

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **CRIMINAL NO. 13-**  
**v.** : **DATE FILED:**  
**FORTUNATO N. PERRI, SR.** : **VIOLATIONS:**  
: **18 U.S.C. § 371(conspiracy to commit**  
: **wire and mail fraud - 1 count)**  
: **18 U.S.C. § 1341 (mail fraud - 1 count)**  
: **18 U.S.C. § 1343 (wire fraud - 2 counts)**  
: **18 U.S.C. § 2(a)(aiding and abetting)**

**INFORMATION**

**COUNT ONE**

**THE UNITED STATES ATTORNEY CHARGES THAT:**

At all times pertinent to this Information:

1. Defendant FORTUNATO N. PERRI, SR. was a Senior Judge on Philadelphia Traffic Court (“Traffic Court”). He was first appointed to fill a judicial vacancy on Traffic Court in 1997, and served as the Administrative Judge of Traffic Court from 2000 until 2002. He became a Senior Judge in 2007 and as such was eligible to accept assignments on Traffic Court when his services were requested, and kept in regular contact with Traffic Court administrators.

2. Traffic Court judges presided over and adjudicated moving violations, commonly referred to as traffic tickets or citations, occurring within Philadelphia, and issued by the Philadelphia Police Department, the Pennsylvania State Police, and other police entities. Traffic Court was responsible for the collection of fines and court costs resulting from guilty pleas and findings of guilty for violations of the Pennsylvania Motor Vehicle Code.

3. The moneys received from the fine portion of a guilty adjudication were equally divided between the City of Philadelphia and the Commonwealth of Pennsylvania. The moneys received from the costs portion of a guilty adjudication were distributed to the following funds for the City of Philadelphia: (1) City Cost; (2) City Cost 2 and 3; (3) Live Stop; and for the Commonwealth of Pennsylvania: (4) E.M.S.; (5) MCARE; (6) J.C.P. (Judicial Computer Project); and (7) A.T.J. (Access to Justice).

4. Defendant FORTUNATO N. PERRI, SR. had a close relationship with Henry P. Alfano, charged elsewhere. Alfano owned an automobile salvage company called Century Motors, Inc., located at 3101 S. 61<sup>st</sup> Street, Philadelphia, Pennsylvania. Also, Alfano was the landlord for two gentlemen's clubs in Philadelphia: The Oasis Gentlemen's Club (hereinafter "Oasis"), located at 6800 Essington Avenue, Philadelphia, Pennsylvania; and Christine's Cabaret (hereinafter "Christine's"), located at 6130 Passyunk, Philadelphia/

5. From in or about July 2008 to in or about July 2011, at Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendant

**FORTUNATO N. PERRI, SR.**

conspired and agreed, with others known to the United States Attorney, to commit an offense against the United States, that is,

(a) to knowingly take and receive from an authorized depository for mail matter, and cause to be delivered by mail, according to the direction thereon, Traffic Court paperwork, for the purpose of executing a scheme to defraud and to obtain money from the City of Philadelphia and the Commonwealth of Pennsylvania by means of false and fraudulent pretenses, representations and promises, in violation of Title 18, United States Code, Section

1341; and

(b) to knowingly cause to be transmitted by means of wire communications in interstate commerce, writings, signs and signals, that is interstate telephone conversations and computer communications, for the purpose of executing a scheme to defraud and to obtain money from the City of Philadelphia and the Commonwealth of Pennsylvania by means of false and fraudulent pretenses, representations, and promises in violation of Title 18, United States Code, Section 1343.

**Manner and Means**

It was part of the conspiracy that:

6. Defendant FORTUNATO N. PERRI, SR, and others known to the United States Attorney, manipulated Traffic Court cases outside the judicial process in order to achieve favorable outcomes on traffic citations to benefit friends, family members, other associates, and local politicians. This manipulation, or “ticket fixing,” consisted of obtaining continuances of trial dates in order to “judge shop,” dismissing tickets outright, finding the ticketholder not guilty, or adjudicating the ticket in a manner to reduce fines and costs, which would have gone to the Commonwealth of Pennsylvania, and avoid the assignments of points to a driver’s record.

7. In return for defendant FORTUNATO N. PERRI SR.’s assistance with Traffic Court matters, he received a stream of benefits, including free car repairs, free car maintenance and car towing, free landscaping services, free videos, and free food, from Henry P. Alfano, charged elsewhere, and others known to the United States Attorney.

