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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD M. KOCUBA,

Defendant.

INFORMATION

1:09CR2267

CASE NO.

JUDGE BOYKO

Title 18, United States Code, Section 1951

The United States Attorney charges:

General Allegations

At all times material to this Information:

Relevant Persons and Entities

1. The City of Cleveland Building and Housing Department ("CBHD") was a government agency that administered and enforced the Cleveland building, housing and zoning codes as well as the national electrical code and the state of Ohio building, plumbing, and elevator codes. CBHD registered building contractors, inspected all new and major rehabilitation construction and provided nuisance abatement to condemned properties. The Department

supervised and managed the Code Enforcement, Construction Permitting and Records Administration divisions. The mission was to ensure that all existing and new structures in the City of Cleveland were maintained and constructed in a safe and habitable manner through enforcement of the building and zoning codes, pursuant to the review of plans, issuance of permits and inspection of property.

2. Defendant, RICHARD M. KOCUBA, an agent of CBHD, was an electrical inspector responsible for inspecting electrical work on commercial and residential construction projects within the City of Cleveland to ensure compliance with the City of Cleveland's building and zoning codes.

3. Wing Hin Construction ("Wing Hin") was a construction contractor located at 3672 East 36<sup>th</sup> Street, Cleveland, Ohio. Wing Hin was involved in the construction of several commercial establishments in the Cleveland, Ohio including Sweethearts Ice Cream ("Sweethearts") located at 3610 East Superior Avenue, Cleveland, Ohio. The activities of Wing Hin and Sweethearts affected interstate commerce.

#### Wing Hin Extortion Scheme

4. At various times, KOCUBA (using his official position) demanded and received cash payments from Wing Hin representatives for expediting the CBHD approval process so that Sweethearts could open and begin to receive income.

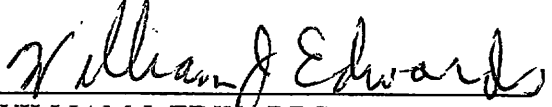
COUNT 1  
(Extortion Under Color of Official Right)

The United States Attorney further charges:

5. The General Allegations contained in paragraphs 1 through 4 of this Information are incorporated herein as if set forth in full.

6. Between in or about November 2006, and in or about June 2007, in the Northern District of Ohio, Eastern Division, the Defendant, RICHARD M. KOCUBA, did knowingly attempt to obstruct, delay, and affect in any way and degree interstate commerce and the movement of articles and commodities in interstate commerce by extortion; that is, RICHARD M. KOCUBA obtained property (\$500 cash) not due him, from representatives of Wing Hin, with the consent of the representatives of Wing Hin, under color of official right.

All in violation of Title 18, United States Code, Section 1951.

  
WILLIAM J. EDWARDS  
UNITED STATES ATTORNEY