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This Week in Gang Land

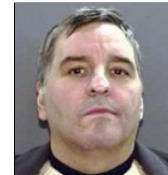
August 8, 2019

By Jerry Capeci

Feds: Meldish Murder Defendant Uttered An Inconvenient Truth; Defense Lawyers: It's Utter Nonsense



Prosecutors say a wiseguy defendant's sudden confession to a jailhouse stranger that he had taken part in a sensational gangland-style slaying was "an excited utterance." That's legalese for the kind of thing we say when we are jolted by bad news, things we might not mean to say but are likely true and therefore allowable in court.



Michael Meldish G L

Defense lawyers have their own term: Utter nonsense. There was no such confession, they say, and they have the tapes and the emails — courtesy of the government's own evidence — to prove it. Moreover, the story is so outlandish that they are asking the judge on the case to bar the inmate who says he heard the abrupt confession to even testify about it.

It's unclear exactly when Christopher Londonio, who is facing charges of having murdered Purple Gang leader Michael Meldish, made the alleged excited outburst. But the feds say it followed a visit by Londonio's mom in early June 2017 to her son who was being held in the Metropolitan Detention Center in Brooklyn.



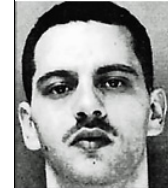
Chris Londonio G L

Prosecutors say that during the visit Londonio learned from his mom — erroneously — that Luchese underboss Steven (Stevie Wonder) Crea and his son, capo Stevie Junior Crea had been released on bail after also being arrested and indicted for their roles in the Meldish murder.

Londonio was so "irate" that the Creas were allowed out on bail while he had been stewing behind bars for months, according to the feds, that when he got back to his cell block he blurted out his own role in the killing along with that of the Creas to a fellow inmate named David Evangelista who had arrived at the MDC just a few days earlier.

As Gang Land disclosed last week, [Evangelista](#) — a serial bank robber — was transferred from the Metropolitan Correctional Center in Manhattan to the MDC on May 22. The transfer occurred after [Evangelista](#) bizarrely turned himself in after he had been mistakenly released prematurely from the jail. After being sent across the river to the MDC, however, things got even more bizarre.

In the Brooklyn lockup, Evangelista allegedly encountered Londonio who had been housed there since his indictment in February of 2017. A few days, later, Londonio, who had been tight lipped about the case even with those he knew well, allegedly abruptly blurted out his confession to Evangelista.



David Evangelista G L

In his anguished state, prosecutors claim in court papers, Londonio "questioned how [the Creas] could have made bail, despite being involved in the same murder as him."

That story is baloney, counter lawyers for all three defendants, and it can be proven by emails exchanged between Londonio and his mother on the federal prison TRULINCS system that allows inmates to send and receive electronic messages.

Two of those emails between mother and son in June and July of 2017 show that Evangelista's account was a "complete fabrication," say lawyers Barry Levin and Anthony DiPietro. The evidence is so blatant, they state, that White Plains Judge Cathy Seibel "must deny" the government request to use that testimony because it is "false or misleading" evidence that deprives their client, Crea Sr., of a fair trial.



Steven Crea G L

The lawyers wrote that the emails establish "that Londonio was on notice that the Creas did *not* get bail and that he and his mother *favorably* discussed such matter by email — not at some bogus 'startling event' where Londonio met with his mother at the MDC and became 'irate' and 'startled' by her inaccurate reporting that the Creas got bail. Plainly put, this 'startling event' never happened."

In a June 22, 2017 email, they wrote, his mom included a Gang Land article published [that day](#), that stated: "[T]he Luchese quintet charged with Meldish's murder Caldwell, Londonio, Madonna, and the Creas are all detained without bail awaiting trial that is unlikely to take place before next year. The next order of business is for Attorney General Jeff Sessions, who has been busy with other things, to decide whether to seek the death penalty for any of the five."

In addition, Levin and DiPietro wrote, "A string of emails between Londonio and [his mother](#) in the middle of July 2017 (July 12 to July 14) further reflect that Londonio was explicitly told that the Creas did not get bail." The emails also contain their own version of an excited utterance, albeit digitally rendered, where Londonio's mom lovingly scolds her son for not knowing how to read.

