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This Week in Gang Land

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By Jerry Capeci

Federal Mob Busters In NY Have Egg On Their Faces Again



Agents with the FBI's flagship New York office and federal prosecutors in the Southern District of New York, who are still in a legal skirmish over FBI misbehavior in the huge 2016 case against 46 mob-linked defendants, again have some egg on their faces in a major Mafia prosecution, Gang Land has learned.



This time, according to court filings and transcripts of several court proceedings, the screw-up involves the arrest of 19 members and associates of the Luchese crime family [on May 31](#). The defendants are accused of a potpourri of charges including murder, labor racketeering, extortion and drug dealing, all of which are detailed in a nine-count racketeering conspiracy indictment filed in White Plains Federal Court.

In a response to a defense claim, prosecutors have conceded they misstated key facts about the case at bail hearings for family underboss Steven ([Stevie Wonder](#)) Crea, and his son, Steven D., a reputed capo. In separate sessions, prosecutors wrongly told two judges that the FBI had tape recorded a mob associate named Vincent Bruno admitting his role and those of the Creas and a fourth defendant in a failed plot to whack a Bonanno family associate in 2012.

The erroneous assertions are unlikely to impact the detention of [the Creas](#), who are also charged with the 2013 execution murder of Luchese associate Michael Meldish in front of his Bronx home.



Steven Crea G L

But at a minimum, argues attorney Anthony DiPietro, who unearthed the embarrassing info, the government admission, combined with other "conflicting and untrue statements" he says prosecutors have made about the case, should provide a get-out-jail-of-on-bail card for his client, soldier Paul (Paulie Roast Beef) Cassano. [Cassano, 38](#), has been detained since May 31.

In a fact-intensive filing two weeks ago — one that the government has yet to refute — DiPietro also argues that other undocumented allegations which prosecutors have made against all four defendants in the five-year-old attempted murder, "even if credited in all regards, are not legally sufficient to sustain an attempted murder charge."

In his court papers, DiPietro highlights several contradictory statements that two prosecutors made at three bail hearings — one for the elder Crea and two for his son. Citing transcripts, the lawyer wrote that prosecutors have given different dates when the alleged attempted murder took place, as well as how many alleged attempts Cassano and Bruno made to try and kill the intended victim.

In a June bail hearing at which the younger Crea was remanded, prosecutor Scott Hartman told Magistrate Judge Paul Davison that Cassano and Bruno made one effort to find and kill Carl Ulzheimer at his home "in early 2012." The alleged failed hit attempt came after Ulzheimer dissed the elder Crea at a dispute at a Luchese social club in the Bronx in March of 2012, according to the prosecutor.

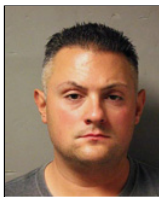


Steven Crea Jr. G L

"They weren't able to find him and fortunately for Mr. Ulzheimer, the conflict was defused through a sitdown . . . and there were no further efforts made," Hartman told the judge, according to a transcript of the hearing.

But at a bail hearing for [the elder Crea](#) a month later, co-prosecutor Jacqueline Kelly switched the date, stating that "the alleged dispute occurred in late 2012." She also asserted that there was not one, but two attempts by Cassano and Bruno to locate Ulzheimer at his home. In his brief, DiPietro said the prosecution's revision to a date in "late 2012," is critical, since that puts it after May 31, 2012, and within the five-year-statute of limitations for the crime.

It wasn't the only questionable assertion by the government at the bail hearing, according to DiPietro. Kelly also reported that the government possessed a taped admission by Bruno, telling the magistrate that in the recording, "Bruno recounted the order that he got from (the younger) Crea to a cooperating witness."



Paul Cassano G L

A week later, Kelly doubled down on that claim at a hearing involving the younger Crea who was appealing his detention to District Court Judge Cathy Seibel. There, Kelly noted, according to a transcript of the proceeding, that the government's evidence was "quite strong" in that it included "a recorded conversation in which a Genovese soldier, who is close with Mr. Crea, talks about Crea's specific role in the plan to murder this Bonanno associate."

"It also includes," the prosecutor continued, "a recorded conversation, as well as testimony from a witness who would testify regarding a conversation which is recorded with Vincent Bruno . . . who is charged with Paul Cassano and with Mr. Crea and Steven Crea Sr. . . . with the attempted murder. This recorded conversation includes discussion of exactly what happened."

When Seibel asked whether Bruno discussed "what happened when they went to the target's house, or does he talk about how it was set up," Kelly replied: "He talks about how it was set up, your Honor, in addition to actually talking about what happened when they went to find the Bonanno associate."

Even after prosecutors conceded that there are no Bruno recordings about the matter, DiPietro wrote, "the government continued to misstate that the attempted murder was proven by 'recorded conversations between Witness-1 and two other co-conspirators'" in the *mea culpa* letter it submitted to the court.

