

AB:RJN  
F.#2010R02321

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

S U P E R S E D I N G  
I N D I C T M E N T

- against -

ANTHONY GIOIA and  
SALVATORE LAROSA,  
  
Defendants.

Cr. No. 10-993 (S-1) (SLT)  
(T. 18, U.S.C., §§  
924(c)(1)(A)(ii),  
924(c)(1)(A)(iii),  
981(a)(1)(C),  
1951(a), 2 and 3551  
et seq; T. 21, U.S.C.,  
§ 853(p); T. 28, U.S.C.,  
§ 2461(c))

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THE GRAND JURY CHARGES:

COUNT ONE  
(Hobbs Act Robbery Conspiracy)

1. On or about and between November 1, 2007 and December 1, 2007, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ANTHONY GIOIA and SALVATORE LAROSA, together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by robbery, to wit: the robbery of John Doe # 1, a jewelry store owner whose identity is known to the Grand Jury, of jewelry available for commercial sale.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT TWO  
(Hobbs Act Robbery)

2. On or about November 29, 2007, within the Eastern District of New York, the defendants ANTHONY GIOIA and SALVATORE LAROSA, together with others, did knowingly and intentionally obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by robbery, to wit: the robbery of John Doe # 1 of jewelry available for commercial sale.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT THREE  
(Hobbs Act Robbery Conspiracy)

3. On or about and between June 1, 2008 and June 30, 2008, both dates being approximate and inclusive, within the Eastern District of New York, the defendant SALVATORE LAROSA, together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by robbery, to wit: the robbery of John Doe # 2 and John Doe # 3, individuals whose identities are known to the Grand Jury, of proceeds of a pizzeria in Staten Island, New York.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT FOUR  
(Attempted Hobbs Act Robbery)

4. On or about June 30, 2008, within the Eastern District of New York, the defendant SALVATORE LAROSA, together with others, did knowingly and intentionally attempt to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by robbery, to wit: the robbery of John Doe # 2 and John Doe # 3 of proceeds of a pizzeria in Staten Island, New York.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT FIVE  
(Unlawful Use of a Firearm)

5. On or about June 30, 2008, within the Eastern District of New York, the defendant SALVATORE LAROSA, together with others, did knowingly and intentionally use and carry a firearm during and in relation to one or more crimes of violence, to wit: the crimes charged in Counts Three and Four, and did

knowingly and intentionally possess said firearm in furtherance of such crimes of violence, which firearm was brandished and discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii), 924(c)(1)(A)(iii), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION  
(Counts One and Two)

6. The United States hereby gives notice to the defendants charged in Counts One and Two that upon conviction of any such offenses, the government will seek forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), which require any person convicted of such offense to forfeit any property, real or personal, constituting or derived from proceeds traceable to such offense, including but not limited to a sum of money equal to the amount of proceeds obtained as a result of such offense, for which the defendants are jointly and severally liable.

7. If any of the forfeitable property, as a result of any act or omission of the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty;


it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of such defendant(s) up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 981(a)(1)(C); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL

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FOREPERSON

  
\_\_\_\_\_  
LORETTA E. LYNCH  
UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK

No. 10-993 (S-1) (SLT)

**UNITED STATES DISTRICT COURT**

*EASTERN District of NEW YORK*

**CRIMINAL DIVISION**

**THE UNITED STATES OF AMERICA**

vs.

*Anthony Gioia and Salvatore LaRosa,*  
Defendants.

**SUPERSEDING INDICTMENT**

T. 18, U.S.C. , §§ 924(c)(1)(A)(ii), 924(c)(1)(A)(iii),  
1951(a), 2 and 3551 et seq.  
T. 21 U.S.C. § 853(p); T. 28, U.S.C. § 2461(c)

*A true bill.*

*Foreman*

*Filed in open court this* \_\_\_\_\_ *day,*

*of* \_\_\_\_\_ *A.D. 20* \_\_\_\_\_

*Clerk*

*Bail, \$* \_\_\_\_\_

*Rachel J. Nash, Assistant U.S. Attorney (718-254-6072)*