Here's the snippet cited by the lawyers:

Maureen Londonio: I forgot to tell you Jr. & Sr. are in house. Please let me know about your friend's mother please. Good nite pleasant dreams sleep tight don't let the bedbugs bite. Love you. Mother xxxoxo.

Christopher Londonio: u wrote in house i want sure wat u meant in house as home or in house as in custody love ya ttyl good nite

Maureen Londonio: I wrote they are not home. Learn to read.

Even more "devastating to (Evangelista's) account," the lawyers wrote, "Londonio's emails to his mother also reflect that he was happy for the Creas." He stated, "*wow thats great for them love ya ttyl*," in an email to his mom "before Mrs. Londonio clarified that the Court did not grant the Creas bail," wrote Levin and DiPietro.



Steven Crea Jr. G L

Londonio's own lawyers also cited an excerpt of a taped talk between Londonio and Meldish's sister-in-law, Ann Meldish, on June 21. The talk not only showed that their client didn't know the bail status of the Creas three weeks after their arrests, the lawyers wrote, but also that when Ann Meldish incorrectly informed him that they had been released on bail, "he expressed that he was happy for them."



Barry Levin G L

"It is clear from the recording," wrote attorneys John Meringolo and Louis Freeman, "that Londonio had no knowledge of whether or not the Creas were out on bail prior to this phone call."

Here's the somewhat cryptic exchange between the alleged getaway driver and the victim's wife:

Christopher Londonio: Who's out on bail?

Ann Meldish: The gentleman that's 69 years old, he's not . . . I thought [a friend] told me he was out on bail.

Christopher Londonio: Check. I don't . . . she's nuts.

Ann Meldish: The father and the son are not out on bail?

Christopher Londonio: I don't know, are they?

Ann Meldish: That's what she told me, she asked me if I knew how much bail they got. I says I didn't even know they made bail.

Christopher Londonio: He told me no the other day, my lawyer. Check.

Ann Meldish: They're not in the federal system and Valhalla . . .

Christopher Londonio: That's great if they did. God bless 'em. Holy shit.



John Meringolo G L

In asking Seibel to block any testimony by Evangelista about their client's alleged remarks about the murder, or any other crimes, the lawyers argued that Londonio's alleged "statements" were "not sufficiently corroborated" to be used as evidence against in the case.



Seth Ginsberg G L

They noted that none of their client's alleged admissions were tape recorded, that the *New York Post* and *Daily News* wrote about many "alleged topics of conversation between Londonio and" Evangelista, including the Meldish murder and the Luchese family hierarchy, [on May 31](#) — the day the Creas and acting boss Matthew (Matty) Madonna, were added to the murder case against Londonio and alleged triggerman Terrence (Terry) Caldwell.

And while prosecutors assert that the two men were "cellmates" who "became close while incarcerated together," and that gives credence to the claim that Londonio told Evangelista about "his role in the murder of Meldish," and "his plan to [escape](#) from the MDC," the mobster's lawyers wrote that the men never were cellmates at any time.

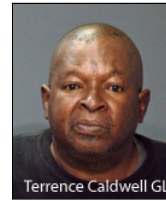
Lawyers for Stevie Junior Crea joined in the arguments by their co-counsels. But they also wrote there was no way that whatever Londonio said to Evangelista could have been be an "excited utterance" which tended to be truthful, even if he was upset about what his mother had told him because prosecutors failed to show that "Londonio was too distraught to reflect before speaking."

"It is clear that Londonio had an opportunity to reflect before he allegedly made the statement at issue," wrote attorneys Seth Ginsberg and Joseph DiBenedetto, who gave Judge Seibel a primer on the trials and tribulations of visits to inmates at the MDC.

"Moving inmates within the MDC is extremely slow on a good day," they wrote. "When a visit ends, an inmate typically waits in the visiting room for a considerable period of time before he is brought to a secure area and strip searched. Thereafter, the inmate awaits transport in a prison elevator to his unit. The wait times for the elevator vary but extended delays are common. It is all but certain that Londonio had an opportunity to reflect before he spoke to (Evangelista.)"

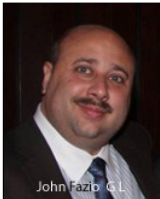
"In addition," the lawyers opined, "where a declarant is angry at the subject of his statement, there is an inherent motive to lie, which further renders the statement unreliable."

Gang Land predicts many more "excited utterances" between prosecutors and defense lawyers before the case goes to trial this fall.