The lawyer asserts, based on the "voluminous" discovery material that's been turned over to the defense, that Witness-1 and the other duo cited in the government letter are not members or associates of the Luchese family or alleged co-conspirators of Cassano, the Creas, or Bruno, who is currently behind bars for a 2013 drug dealing rap.



Vincent Bruno G L

In addition to seeking bail for Cassano, DiPietro and co-counsel Mathew Mari have asked [Judge Seibel](#) to order the U.S. Attorney's office to turn over all its evidence regarding the attempted murder allegations, including the grand jury minutes regarding them, because "it is unlikely that the charges were determined under true fact or law."

That's because, DiPietro asserts, during the bail hearing for Stevie Wonder, prosecutor Kelly made it abundantly clear that the government did not have the required evidence to back up an attempted murder charge when she detailed the government's theory of the aborted murder plot.



Jacqueline Kelly G L

"Fortunately for this Bonanno associate," Kelly told the Judge, "when Bruno and Cassano showed up at his house, he pretended not to be home, and the two left. They came back again. Again, he pretended not to be home. And luckily, no death resulted from that attempt."

Kelly stated that Cassano and Bruno went looking for Ulzheimer "with a gun" in order to kill him, but that "there was no interaction" between the alleged gunmen and their intended victim.

"There was no encounter between them?" asked Davison.

"Yes, your Honor, that's right," Kelly responded.

Looking for someone while armed with a gun so you can kill him can certainly be described as mean, nasty, or downright evil. But under New York State law, it's not attempted murder, wrote DiPietro.

"A properly instructed grand jury could not have" returned an attempted murder indictment based on those facts, wrote DiPietro, citing two appeals court rulings where attempted murder convictions were reversed because there was no evidence that either gunman had "his finger on the trigger" when he pointed a gun at his victim.

"Thus," the lawyer wrote, "even if the grand jury credited that Cassano drove to the alleged victim's home while armed with a gun and with intent to kill him, it could not have found probable cause to indict for attempted murder."

In a follow-up filing, Bruno's lawyer, Gerald McMahon fingered FBI case agent [Ted Otto](#) and veteran agent Christopher Munger as culprits along with Kelly. He asked Seibel to "direct the government to provide a detailed explanation as to how these false statements arose and what use, other than at the cited bail hearings, the government made of them."

"The government provided no explanation as to how such an important false statement could have been made in court — not once but twice — and in the presence of two different special agents," McMahon wrote, noting that Otto was with prosecutor Kelly the first time she misspoke, and that agent Munger "was sitting at the government's table" the second time.



Anthony DiPietro G L

Mastermind In \$5 Million Bank Heists Cops A Plea Deal; Goes Directly To Jail



Michael Mazzara G L

Michael Mazzara, the mastermind of two blockbuster bank heists that netted more than \$5 million in cash, copped a plea deal with the feds yesterday calling for up to 10 years behind bars. Minutes later, he was on his way to jail — even as an assistant U.S. attorney protested that his [continued freedom](#) on bail would help the feds recover the loot he stole.

As Mazzara was led away by deputy U.S. marshals, the mother of his five-month old son sobbed uncontrollably. Mazzara appeared to mouth the words, "I love you" back towards her as he headed to prison.

"Oh my god, oh my god, what am I going to do," Mazzara's sweetheart said through her tears, declining to say anything more to Gang Land.

Up until that moment, the proceeding was a low-key affair, in sharp contrast to the spectacular crimes — and the huge losses of their victims — that the Brooklyn-born mob associate and his crew had pulled off.

Aside from Mazzara's domestic partner, FBI agent Bradford Price and NYPD Detective Paul Courtney, both members of the NYPD-FBI Joint Violent Crimes Task Force, were the only other spectators paying any attention to what was going on.

Mazzara, 45, pleaded guilty to burglarizing an HSBC Bank branch in Brooklyn in April of last year of between \$250,000 and \$550,000, and to stealing more than \$3.5 million from the Maspeth Federal Savings bank in Queens a month later.

In describing why he was guilty, Mazzara spoke in a dull monotone, voicing the script he had been given to admit his guilt to federal crimes: that he knowingly stole more than \$1000 from each bank, well aware that the funds were FDIC insured.



Benet Kearney G L

Federal Judge Katherine Forrest noted more than once during the proceeding that she is not obliged to go along with the plea agreement that calls for a recommended prison term between 97 and 121 months. The agreement also requires him to forfeit whatever money and valuables that are still at his disposal, to make restitution as ordered by the judge, and be liable for up to \$500,000 in fines.



Sanford Talkin G L

Each of the two counts to which he pleaded carry a possible maximum sentence of ten years, so despite his agreement, the judge told him loudly and clearly, he was facing up to 20 years in prison by saying he was guilty.

After Mazzara said the word, the judge scheduled his sentencing for Friday the 13th of April. This must have sounded good to Mazzara, since it would allow him to celebrate not only the Christmas holidays with his budding family, but also Easter.

But Forrest then cited statutes that she said required her to remand Mazzara, barring extenuating circumstances.

