

NEWS

United States Department of Justice
U.S. Attorney, District of New Jersey
970 Broad Street, Seventh Floor
Newark, New Jersey 07102



Christopher J. Christie, U.S. Attorney

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Contact:
Michael Drewniak, Public Affairs Officer
973-645-2888

dell0429.rel
FOR IMMEDIATE RELEASE
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Guttenberg Mayor and His Wife Convicted of Corruption, Tax Fraud

(More)

Public Affairs Office
Michael Drewniak, PAO

973-645-2888

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NEWARK – A federal jury today convicted Guttenberg Mayor David Delle Donna and his wife, a former Planning Board member, of conspiracy to commit extortion under color of official right and income tax fraud, U.S. Attorney Christopher J. Christie announced.

The extortion conviction related to the Delle Donna's acceptance of tens of thousands of dollars in cash payments and gifts from a local bar owner who, in turn, received favors that included official action or inaction on liquor license violations and other issues related to the bar's operation, and permits and approvals on matters before the planning board.

The Delle Donnas were convicted on three of five counts contained in a Superseding Indictment – conspiracy to commit extortion under color of official right, and two counts of filing false income tax returns. Under the advisory U.S. Sentencing Guidelines, both of the Delle Donnas face a sentencing range of between 51 and 78 months in federal prison. U.S. District Judge Harold A. Ackerman scheduled sentencing for Sept. 4. (The Sentencing Guidelines are advisory only, and Judge Ackerman has discretion in imposing sentence above, below or within the Guidelines.)

The jury acquitted the Delle Donnas on two counts of the Superseding Indictment, conspiracy to commit mail fraud and mail fraud.

“We take no joy in the jury's verdict. But it is this Office's responsibility to bring to justice those public officials who break the law,” said Christie. “The jury found that the defendants traded on their public positions, and they have been brought to justice.”

The jury returned its verdict during the fifth day of its deliberations, following a five-week trial. The case was prosecuted by Assistant U.S. Attorneys Thomas Calcagni and Richard Constable, of the U.S. Attorney's Office Special Prosecutions Division.

According to the charges and evidence at trial related to the extortion conviction, the corrupt payments received from the bar owner by the Delle Donnas included approximately \$2,000 for Anna Delle Donna's cosmetic surgery, tens of thousands of dollars from the bar owner to Anna Delle Donna for gambling in Atlantic City, and the gift of a dog and accessories (including canine insurance) valued at approximately \$2,300.

Trial evidence also revealed that the bar owner paid for her employees to work on David Delle Donna's primary and general election campaigns, and that he accepted a \$500 Macy's gift card from the bar owner, as well as the installation of a closet in his home, with a value of about \$1,000, among other gifts.

The tax fraud convictions were for the Delle Donnas' filing of federal returns for 2004

and 2005, in which they failed to report a total of about \$25,000 in rental income from tenants of apartments they owned and, in tax year 2005, the value of cash and gifts from the bar owner to Anna Delle Donna.

Christie credited Special Agents of the FBI, under the direction of Special Agent in Charge Weysan Dun, and Special Agents of the IRS, under the direction of Special Agent in Charge William P. Offord, with the investigation of the Delle Donnas and for their support and expertise in the trial phase of the case.

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Counsel for defendants:

Brian J. Neary, Esq., Hackensack, for Anna Delle Donna

Ralph J. Lamparello, Esq., Secaucus, for David Delle Donna