Terrence Caldwell G L

Labor Racketeer Awaits Payoff After Rare Court Victories



John Fazio G L

Convicted labor racketeer John Fazio has 30 months remaining on an 11-year prison term, but after a rare win in the 2d Circuit Court of Appeals, and an even rarer admission by the feds that they wronged him, the Genovese associate should be back home before long. Fazio, 47, would be home already if the usually slow judicial system worked at normal speed.

In a recent filing, Manhattan prosecutors admit that back in 2012 they wrongly calculated the sentencing guidelines of Fazio, a former officer of Local 348 of the United Food & Commercial Workers Union, (UFCW). They also agreed with a defense request that he should be resentenced, but this time facing a lesser prison term, one that would likely end in a "time-served" sentence.

Fazio, a [longtime associate](#) of Genovese capo John (Johnny Sausage) [Barbato](#), was found guilty in a controversial trial of reaping more than \$2.5 million in kickbacks and bribes from numerous employers in return for labor peace and by looting the union's health and welfare funds from 1999 to 2010.

There was extensive evidence at trial that Fazio and other crooks in his labor local were running a massive racket in which they arranged sweetheart labor deals with employers looking to avoid otherwise costly union contracts. But when it came to figuring out the math of how much dough the racketeers were pulling in, prosecutors now acknowledge they overreached.

In a stunning *mea culpa*, Assistant U.S. Attorney Brian Blais wrote, "Given that the government" has known since 2015 that the \$2.5 million loss was overstated and that Fazio's recommended prison term should have been "lower" than 135 months, it "consents to a resentencing of Fazio with an appropriately calculated guidelines range" before a different judge.

In his July 18 filing, which the appeals court has not yet acted on, Blais conceded that the government had wrongly stated at sentencing that Fazio, a former Local 348 secretary-treasurer, had reaped more than \$2.5 million from kickbacks and thefts from the union's benefit fund — the key reason for the heavy prison sentence.

Based on the government's assertions, Judge Katherine Forrest had ruled at sentencing that the total loss was \$12,000 greater than \$2.5 million, and sentenced Fazio to 135 months. That comes to about 115 months behind bars, according to normal Bureau of Prisons protocol.

The government's concession comes two years after Fazio's new attorney, Anthony DiPietro, first alleged in a detailed 92-page filing that the actual loss attributable to his client was at least \$250,000 less than the \$2.5 million threshold, and that the maximum guidelines sentence Fazio should have faced was 108 months.

At that point, the government objected and Forrest, who has since left the bench, denied the motion. But DiPietro filed a second detailed brief with the 2d Circuit, which had already upheld Fazio's conviction and sentence, seeking permission to appeal Forrest's ruling, a request the judge had refused to grant.

In a split 2-1 ruling, the appeals court agreed there was merit to that claim and gave DiPietro the right to appeal. In his filing, the lawyer alleged that the government had overstated Fazio's thefts by an even larger amount — a whopping \$978,000, including \$50,000 the FBI and prosecutors knew about before trial. While not responding to those figures, prosecutor Blais folded his cards and asked the court to grant Fazio's motion and order him resentenced.

In his filing, Blais attributed some of the government's new understanding of the thefts to a cooperating witness who provided information showing "that certain amounts included in the loss amount attributed to Fazio at sentencing were not appropriately



John Barbato G L



Anthony DiPietro G L

attributed to Fazio." Blais didn't disclose the "amounts," or the identity of the snitch who provided the information.

Sources say the unnamed informer is [Vincent Fyfe](#), the grandson of late oddfather-godfather Vincent (Chin) [Gigante](#), the president of UFCW sister Local 2D, the unlikely turncoat who fingered Gigante's son, Vincent Esposito, as a longtime extortionist who shook him down for annual \$10,000 payoffs for 16 or so years.

Sources say Fyfe and Fazio are [longtime friends](#) who often socialized with each other and who shared a home in Staten Island years ago — before Fazio was incarcerated following his conviction seven years ago.

Blais did not return a call from Gang Land. DiPietro declined to discuss any specifics about the case, but stated that the prosecutor's actions in the appeal were "exemplary and he should be commended for taking steps to remedy this incorrect sentence."

