

10-02-06 -- Giubilo, Michael -- Sentencing -- News Release

Career Criminal Bank Robber Gets 90 Years in Federal Prison

NEWARK – A federal judge today sentenced a serial bank robber and career criminal to 90 years in prison for his jury convictions in February on all nine counts against him in connection with three armed robberies and one attempted robbery of banks in New Jersey, U.S. Attorney Christopher J. Christie announced.

The sentence for Michael Giubilo, 61, a lifelong resident of Belleville, was boosted by his history as a career criminal and the fact that he used a gun in the commission of violent crimes. He faced a mandatory minimum of 80 years in prison.

Giubilo was convicted on Feb. 10 after the jury deliberated approximately seven hours over two days. The convictions were as follows:

- Count One, armed robbery of the Bank of New York in Millburn on Nov. 24, 2003, in which he escaped with \$33,000.
- Count Two, carrying a firearm in connection with a violent crime, for that armed bank robbery.
- Count Three, armed robbery of a Fleet Bank in West Caldwell on Jan. 20, 2004, in which he escaped with \$13,000.
- Count Four, carrying a firearm in connection with a violent crime, for that armed bank robbery.
- Count Five, armed robbery of the same Fleet Bank in West Caldwell on Feb. 10, 2004, in which he escaped with more than \$15,900.
- Count Six, carrying a firearm in connection with a violent crime, for that armed bank robbery.
- Count Seven, attempted armed robbery of the Bank of New York in Millburn (same branch as above) on March 8, 2004.
- Count Eight, carrying a firearm in connection with a violent crime, for that attempted armed robbery.
- Count Nine, unlawful possession of a weapon by a previously convicted felon.

The case was tried by Assistant U.S. Attorneys Margaret Ann Mahoney and Andrew D. Kogan before U.S. District Judge Jose L. Linares, who imposed sentence today.

Giubilo was arrested by FBI agents as he was about to enter the Bank of New York in Millburn on March 8, 2004, after law enforcement officials received an anonymous tip that Giubilo had committed three previous bank robberies and had outstanding medical bills.

Giubilo had been an FBI informant for more than 20 years. However, in 1997 a federal judge, while accepting that Giubilo had helped build important cases, instructed that Giubilo not be used as an informant any longer, due to his continued criminal activities, including weapons possession, drug use and possession, drunk driving, eluding police and other crimes.

At trial, Giubilo's defense was that he was set up for arrest by the FBI and had merely gone to Millburn to meet his doctor. He also claimed that he was being set up because, over his years as an informant, he had audio taped meetings with his FBI handlers. The tapes, however, were never produced at trial.

The government described the defense approach as a complete fabrication. The FBI and the government maintained that the FBI's actions throughout the investigation were legal and followed all strict protocols in the handling of informants.

Each armed robbery conviction carried maximum statutory prison sentence of 25 years, as did the attempted armed robbery. Each count of carrying a firearm in connection with a violent crime,

carried a maximum penalty of life in prison. The felon in possession carried a maximum prison term of 10 years.

Because he was convicted of four separate counts of carrying a firearm in connection with a crime of violence, the applicable statute required a sentence of at least 80 years in prison – in addition to any sentence imposed for the robberies and attempted robbery.

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Defense Counsel: Frank Arleo, Esq., West Orange