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I N D I C T M E N T

S U P R E M E C O U R T O F T H E S T A T E O F N E W Y O R K
C O U N T Y O F Q U E E N S

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

X. CHARLES SAMUELS
DEFENDANT

FILED:
INDICTMENT NO. 3287/2010

- 165.54 CRIMINAL POSSESSION OF STOLEN PROPERTY IN THE FIRST DEGREE (1)
- 155.35 GRAND LARCENY IN THE THIRD DEGREE (2)
- 175.10 FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE (3)
- 175.10 FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE (4)
- 175.10 FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE (5)
- 175.10 FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE (6)
- 175.10 FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE (7)
- 175.10 FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE (8)
- 175.10 FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE (9)
- 175.10 FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE (10)
- 175.10 FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE (11)
- 175.10 FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE (12)
- 175.10 FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE (13)
- TAX 1804 CRIMINAL TAX FRAUD IN THE THIRD DEGREE (14)
- TAX 1804 CRIMINAL TAX FRAUD IN THE THIRD DEGREE (15)
- 175.35 OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE (16)
- 175.35 OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE (17)
- 175.35 OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE (18)
- 175.35 OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE (19)
- AC 11-4004(B) FALSE RETURNS OR REPORTS (20)
- AC 11-4004 CITY CRIMINAL TAX FRAUD IN THE FOURTH DEGREE (21)

A TRUE BILL

FOREMAN

DISTRICT ATTORNEY

FIRST COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF CRIMINAL POSSESSION OF STOLEN PROPERTY IN THE FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT AND BETWEEN SEPTEMBER 1, 2007 AND NOVEMBER 13, 2007 IN THE COUNTY OF QUEENS AND ELSEWHERE, WITH INTENT TO BENEFIT HIMSELF OR A PERSON OTHER THAN AN OWNER THEREOF OR TO IMPEDE THE RECOVERY BY AN OWNER THEREOF, KNOWINGLY POSSESSED STOLEN PROPERTY HAVING A VALUE WHICH EXCEEDS ONE MILLION DOLLARS, TO WIT: BASEBALL MEMORABILIA AND EQUIPMENT OWNED BY STERLING METS, LP.

SECOND COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF GRAND LARCENY IN THE THIRD DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT AND BETWEEN AUGUST 12, 2007 AND OCTOBER 04, 2010 IN THE COUNTY OF QUEENS, STOLE CERTAIN PROPERTY HAVING AN AGGREGATE VALUE OF MORE THAN THREE THOUSAND DOLLARS, TO WIT: A SUM OF UNITED STATES CURRENCY FROM STERLING METS, LP.

THIRD COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT AND BETWEEN MAY 31, 2007 AND AUGUST 12, 2007 IN THE COUNTY OF QUEENS, WITH THE INTENT TO DEFRAUD, MADE OR CAUSED TO MAKE A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, AND THE DEFENDANT'S INTENT TO DEFRAUD INCLUDED AN INTENT TO COMMIT ANOTHER CRIME, TO WIT: LARCENY OR TO AID OR CONCEAL THE COMMISSION THEREOF.

FOURTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT AND BETWEEN JULY 29, 2007 AND AUGUST 12, 2007 IN THE COUNTY OF QUEENS, WITH THE INTENT TO DEFRAUD, MADE OR CAUSED TO MAKE A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, AND THE DEFENDANT'S INTENT TO DEFRAUD INCLUDED AN INTENT TO COMMIT ANOTHER CRIME, TO WIT: LARCENY OR TO AID OR CONCEAL THE COMMISSION THEREOF.

FIFTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT AND BETWEEN SEPTEMBER 30, 2007 AND OCTOBER 25, 2007 IN THE COUNTY OF QUEENS, WITH THE INTENT TO DEFRAUD, MADE OR CAUSED TO MAKE A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, AND THE DEFENDANT'S INTENT TO DEFRAUD INCLUDED AN INTENT TO COMMIT ANOTHER CRIME, TO WIT: LARCENY OR TO AID OR CONCEAL THE COMMISSION THEREOF.

SIXTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT AND BETWEEN JUNE 01, 2008 AND JULY 17, 2008 IN THE COUNTY OF QUEENS, WITH THE INTENT TO DEFRAUD, MADE OR CAUSED TO MAKE A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, AND THE DEFENDANT'S INTENT TO DEFRAUD INCLUDED AN INTENT TO COMMIT ANOTHER CRIME, TO WIT: LARCENY OR TO AID OR CONCEAL THE COMMISSION THEREOF.

SEVENTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT AND BETWEEN JULY 27, 2008 AND AUGUST 22, 2008 IN THE COUNTY OF QUEENS, WITH THE INTENT TO DEFRAUD, MADE OR CAUSED TO MAKE A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, AND THE DEFENDANT'S INTENT TO DEFRAUD INCLUDED AN INTENT TO COMMIT ANOTHER CRIME, TO WIT: LARCENY OR TO AID OR CONCEAL THE COMMISSION THEREOF.

EIGHTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT AND BETWEEN SEPTEMBER 28, 2008 AND OCTOBER 24, 2008 IN THE COUNTY OF QUEENS, WITH THE INTENT TO DEFRAUD, MADE OR CAUSED TO MAKE A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, AND THE DEFENDANT'S INTENT TO DEFRAUD INCLUDED AN INTENT TO COMMIT ANOTHER CRIME, TO WIT: LARCENY OR TO AID OR CONCEAL THE COMMISSION THEREOF.

NINTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT AND BETWEEN MAY 30, 2009 AND JUNE 20, 2009 IN THE COUNTY OF QUEENS, WITH THE INTENT TO DEFRAUD, MADE OR CAUSED TO MAKE A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, AND THE DEFENDANT'S INTENT TO DEFRAUD INCLUDED AN INTENT TO COMMIT ANOTHER CRIME, TO WIT: LARCENY OR TO AID OR CONCEAL THE COMMISSION THEREOF.

TENTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT AND BETWEEN JULY 31, 2009 AND AUGUST 04, 2009 IN THE COUNTY OF QUEENS, WITH THE INTENT TO DEFRAUD, MADE OR CAUSED TO MAKE A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, AND THE DEFENDANT'S INTENT TO DEFRAUD INCLUDED AN INTENT TO COMMIT ANOTHER CRIME, TO WIT: LARCENY OR TO AID OR CONCEAL THE COMMISSION THEREOF.

ELEVENTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT AND BETWEEN OCTOBER 02, 2009 AND NOVEMBER 09, 2009 IN THE COUNTY OF QUEENS, WITH THE INTENT TO DEFRAUD, MADE OR CAUSED TO MAKE A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, AND THE DEFENDANT'S INTENT TO DEFRAUD INCLUDED AN INTENT TO COMMIT ANOTHER CRIME, TO WIT: LARCENY OR TO AID OR CONCEAL THE COMMISSION THEREOF.

TWELFTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT AND BETWEEN JUNE 27, 2010 AND JULY 10, 2010 IN THE COUNTY OF QUEENS, WITH THE INTENT TO DEFRAUD, MADE OR CAUSED TO MAKE A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, AND THE DEFENDANT'S INTENT TO DEFRAUD INCLUDED AN INTENT TO COMMIT ANOTHER CRIME, TO WIT: LARCENY OR TO AID OR CONCEAL THE COMMISSION THEREOF.

THIRTEENTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT AND BETWEEN JULY 31, 2010 AND SEPTEMBER 12, 2010 IN THE COUNTY OF QUEENS, WITH THE INTENT TO DEFRAUD, MADE OR CAUSED TO MAKE A FALSE ENTRY IN THE BUSINESS RECORDS OF AN ENTERPRISE, AND THE DEFENDANT'S INTENT TO DEFRAUD INCLUDED AN INTENT TO COMMIT ANOTHER CRIME, TO WIT: LARCENY OR TO AID OR CONCEAL THE COMMISSION THEREOF.

FOURTEENTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF CRIMINAL TAX FRAUD IN THE THIRD DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT APRIL 15, 2009, IN THE COUNTY OF QUEENS AND ELSEWHERE IN THE STATE OF NEW YORK, COMMITTED A TAX FRAUD ACT, AS DEFINED IN SECTION 1801 OF THE NEW YORK STATE TAX LAW, AND WITH INTENT TO EVADE ANY TAX DUE UNDER THE NEW YORK STATE TAX LAW, OR TO DEFRAUD THE STATE OR ANY POLITICAL SUBDIVISION OF THE STATE, PAID THE STATE AND/OR A POLITICAL SUBDIVISION OF THE STATE, WHETHER BY MEANS OF UNDERPAYMENT OR RECEIPT OF REFUND OR BOTH, IN A PERIOD OF NOT MORE THAN ONE YEAR, IN EXCESS OF TEN THOUSAND DOLLARS LESS THAN THE TAX LIABILITY THAT WAS DUE.

FIFTEENTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF CRIMINAL TAX FRAUD IN THE THIRD DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT AUGUST 10, 2010, IN THE COUNTY OF QUEENS AND ELSEWHERE IN THE STATE OF NEW YORK, COMMITTED A TAX FRAUD ACT, AS DEFINED IN SECTION 1801 OF THE NEW YORK STATE TAX LAW, AND WITH INTENT TO EVADE ANY TAX DUE UNDER THE NEW YORK STATE TAX LAW, OR TO DEFRAUD THE STATE OR ANY POLITICAL SUBDIVISION OF THE STATE, PAID THE STATE AND/OR A POLITICAL SUBDIVISION OF THE STATE, WHETHER BY MEANS OF UNDERPAYMENT OR RECEIPT OF REFUND OR BOTH, IN A PERIOD OF NOT MORE THAN ONE YEAR, IN EXCESS OF TEN THOUSAND DOLLARS LESS THAN THE TAX LIABILITY THAT WAS DUE.

SIXTEENTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT APRIL 15, 2009, IN THE COUNTY OF QUEENS AND ELSEWHERE IN THE STATE OF NEW YORK, KNOWING THAT A WRITTEN INSTRUMENT, TO WIT: PERSONAL TAX RETURN FOR 2008, CONTAINED A FALSE STATEMENT OR FALSE INFORMATION AND WITH INTENT TO DEFRAUD THE STATE OR A POLITICAL SUB-DIVISION THEREOF, HE OFFERED OR PRESENTED IT TO A PUBLIC OFFICE OR PUBLIC SERVANT WITH THE KNOWLEDGE OR BELIEF THAT IT WOULD BE FILED OR REGISTERED OR RECORDED IN OR OTHERWISE BECOME THE RECORDS OF SUCH PUBLIC OFFICE OR PUBLIC SERVANT.

SEVENTEENTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT MARCH 11, 2009, IN THE COUNTY OF QUEENS AND ELSEWHERE IN THE STATE OF NEW YORK, KNOWING THAT A WRITTEN INSTRUMENT, TO WIT: CORPORATE TAX RETURN FOR 2008, CONTAINED A FALSE STATEMENT OR FALSE INFORMATION AND WITH INTENT TO DEFRAUD THE STATE OR A POLITICAL SUB-DIVISION THEREOF, HE OFFERED OR PRESENTED IT TO A PUBLIC OFFICE OR PUBLIC SERVANT WITH THE KNOWLEDGE OR BELIEF THAT IT WOULD BE FILED OR REGISTERED OR RECORDED IN OR OTHERWISE BECOME THE RECORDS OF SUCH PUBLIC OFFICE OR PUBLIC SERVANT.

EIGHTEENTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT AUGUST 10, 2010, IN THE COUNTY OF QUEENS AND ELSEWHERE IN THE STATE OF NEW YORK, KNOWING THAT A WRITTEN INSTRUMENT, TO WIT: PERSONAL TAX RETURN FOR 2009, CONTAINED A FALSE STATEMENT OR FALSE INFORMATION AND WITH INTENT TO DEFRAUD THE STATE OR A POLITICAL SUB-DIVISION THEREOF, HE OFFERED OR PRESENTED IT TO A PUBLIC OFFICE OR PUBLIC SERVANT WITH THE KNOWLEDGE OR BELIEF THAT IT WOULD BE FILED OR REGISTERED OR RECORDED IN OR OTHERWISE BECOME THE RECORDS OF SUCH PUBLIC OFFICE OR PUBLIC SERVANT.

NINETEENTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT SEPTEMBER 15, 2010, IN THE COUNTY OF QUEENS AND ELSEWHERE IN THE STATE OF NEW YORK, KNOWING THAT A WRITTEN INSTRUMENT, TO WIT: CORPORATE TAX RETURN FOR 2009, CONTAINED A FALSE STATEMENT OR FALSE INFORMATION AND WITH INTENT TO DEFRAUD THE STATE OR A POLITICAL SUB-DIVISION THEREOF, HE OFFERED OR PRESENTED IT TO A PUBLIC OFFICE OR PUBLIC SERVANT WITH THE KNOWLEDGE OR BELIEF THAT IT WOULD BE FILED OR REGISTERED OR RECORDED IN OR OTHERWISE BECOME THE RECORDS OF SUCH PUBLIC OFFICE OR PUBLIC SERVANT.

TWENTIETH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF FALSE RETURNS OR REPORTS COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT MARCH 10, 2009, IN THE COUNTY OF QUEENS AND ELSEWHERE IN THE STATE OF NEW YORK, WITH THE INTENT TO EVADE ANY TAX IMPOSED BY OR ANY REQUIREMENT OF CHAPTER FIVE, SIX, OR ELEVEN OF THE NEW YORK CITY ADMINISTRATIVE CODE, FILED A FALSE OR FRAUDULENT RETURN AND WITH SUCH INTENT, SUBSTANTIALLY UNDERSTATED ON SUCH RETURN OR REPORT THE DEFENDANT'S TAX LIABILITY.

TWENTY FIRST COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANT OF THE CRIME OF CITY CRIMINAL TAX FRAUD IN THE FOURTH DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANT, ON OR ABOUT AUGUST 10, 2010, IN THE COUNTY OF QUEENS AND ELSEWHERE IN THE STATE OF NEW YORK, COMMITTED A TAX FRAUD ACT OR ACTS AS DEFINED IN TITLE ELEVEN, SECTION 4002, OF THE NEW YORK CITY ADMINISTRATIVE CODE, WITH THE INTENT TO EVADE ANY TAX DUE UNDER ANY DESIGNATED CHAPTER OF TITLE ELEVEN, OR TO DEFRAUD THE CITY OR STATE OR ANY PUBLIC OFFICE OR OFFICER OF THE CITY OR STATE OR ANY INSTRUMENTALITY OF THE CITY OR STATE, WHETHER BY MEANS OF UNDERPAYMENT OR RECEIPT OF REFUND, IN A PERIOD OF NOT MORE THAN ONE YEAR IN EXCESS OF THREE THOUSAND DOLLARS LESS THAN THE TAX LIABILITY THAT WAS DUE.

RICHARD A. BROWN
DISTRICT ATTORNEY