

FILED

AUG 02 2012

State Grand Jury Judge

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ624-12-2

Superior Court

Docket Number ~~12-08-00141-S~~

STATE OF NEW JERSEY)	
v.)	INDICTMENT
NICHOLAS BIDIC)	
and)	
BIDIC LLC)	
doing business as)	
BIDIC AUTOLINES)	

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

COUNT ONE

(Misconduct by a Corporate Official - Second Degree)

NICHOLAS BIDIC

between on or about April 21, 2008, and on or about January 19, 2011, at the City of Vineland and at the City of Bridgeton, both in the County of Cumberland, at the Township of Monroe, in the County of Gloucester, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, did purposely or knowingly use, control or operate a corporation for the furtherance or promotion of a criminal object, thereby

deriving a benefit of \$75,000 or more; that is, the said NICHOLAS BIDIC, did use, control or operate BIDIC LLC, a New Jersey Limited Liability Company, for the furtherance or promotion of the criminal object of Failure to Turn Over Collected Tax, in violation of N.J.S.A. 54:52-15, or Filing a Fraudulent Tax Return, in violation of N.J.S.A. 54:52-10; contrary to the provisions of N.J.S.A. 2C:21-9c and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Failure to Turn Over Collected Tax - Second Degree)

NICHOLAS BIDIC

and

BIDIC LLC

between on or about April 21, 2008, and on or about January 19, 2011, at the City of Vineland and at the City of Bridgeton, both in the County of Cumberland, at the Township of Monroe, in the County of Gloucester, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, having collected or withheld taxes, in an amount of \$75,000 or more, as required by State tax law, whether or not they were authorized, licensed, or registered to collect or withhold taxes, purposely failed to turn over the taxes to the Director of the Division of Taxation, in the manner and at the time prescribed by law, that is, the said NICHOLAS BIDIC and BIDIC LLC, a New Jersey Limited Liability Company, having collected sales taxes, in an amount of \$1,237,269.65, as required by the provisions of the Sales and Use Tax Act, N.J.S.A. 54:32B-1 et seq., purposely failed to turn over said sales taxes to the Director of the Division of Taxation, contrary to the provisions of N.J.S.A. 54:52-15, N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Filing of Fraudulent Return - Third Degree)

NICHOLAS BIDIC

and

BIDIC LLC

between on or about April 21, 2008, and on or about July 19, 2010, at the City of Vineland and at the City of Bridgeton, both in the County of Cumberland, at the Township of Monroe, in the County of Gloucester, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, did file, prepare, cause to be filed or assist in the preparation or filing of a false or fraudulent return, report or statement required to be filed pursuant to the provisions of State tax law, with the intent to evade, avoid or otherwise not make timely payment of any tax, fee, penalty or interest, or any part thereof, that is, the said NICHOLAS BIDIC and BIDIC LLC, a New Jersey limited liability company, did file, prepare, cause to be filed or assist in the preparation or filing of false or fraudulent sales and use tax returns, required to be filed pursuant to the provisions of the Sales and Use Tax Act, N.J.S.A. 54:32B-1 et seq., with the intent to evade, avoid or otherwise not make timely payment of sales taxes for years 2008 through 2009, contrary to the provisions of the N.J.S.A. 54:52-10, N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

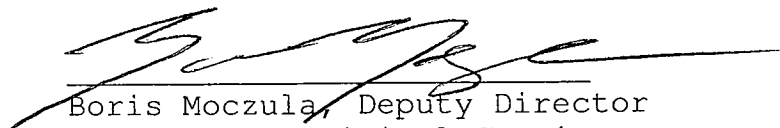
(Failure to File Tax Return - Third Degree)

NICHOLAS BIDIC

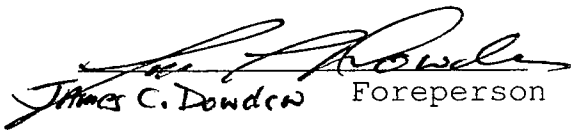
and

BIDIC LLC

on or about October 20, 2010, at the City of Vineland and at the City of Bridgeton, both in the County of Cumberland, at the Township of Monroe, in the County of Gloucester, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, did fail to file a tax return or report as required by the provisions of State tax law with the 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, due pursuant to the provisions of the Sales and Use Tax Act, N.J.S.A. 54:32B-1 et seq., or any State tax law, that is, the said NICHOLAS BIDIC and BIDIC LLC, a New Jersey Limited Liability Company, did fail to file a sales and use tax return, required to be filed pursuant to the provisions of N.J.S.A. 54:32B-14b, with the intent to defraud, evade or otherwise not make timely payment, or any part thereof, of New Jersey sales and use taxes, for the quarter ending September 2010, contrary to the provisions of N.J.S.A. 54:52-8, N.J.S.A. 2C:2-6 and N.J.S.A. 2C:2-7, and against the peace of the State, the government and dignity of the same.


Boris Moczula, Deputy Director
Division of Criminal Justice

A TRUE BILL:


James C. Dowden Foreperson

Dated: 8/2/12

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v.)

NICHOLAS BIDIC)

and)

BIDIC LLC)

doing business as)


BIDIC AUTOLINES)

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 *2nd* day of *August*, 2012, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Cumberland 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 Cumberland for filing.


Thomas W. Sumners, Jr., J.S.C.