Prosecutor Benet Kearney and defense attorney Sanford Talkin both insisted that the statute did not require Mazzara to be immediately remanded. The lawyers also cited Mazzara's agreement to forfeit the proceeds from the heists, and pointed out that he had been working with authorities in that regard, and that remaining free time until sentencing day would facilitate that.

But the judge wasn't buying any of it.

"I think a little differently about the situation," responded Forrest. "Now that he's pleaded guilty and knows how much time he faces, I think that's a potential motive for him to flee. I'm going to order him to the custody of the U.S. Marshals."

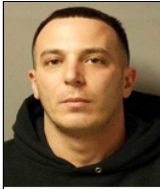
Mazzara was the third member of the crew to plead guilty in the case.

Faced with overwhelming evidence — including videotapes from a [pole camera](#) that the NYPD placed outside his home for 21 months, and testimony from two [former girlfriends](#) — all four members of the crew have decided not to contest the charges at trial.



Charles Kerrigan G L

On Monday, Charles (Duke) Kerrigan, who lived in a separate apartment in Mazzara's house in Gravesend, Brooklyn when they hit both banks, pleaded guilty to the same bank jobs as well as to assaulting his former girlfriend and threatening to kill her and her ten-year-old son for cooperating with the feds.



Anthony Mascuzzio GL

Kerrigan's sentencing guidelines for his crimes are the same as Mazzara's, but he doesn't have a plea agreement, has no agreement to forfeit any stolen proceeds, and technically faces 85 years in prison. Kerrigan, 41, has been behind bars since October, when his bail was revoked after his arrest for [assaulting his ex-girlfriend](#). He's scheduled to be sentenced in April.

Last month, Kerrigan's younger brother Christopher, 40, the lookout and getaway driver in both capers, also pleaded guilty without a plea deal. He faces up to 35 years but during his proceeding, Forrest stated she expects his sentencing guidelines to be between 70 and 87 months.

The last member of the daring quartet, Anthony Mascuzzio, 37, is set to bite the bullet tomorrow. Like Mazzara, he has been free on bail since last year. It would probably be a good idea for him to kiss his wife and kids goodbye before he goes to court.

Feds Bust Geezer Gangster Pal Of John Gotti

There are some new wannabe wiseguys toiling for the Gambino family these days, and the feds busted a few of them on racketeering charges this week, along with a tough-talking aging acting capo whose mob bonafides go back to the 1980s when the late John Gotti was running the crime family.

While the wannabes are still trying to earn their mob stripes, the arrests left no doubt about John ([Johnny Boy](#)) Ambrosio, and his close ties to the former swashbuckling Dapper Don. At his arraignment in Central Islip, assistant U.S. attorney Artie McConnell told the judge that arresting agents found a Christmas card to Ambrosio from Gotti, along with other letters that the then-incarcerated mob boss — who died 15 years ago — sent him over the years.

The raid also showed that the geezer gangster wasn't struggling along on monthly Social Security payments these days. Agents seized \$60,000 in cash at his Huntington, L.I. home as the alleged fruits of Johnny Boy's loansharking and illegal gambling rackets.



John Ambrosio GL



Frank Salerno GL

Ambrosio, 74, was detained as a danger to the community by Central Islip Magistrate Judge Gary Brown after McConnell detailed several threats made by Ambrosio that were picked up in tape recorded conversations during the three-year-long investigation by the Long Island Criminal Division of the Brooklyn U.S. Attorney's office.

The racketeering charges against Ambrosio, and six others, including Bonanno soldier Frank ([Frankie Boy](#)) Salerno, include loansharking, illegal gambling, and drug trafficking on Long Island from January of 2014 until Tuesday, when the 13-count indictment was filed.

Ambrosio, and his underling wannabe Anthony Rodolico, were also hit with obstruction of justice charges for trying to intimidate a witness from testifying against them before a grand jury after they learned that they were under investigation three months ago. Rodolico, 46, also of Huntington, was released on \$1 million bond.

The joint probe by Homeland Security, the Suffolk County Police, the NYPD and the FBI became an open secret in September when Frankie Boy Salerno and Gambino associate [Anthony Saladino](#) were arrested for drug trafficking charges based on the work by an undercover law enforcement officer who bought cocaine from them 12 times in 2015 and 2016. Salerno, 43, and Saladino, 67, have been held without bail since.

Mob associate Thomas Anzelone, 44, was detained without bail after prosecutor McConnell disclosed that an AR-15 assault rifle, a sawed off shotgun, a handgun, and more than an ounce of coke were seized at Anzalone's Queens home. And wannabes Joseph Durso, 26, of Glen Cove, and Alessandro (Sandro) Damelio, 49, of Queens, were each released on a \$500,000 bond.



Anthony Saladino GL

Some things have changed since John [Gotti's day](#), but many other things remain the same. As New York FBI Boss William Sweeney put it: "The arrests in this case prove organized crime families haven't gone away, and continue to plague our communities with their general disregard for anything other than their own greed. The overt deadly attacks that used to make headlines aren't as prevalent, but their violent tactics haven't changed."



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