## OVERT ACTS

### Acts Related to Citation No. P1J0PK568L4, issued on 02/15/10 (Ticket issued to A.S.)

1. Defendant FORTUNATO N. PERRI, SR. sought to fix a citation issued to unindicted coconspirator A.S. on or about February 15, 2010, from a Pennsylvania State Trooper for driving a tractor trailer that was dropping ice and snow onto travel lanes striking vehicles on Interstate 95, and which carried a fine of \$300 and costs of \$142.

2. On or about February 17, 2010, A.S. visited Henry P. Alfano, charged elsewhere, at Century Motors, Inc.

3. On or about March 8, 2010, A.S. contacted Henry P. Alfano about his matter in Traffic Court. Referring to a March 3, 2010 notification from Traffic Court that his driving privileges were being suspended because he failed to respond to the traffic citation, A.S. said he will “drop [the Traffic Court information] off” to Alfano. Alfano stated, “we’ll take care of it . . . we’re working on it.”

4. On or about March 15, 2010, in an interstate telephone call between defendant FORTUNATO N. PERRI, SR. in Pennsylvania and Henry P. Alfano in New Jersey, Alfano told defendant PERRI that he is working on deodorizing PERRI’s car. Alfano confirmed that PERRI received A.S.’s “thing” that Alfano sent PERRI in the mail. PERRI stated that “it will be alright, don’t worry about it.”

5. On or about March 26, 2010, A.S. told Henry P. Alfano that he received a Notice of License Suspension because he did not plead guilty or not guilty. Alfano told him that “he [PERRI] already did that for you.” Alfano told A.S. to bring him the Notice

and Alfano will send it to defendant FORTUNATO N. PERRI, SR. again. Alfano said that he already spoke to defendant PERRI about A.S.'s citation and that PERRI said everything was okay and that PERRI would send a receipt when the case was over. Alfano assured A.S. that his license would not be suspended. Alfano speculated that the notice is just computer generated because A.S.'s case was already "set up for April the 20th."

6. On or about March 26, 2010, Henry P. Alfano told defendant FORTUNATO N. PERRI, SR. that A.S. received another Notice of License Suspension and is concerned because he was a truck driver and cannot have a suspended license. Defendant PERRI told Alfano that PERRI was "on top of that . . . I don't want you worry about that." PERRI instructed Alfano to mail the notice to PERRI. Alfano told PERRI that he was working on PERRI's Ford Taurus to correct the oil leak and clean the car.

7. In a subsequent call on this same date, Henry P. Alfano assured A.S. that defendant FORTUNATO N. PERRI, SR. had "it under control." Alfano further told A.S. that he did not have to appear at the Traffic Court hearing because defendant PERRI is "gonna handle it. . . it's just gonna be knocked out."

8. On or about March 27, 2010, defendant FORTUNATO N. PERRI, SR. and William Hird, charged elsewhere, discussed A.S.'s citation. Defendant PERRI said that "the guy keeps getting letters" from Traffic Court that his license may be suspended. Hird said he would look into it and "stop all that action," and that the ticketholder should "ignore it."

9. On or about April 20, 2010, Traffic Court Judge Michael J. Sullivan, charged elsewhere, adjudicated A.S.'s citation as not guilty, even though A.S. never appeared in court.

10. On or about May 12, 2010, Henry P. Alfano told A.S. that he should have his “receipt in a couple of days.”

11. Defendant FORTUNATO N. PERRI, SR., William Hird, and Judge Michael J. Sullivan caused a “receipt” to be mailed to A.S., which indicated that his citation was adjudicated not guilty.

**Acts Related to Citation Nos. VOO311146, V00311150, V00311161, and V00311172, issued on 03/06/10**  
**(Tickets issued to L.R. and the Oasis)**

12. Defendant FORTUNATO N. PERRI, SR. sought to fix four citations issued to L.R. and the Oasis, when, on or about March 6, 2010, while driving a bus owned by the Oasis, L.R. was stopped for an inspection and the bus was impounded. L.R. received two citations from a Philadelphia police officer for not having a CDL (commercial driver’s license), which carried a fine of \$500 and costs of \$101.50, and for not having a medical certificate, which carried a fine of \$25 and costs of \$101.50. On this same date and time, the Oasis, the company that owned the bus, also received two citations from a Philadelphia police officer for not having a fire extinguisher and a warning device, where each citation carried a fine of \$51 and costs of \$101.50.

13. On or about March 6, 2010, Henry P. Alfano, charged elsewhere, called defendant FORTUNATO N. PERRI, SR. and told PERRI that the bus was impounded by the police. Defendant PERRI advised Alfano that he would “make it easy” to get the bus released.

14. On or about March 7, 2010, Henry P. Alfano provided defendant FORTUNATO N. PERRI, SR. with information related to the citations. Specifically, Alfano told PERRI that the bus was registered to Oasis Gentlemen’s Club, 6800 block of Essington Avenue,

and the date it was impounded. Alfano explained that the side of the bus advertised Christine's.

