

# NEWS

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United States Department of Justice  
U.S. Attorney, District of New Jersey  
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Newark, New Jersey 07102

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***Ralph J. Marra, Jr., Acting U.S. Attorney***

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FOR IMMEDIATE RELEASE  
Aug. 20, 2009

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## Cliffside Park Man Pleads Guilty to Illegal Possession of Guns and Silencers and Hollow-point Bullets

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(More)

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NEWARK – A Cliffside Park man pleaded guilty yesterday to a federal gun charge, admitting that he illegally possessed five firearms, two silencers and hollow-point bullets in his home, Acting U.S. Attorney Ralph J. Marra, Jr. announced.

Giovanni DeMaio, 59, pleaded guilty before U.S. District Judge Joseph A. Greenaway, Jr., to a one-count Information on Aug. 19. Judge Greenaway scheduled sentencing for Dec. 14.

At his plea hearing, DeMaio admitted that he possessed four handguns, a shotgun, two silencers and ammunition on July 11, 2008, at his home in Cliffside Park. Furthermore, DeMaio admitted that he had previously been convicted of a felony in U.S. District Court for the District of New Jersey in the early 1990s for conspiracy to distribute and possess with intent to distribute cocaine.

Investigators with the Bergen County Prosecutor's Office found the weapons and ammunition during the execution of a search warrant at the defendant's home. The Bergen County Prosecutor's Office initially charged DeMaio with illegally possessing the weapons, and the U.S. Attorney's Office subsequently adopted the case for federal prosecution.

The charge of possession of a firearm by a previously convicted felon carries a maximum statutory penalty of 10 years in prison and a fine of \$250,000.

In determining the actual sentence, Judge Greenaway will consult the advisory United States Sentencing Guidelines, which provide appropriate sentencing ranges that take into account the severity and characteristics of the offense, the defendant's criminal history, and other factors. The Judge, however, is not bound by those guidelines in determining a sentence.

Parole has been abolished in the federal system. Defendants who are given custodial terms must serve nearly all that time.

Marra credited Special Agents of the Federal Bureau of Investigation, under the direction of Special Agent in Charge Weysan Dun, and Investigators with the Bergen County Prosecutor's Office, under the direction of Prosecutor John L. Molinelli, for the investigation leading to the guilty plea.

The government is represented by Assistant U.S. Attorney Lisa M. Colone of the U.S. Attorney's Violent Crimes Unit.

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Defense Counsel: Alain Leibman, Esq. Newark