township of Brick, at the Township of Toms River, both in the County of Ocean, at the Borough of Bloomingdale, at the City of Clifton, at the Borough of Hawthorne, and at the Borough of North Haledon, all in the County of Passaic, in the State of New York, in the Commonwealth of Pennsylvania, elsewhere, and within the jurisdiction of this Court, were leaders of organized of

organized crime, in that the said JOSEPH DI NAPOLI and MATTHEW MADONNA purposely did conspire with others whose identities are both known and unknown to the Grand Jurors, who compromised an illegal enterprise of individuals associated in fact, which referred to itself as the Lucchese organized crime family, as an organizer, supervisor, and manger, to commit a continuing series of crimes which would constitute a pattern or racketeering activity, pursuant to the provisions of N.J.S.A. 2C:41-1a and d, all of which is described in Count One of this Indictment and incorporated herein by reference, contrary to the provisions of N.J.S.A. 2C:5-2g and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Leader of Organized Crime - Second Degree)

RALPH V. PERNA

between in or about January 2005, and in or about April 2010, at the Township of Galloway, and at the City of Ventnor, in the County of Atlantic, at the Borough of Elmwood Park, at the Borough of Fort Lee, at the Borough of Glen Rock, and at the Township of Wyckoff, all in the County of Bergen, at the Township of Belleville, at the Township of Cedar Grove, at the Borough of Glen Ridge, and at the Township of West Caldwell, all in the County of Essex, at the Township of East Amwell, in the County of Hunterdon, at the Borough of Farmingdale, and at the Township Neptune, both in the County of Monmouth, at the Township of East Hanover, at the Borough of Florham Park, at the Town of Morristown, at the Township of Parsippany, and at the Township of Pequannock, all in the County of Morris, at the Township of Brick, at the Township of Toms River, both in the County of Ocean, at the Borough of Bloomingdale, at the City of Clifton, at the Borough of Hawthorne, and at the Borough of North Haledon, all in the County of Passaic, in the State of New York, in the Commonwealth of Pennsylvania, elsewhere, and within the jurisdiction of this Court, was a leader of organized of organized crime, in that the said RALPH V. PERNA purposely did conspire with others whose identities are both known and unknown

to the Grand Jurors, who compromised an illegal enterprise of individuals associated in fact, which referred to itself as the Lucchese organized crime family, as an organizer, supervisor, and manger, to commit a continuing series of crimes which would constitute a pattern or racketeering activity, pursuant to the provisions of N.J.S.A. 2C:41-1a and d, all of which is described in Count One of this Indictment and incorporated herein by reference, contrary to the provisions of N.J.S.A. 2C:5-2g, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Conspiracy - Second Degree)

JOSEPH DI NAPOLI

MATTHEW MADONNA

RALPH V. PERNA

NICODEMO SCARFO, JR.

JOSEPH M. PERNA

MICHAEL CETTA

FRANK CETTA

JOHN G. PERNA

RALPH M. PERNA

JOHN MANGRELLA

GARY MEDURE

ELLIOT PORCO

MARTIN TACCETTA

ANTONIO RUSSO

ALFONSO CATALDO

MICHAEL RAMUNO, III

RONALD SCRIPPS

GIANNI IACOVO

ROBERT DECRESCENZO

CHARLES BOLOGNA

JAMES FURFARO

ROBERT ROMANO

JOHN TURI

MICHAEL MAFFUCCI

GEORGE MAIORANO

BLERIM IBRIAMI

SHPETIM HANI

VITA CETTA

and

ROSANNA PERNA

who are named as the defendants herein, and other persons whose identities are known and unknown to the Grand Jurors, who are co-conspirators and members of the criminal enterprise but not named as defendants herein, between in or about January 2005, and in or about April 2010, at the Township of Galloway, and at the City of Ventnor, in the County of Atlantic, at the Borough of Elmwood Park, at the Borough of Fort Lee, at the Borough of Glen Rock, and at the Township of Wyckoff, all in the County of Bergen, at the Township of Belleville, at the Township of Cedar Grove, at the Borough of Glen Ridge, and at the Township of West Caldwell, all in the County of Essex, at the Township of East Amwell, in the County of Hunterdon, at the Borough of Farmingdale, and at the Township Neptune, both in the County of Monmouth, at the Township of East Hanover, at the Borough of Florham Park, at the Township of Parsippany, and at the Township of Pequannock, all in the County of Morris, at the Township of Brick, and at the

Township of Toms River, both in the County of Ocean, at the Borough of Bloomingdale, at the City of Clifton, at the Borough of Hawthorne, and at the Borough of North Haledon, all in the County of Passaic, in the State of New York, in the Commonwealth of Pennsylvania, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crimes of promoting gambling, possession of gambling records, theft by extortion, aggravated assault, possession of a weapon for an unlawful purpose, theft by deception, falsifying records, failure to file tax returns, and failure to pay gross income tax, did agree that:

