



# Department of Justice

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Northern District of New York

FOR IMMEDIATE RELEASE

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## **DEFENDANTS PLEAD TO ILLEGAL ALIEN HARBORING AND TAX EVASION**

*John and Anthony Cimino, owners of LTCI, Limited, a theatre refurbishing construction company, plead guilty to unlawful employment of illegal aliens and tax evasion.*

Syracuse, NY— United States Attorney, Richard S. Hartunian, today announced that John Cimino, age 55, of Doylestown, PA and Anthony Cimino, age 57, of West New Hope, PA, Vice-President and President, respectively, of LTCI, Limited, entered a plea of guilty today before United States District Court Judge David N. Hurd in Utica to a two count Information charging both defendants (in Count One) with conspiracy to conceal, harbor, and shield illegal aliens from detection for commercial advantage and private financial gain; defendant John Cimino also pled guilty to tax evasion (Count Two).

In April 2008, agents from the U.S. Immigration and Custom's Enforcement (ICE), Homeland Security Investigations, discovered that LTCI, Limited, a Philadelphia based construction company specializing in the refurbishment of movie theatres, was employing undocumented illegal aliens at their worksite located at the Shoppingtown Mall movie theatres in DeWitt, NY. The investigation revealed that LTCI had hired and employed eight illegal aliens at this site.

A further investigation conducted by agents from the Internal Revenue Service-Criminal Investigation Division, (IRS-CID) revealed that during 2007 and 2008, LTCI's Vice President, John Cimino, who was in charge of the company's payroll, evaded federal tax owed on the Employer's Quarterly Federal Tax Return (Form 941) by paying his employees (both legal and illegal) a majority of their overtime wages "off the books."

As a result of their pleas of guilty to Count One of the Information, the Ciminis face imprisonment for up to 10 years and a fine of up to \$250,000. As a result of his plea to Count Two, John Cimino also faces imprisonment for up to 5 years and a fine of up to \$250,000. The Ciminis have agreed to forfeit \$223,000.00 to the United States as proceeds from the unlawful employment of the illegal aliens. Additionally, the Ciminis have agreed to pay more than \$525,000, including \$300,000.00 for underreported payroll taxes owed plus \$225,000 in penalties.

Further questions or inquiries may be directed to Assistant United States Attorney Carla Freedman, the prosecutor handling the case, at (315) 448-0672.

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