15. On or about March 8, 2010, in an interstate telephone call between defendant FORTUNATO N. PERRI, SR., in Pennsylvania, and Henry P. Alfano, in New Jersey, defendant PERRI told Alfano that there were four tickets and "you'll take care of that with me." PERRI instructed Alfano that the owner and the driver should go to the Boot and Tow window at Traffic Court, ask for D.H., and state that "they're there to pick-up the bus [and] to get the bus released." PERRI further instructed Alfano that Traffic Court Judge Michael J. Sullivan, charged elsewhere, would "waive the collateral on the four tickets [and] they don't have to post that money." Lastly, PERRI said, "and then you'll give me those four matters," referring to the citations.

16. On or about March 9, 2010, Henry P. Alfano advised A.A., a business associate with supervisory authority over the bus impounded by the police, that he did not have to pay the four tickets and attend Traffic Court. Alfano said, "no, when you get [the notices in the mail] you give them to me."

17. On or about May 10, 2010, Judge Michael J. Sullivan continued the hearing for the two Oasis tickets.

18. On or about May 12, 2010, Judge Mark Bruno, charged elsewhere, adjudicated L.R.'s citations as not guilty.

19. On or about May 18, 2010, defendant FORTUNATO N. PERRI, SR. and Henry P. Alfano discussed the continuance on the Oasis tickets because the district justices were sitting last week and all the judges were away and therefore maybe defendant PERRI "couldn't get it through, you know what I mean?" Alfano responded, "I gotcha. I got the

picture.” PERRI instructed Alfano to mail PERRI any notices.

20. In a subsequent call on or about May 18, 2010, defendant FORTUNATO N. PERRI, SR. confirmed with William Hird, charged elsewhere, that the Oasis matter was continued. Hird explained that defendant Judge Sullivan continued the matter because Sullivan did not realize it was for “him,” referring to defendant PERRI. Hird explained that he gave it to Danielle C., Judge Sullivan’s personal, but that she “fucked up” and that Hird should go directly to Sullivan instead. PERRI said that he only gave Sullivan “five a year,” in reference to requests for consideration.

21. On or about May 21, 2010, defendant FORTUNATO N. PERRI, SR. told Henry P. Alfano that he was mailing defendant Alfano two receipts, and “you got a couple more coming.”

22. On or about June 9, 2010, Judge Michael J. Sullivan again continued the hearing for the two Oasis tickets. On or about June 11, 2010, Traffic Court mailed a Notice of Trial for the Oasis tickets with a trial date of September 8, 2010.

23. On or about June 29, 2010, defendant FORTUNATO N. PERRI, SR. told Henry P. Alfano that Alfano will receive another continuance notice on one of the pending citations. PERRI further told Alfano that “somebody” will “need” “to show up” at the hearing. PERRI continued that “when [the ticketholder] get[s] a notice, you’ll call me with the notice and mail it . . . . and don’t worry . . . it’ll be taken care of . . . .” Later in the call, Alfano offered to inspect PERRI’s car whenever PERRI is ready.

24. In a later call on that same date, Henry P. Alfano told A.A. that one of the Oasis tickets will be continued and that A.A. would receive a notice and should tell Alfano

accordingly.

25. On or about September 8, 2010, Judge Robert Mulgrew, charged elsewhere, adjudicated the Oasis citation V00311161 guilty and the Oasis citation V00311172 not guilty.

**Acts Related to Citation No. P1K8JW566M1, issued on 08/26/10**  
**(Ticket issued to D.S.)**

26. Defendant FORTUNATO N. PERRI, SR. sought to fix the citation of D.S. that D.S. was issued on or about August 26, 2010, while D.S. was traveling at a speed of 85 mph in a 55 mph zone on interstate 95, which carried a fine of \$85 and costs of \$162. An additional assignment of five points to her driving record was also possible.

27. On or about November 23, 2010, the father of D.S., unindicted coconspirator D.S.#2, contacted Henry P. Alfano, charged elsewhere, about his daughter's traffic citation.

28. In a subsequent call on that date, Henry P. Alfano told defendant FORTUNATO N. PERRI, SR. that "the last one I sent you," the ticketholder is "gonna go." Alfano remarked that he prefers to make the ticketholders attend their hearings, as it "makes it better." Defendant PERRI said "it'll be alright though."

29. On or about November 24, 2010, Henry P. Alfano asked defendant FORTUNATO N. PERRI, SR. whether "that girl's ok" and defendant PERRI indicated that she is "fine." Alfano again informed PERRI that "they're gonna be there." Alfano and PERRI confirmed that the hearing was on the "30<sup>th</sup>" at 9 am. PERRI responded, "You are in good hands with Allstate."