A. One or more of them knowingly would engage in conduct which would constitute the aforementioned crimes, or

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

1. Knowingly to accept or receive money or other property, pursuant to an agreement or understanding with any person, whereby one or more of them would participate in the proceeds of gambling activity or engage in conduct which would materially aid gambling activity, by engaging in or materially aiding bookmaking to the extent that one or more of them received or accepted in any one day more than five bets totaling more than \$1,000, or by receiving, in connection with an illegal lottery, policy scheme or enterprise, money or written records from a

person other than a player whose chances or plays are represented by such money or records, or more than \$100 in any one day of money played in such illegal lottery, policy scheme or enterprise, contrary to the provisions of N.J.S.A. 2C:37-2a(1), N.J.S.A. 2C:37-2a(2), N.J.S.A. 2C:37-2b(1), and 2C:37-2b(2).

2. Knowingly, with knowledge of the contents thereof, to possess a writing, paper, instrument or article of a kind commonly used in the operation or promotion of a bookmaking scheme or enterprise, constituting, reflecting or representing more than five bets totaling more than \$1000, or of a kind commonly used in the operation, promotion or playing of a lottery or a policy scheme or enterprise, which constitute, reflect, or represent more than 100 plays or chances therein, contrary to the provisions of N.J.S.A. 2C:37-3a(1) and N.J.S.A. 2C:37-3a(2).

3. Purposely to obtain by extortion property of another, that is, U.S. currency, by purposely threatening to inflict bodily injury on, physically confine or restrain anyone or commit any other criminal offense, contrary to the provisions of N.J.S.A. 2C:20-5.

4. Purposely to attempt to cause serious bodily injury to another, contrary to the provisions of N.J.S.A. 2C:12-1b(1).

5. To possess a certain weapon, that is, a knife, with the purpose to use it unlawfully against the person or property of another, contrary to the provisions of N.J.S.A. 2C:39-4d.

6. Purposely to obtain the property of another having a value of \$75,000 or more, by deception, contrary to the provisions of N.J.S.A. 2C:20-4.

7. With purpose to deceive or injure another or to conceal a wrongdoing, to falsify or utter a writing or record knowing it to contain a false statement or information, contrary to the provisions of N.J.S.A. 2C:21-4a.

8. Knowingly, with intent to defraud the State or to evade, avoid, or otherwise not make timely payment of any tax, fee, penalty, interest, or any part thereof which shall be due pursuant to the provisions of the State Tax Uniform Procedure law [R.S. 54:48-1 et seq], to fail to file a tax return as required to be filed pursuant to the provisions of the State Tax Uniform Procedure law [R.S. 54:48-1 et seq], contrary to the provisions of N.J.S.A. 54:52-8.

9. Knowingly, with intent to evade, avoid or otherwise not make timely payment of the tax required to be paid pursuant to N.J.S.A. 54:48-1 et seq., to fail to pay and turn over

the gross income taxes due, contrary to the provisions of
N.J.S.A. 54:52-9.

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 FIVE

(Promoting Gambling - Third Degree)

JOSEPH DI NAPOLI

MATTHEW MADONNA

RALPH V. PERNA

NICODEMO SCARFO, JR.

JOSEPH M. PERNA

MICHAEL CETTA

FRANK CETTA

JOHN G. PERNA

RALPH M. PERNA

JOHN MANGRELLA

GARY MEDURE

ELLIOT PORCO

MARTIN TACCETTA

ANTONIO RUSSO

ALFONSO CATALDO

MICHAEL RAMUNO, III

RONALD SCRIPPS

GIANNI IACOVO

ROBERT DECRESCENZO

CHARLES BOLOGNA

JAMES FURFARO

ROBERT ROMANO

JOHN TURI

MICHAEL MAFFUCCI

GEORGE MAIORANO

BLERIM IBRIAMI

SHPETIM HANI

VITA CETTA

and

ROSANNA PERNA

between in or about January 2005, and in or about April 2010, at the Township of Galloway, and at the City of Ventnor, in the County of Atlantic, at the Borough of Elmwood Park, at the Borough of Fort Lee, at the Borough of Glen Rock, and at the Township of Wyckoff, all in the County of Bergen, at the Township of Belleville, at the Township of Cedar Grove, at the Borough of Glen Ridge, and at the Township of West Caldwell, all in the County of Essex, at the Township of East Amwell, in the County of Hunterdon, at the Borough of Farmingdale, and at the Township Neptune, both in the County of Monmouth, at the Township of East Hanover, at the Borough of Florham Park, at the Township of Parsippany, and at the Township of Pequannock, all in the County of Morris, at the Township of Brick, and at the Township of Toms River, both in the County of Ocean, at the Borough of Bloomingdale, at the City of Clifton, at the Borough of Hawthorne, and at the Borough of North Haledon, all in the County