Blais's decision, assuming the 2d Circuit goes along with it eventually, will not impact the five year sentence that Fazio's cousin, Anthony Fazio Jr., a former 348 vice president received for his conviction, since he was released in 2017. But it could have an impact on the 151 month prison term his dad, [Anthony Sr., 73](#), is serving. Anthony Sr., a former Local 348 president, isn't due to be released until April of 2023.



Vincent Fyfe

ILA Union Boss Charged With Selling Out His Members



Glenn Blicht G L

Glenn Blicht, the president of a scandal-tarred International Longshoremen's Association New Jersey-based union has been arrested on charges of shaking down a longtime employer of his union's members in return for ignoring violations of his own union contract over the past decade.

Blicht, who earned \$276,000 last year as president of ILA Local 1964, allegedly extorted \$150,000 in cash payoffs from the unnamed president of a company employing local members. The president later cooperated with authorities, and wore a wire and tape recorded Blicht demanding and accepting bribes, according to an arrest complaint.

Blicht's code word for his payoffs was "tickets," according to the complaint.

"Over the years," if the unidentified employer "did not make 'ticket' payments as instructed, Blicht would file a large quantity of arbitration claims against the Employer (who) understood that these claims were intended to harass (him) through paperwork and legal fees into resuming paying bribes to Blicht," wrote Department of Labor agent Stephen Donnelly.

"Once (the employer) resumed paying the bribes, Blicht would dismiss the arbitration claims," wrote Donnelly.

The agent wrote that, beginning in 2009, Blicht, 57, demanded bribes ranging from \$2000 to \$5000, depending on the volume of grievances or arbitrations that the union had with the company at the time.

At the time, Blicht was the union's recording secretary, earning \$78,000 a year, and his father-in-law, Robert Levy, was president of Local 1964, which represented 1365 workers at the time, according to the union's annual reports filed with the Department of Labor. Levy, who died in 2014, was not implicated in Blicht's alleged scheme.

Blicht, who was the union's vice president in 2014, and took over as president of Local 1964 in 2015, was suspended from his union post by the ILA's Ethical Practices Counsel. His attorney did not respond to a call from Gang Land.



Robert Levy G L

Local 1964, a catchall union that currently represents about 1800 workers, including warehouse, hospital, and produce workers, is based in Ridgely Park, N.J. The local has a history of forging [sweetheart deals](#) with employers, often undercutting other unions seeking to organize workers.

In the current case, the company president, who began cooperating with the feds last October, tape-recorded numerous phone conversations with Blicht as well as three "in-person meetings" he had with Blicht in Manhattan when he forked over a total of \$7000 in bribes, the equivalent of seven tickets, since each ticket equaled \$1000, the DOL agent wrote.



Richard Costello G L

In January, in an apparent effort to see how Blicht would respond, the DOL ordered the employer to short Blicht \$2000 of the "four tickets" he was supposed to give him that month, the third payment he gave the union president while wired-up. Investigators then instructed him not pay Blicht any more bribes for six months.

It didn't take long for Blicht to start threatening the company president that he would begin "filing charges" against the company with the National Labor Relations Board, and then carry out those threats, Donnelly wrote.

"I don't appreciate being ignored," Blicht texted the employer on March 27. "I'll be filing for arbitration tomorrow regarding NY and (NJ)," said the complaint.

After stalling Blicht for three more months, each time making and breaking promises to deliver payments, the employer promised he was "ready to go with 10 tickets" on July 26 if Blicht canceled an arbitration that was scheduled for that day, Donnelly wrote.

Blicht promised to do so, and on July 18, Donnelly wrote, Blicht called the employer, "confirmed the July 26 meeting and threatened: 'Don't screw me on this. Because if you do — this is not a threat, it's a promise — you're gonna regret it.'"

Instead of getting ten tickets from the employer on Friday July 26, Blicht was cuffed and arrested on labor racketeering charges. He pleaded not guilty at his arraignment in Manhattan Federal Court, and was released without bail. He is slated to appear back in court later this month.

Technically Blicht faces a maximum of 25 years in prison, if convicted. But no matter how the case turns out, he'll make out much better than former 1964 President Richard A. Costello.

It was 30 years ago tomorrow, on August 9, 1989, that Costello, 53, and his son Richard Jr., the union's secretary treasurer, were shot to death in the union offices in what law enforcement sources say was a dispute between the Genovese and Gambino crime families for control of the union. The murders are unsolved.



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