30. On or about November 24, 2010, defendant FORTUNATO N. PERRI, SR. informed William Hird, charged elsewhere, in reference to D.S.'s citation, that "[PERRI's] got a girl coming down" on November 30<sup>th</sup> and Hird stated that defendant PERRI should call Hird to give him the information.

31. On or about November 29, 2010, defendant FORTUNATO N. PERRI, SR. told William Hird the citation number on D.S.'s ticket and that "she'll be in." Hird acknowledged that this was a state police ticket and promised to "look at it" and "we'll go from there."

32. On or about November 30, 2010, in an interstate telephone call between defendant FORTUNATO N. PERRI, SR., in Pennsylvania, and Henry P. Alfano, in New Jersey, Alfano asked about the ticket. Defendant PERRI said that it was a state police ticket and that he was "on top of it" and told Alfano that "when you give me something it's important brother."

33. On or about November 30, 2010, defendant FORTUNATO N. PERRI, SR. asked William Hird "how [did] we do?" Hird indicated that he did not definitely know the result because the courtroom was busy, but he's "going to assume ok" because the assigned judge was Judge Michael Lowry, charged elsewhere.

34. On or about November 30, 2010, Judge Michael Lowry adjudicated the citation as guilty of a different offense, which was a lower offense and which reduced the fine and costs and did not provide for points on a driving record.

35. On or about November 30, 2010, William Hird informed defendant FORTUNATO N. PERRI, SR. that the charge was amended to five miles over the speed limit, despite the objection of the state police, who wanted the offender to receive two points on her

license.

36. Next, defendant FORTUNATO N. PERRI, SR. informed Henry P. Alfano of the result that the ticket was amended and “there’s no points” and opined that “she still got a good break.”

All in violation of Title 18, United States Code, Section 371.

**COUNT TWO**

**MAIL FRAUD**

**THE UNITED STATES ATTORNEY FURTHER CHARGES:**

1. Paragraphs 1 through 4 of Count One and the Overt Acts of Count One are realleged here.

**THE SCHEME**

2. From in or about July 2008, through in or about July 2011, defendant

**FORTUNATO N. PERRI, SR.,**

and others known to the United States Attorney, devised and intended to devise a scheme to defraud, and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

3. Between March 8, 2010 and March 15, 2010, in the Eastern District of

Pennsylvania and elsewhere, defendant

**FORTUNATO N. PERRI, SR.**

for the purpose of executing the scheme described above, and aiding and abetting its execution, having devised a scheme to defraud the City of Philadelphia and Commonwealth of Pennsylvania, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing the scheme to defraud, knowingly took, received, and aided and abetted the taking and receiving, from an authorized depository for mail matter, and caused to be delivered, and aided and abetted the delivery of, by the United States mail, according to directions thereon, a mailing from Henry P. Alfano to defendant PERRI concerning the fixing of a Traffic Court citation that had been issued to A.S.

All in violation of Title 18, United States Code, Sections 1341 and 2(a).

**COUNTS THREE AND FOUR**

**WIRE FRAUD**

**THE UNITED STATES ATTORNEY FURTHER CHARGES:**

1. Paragraphs 1 through 4 of Count One and the Overt Acts of Count One are realleged here.

**THE SCHEME**

2. From in or about July 2008, through in or about July 2011, defendant

**FORTUNATO N. PERRI, SR.,**

and others known to the United States Attorney, devised and intended to devise a scheme to defraud, and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

3. On or about the dates listed below, in the Eastern District of Pennsylvania and elsewhere, defendant

**FORTUNATO N. PERRI, SR.**

for the purpose of executing the scheme described above, and aiding and abetting its execution, having devised a scheme to defraud the City of Philadelphia and Commonwealth of Pennsylvania, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing the scheme to defraud, knowingly caused to be transmitted, and aided and abetted the transmission of, by means of wire communication in interstate commerce, signals and sounds, that is, interstate telephone communications, as follows, each communication being a separate count:

- a. an interstate telephone call, on or about March 8, 2010, between defendant FORTUNATO N. PERRI, SR. and Henry P. Alfano discussing fixing a ticket issued to L.R. and the Oasis. (Count 3)
- b. an interstate telephone call, on or about November 30, 2010, between defendant FORTUNATO N. PERRI, SR. and Henry P. Alfano discussing fixing a ticket issued to D.S. (Count 4)

All in violation of Title 18, United States Code, Sections 1343 and 2(a).



**ZANE DAVID MEMEGER  
UNITED STATES ATTORNEY**