

COPY

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA :
:
:
v. :
:
THOMAS J. SPARGO, :
:
Defendant. :

Criminal No. 1:08 cr 749 (GLS)
:
VIOLATIONS: 18 U.S.C. §§ 2, 1951 (Attempted
Extortion); 18U.S.C. §§ 2, 666 (Attempted Bribery)

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

DEC 10 2008

INDICTMENT

THE GRAND JURY CHARGES THAT:

LAWRENCE K. BAERMAN, CLERK
ALBANY

COUNT ONE
ATTEMPTED EXTORTION
(18 U.S.C. §§ 2, 1951)

1. From on or about November 13, 2003, to on or about December 19, 2003, in the Northern District of New York, defendant THOMAS J. SPARGO, aided and abetted by others known and unknown to the Grand Jury, did knowingly attempt to obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by extortion, as those terms are defined in Title 18, United States Code, Section 1951; that is, defendant THOMAS J. SPARGO, while a Supreme Court Justice of the Third Judicial District of the State of New York, engaged in a course of conduct whereby defendant SPARGO solicited and, directly and through others, pressured an Ulster County attorney practicing before him (the "Attorney") to consent to give \$10,000 for the benefit of defendant SPARGO, all under color of official right and induced by fear of economic harm, all in violation of Title 18, United States Code, Section 1951.

COUNT TWO
ATTEMPTED BRIBERY
(18 U.S.C. §§ 2, 666)

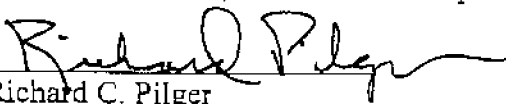
2. From on or about November 13, 2003, to on or about December 19, 2003, in the Northern District of New York, defendant THOMAS J. SPARGO, being a Supreme Court Justice of the Third Judicial District of New York State, a State government agency that received benefits in excess of \$10,000 under federal programs and assistance from January 1, 2003, to December 31, 2003, aided and abetted by others known and unknown to the Grand Jury, corruptly solicited and demanded, for his own benefit, a thing of value, that is \$10,000, intending to be influenced and rewarded in connection with business, transactions, and a series of transactions of the Third Judicial District of New York State involving a thing of value of \$5,000 or more, that is, for the use of his official actions and influence to the benefit of an Ulster County attorney practicing before him, and for refraining from the use of his official actions and influence to harm that Ulster County attorney, all in violation of Title 18, United States Code, Section 666(a)(1)(B).

A TRUE BILL.

Dated: December 10, 2008

WILLIAM M. WELCH II
Chief, Public Integrity Section
Criminal Division, United States Department of Justice

By:


Richard C. Pilger
Senior Trial Attorney
M. Kendall Day
Trial Attorney