

# NEWS

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***Ralph J. Marra, Jr., Acting U.S. Attorney***

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## Top Gambino Associate Pleads Guilty to Racketeering Charge

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NEWARK – A top associate in the Gambino Crime Family, who is a former investigator with the Essex County Prosecutor’s Office, pleaded guilty yesterday to a federal racketeering charge, Acting U.S. Attorney Ralph J. Marra announced.

Ralph Cicalese, 56, of Roseland, pleaded guilty before U.S. District Judge Stanley R. Chesler, to Count One of an Indictment that charges him with RICO conspiracy. Judge Chesler scheduled sentencing for Aug. 25.

Cicalese was arrested on the morning of May 8, 2008. Later that same day, authorities announced that one of the Gambino Crime Family’s highest-ranking members in New Jersey, and 22 other made members and associates, including a made member of the Lucchese Crime Family, were named in a racketeering Indictment charging them with running an enterprise that engaged in illegal gambling, extortion, fraud schemes and labor racketeering

The lead defendant, Andrew Merola, a.k.a. “Andrew Knapik,” 42, of East Hanover and Toms River, allegedly had ultimate authority in the management and supervision of a crew of the Gambino Crime Family, according to the 30-count Indictment. Cicalese was allegedly Merola’s right-hand man with primary responsibility for overseeing and supervising gambling agents and carrying out the crew’s labor racketeering activities.

At his plea hearing, Cicalese admitted that between February 2002 and March 2008, he was associated with other individuals in an enterprise, that is an association-in-fact, known as the Gambino Crime Family (“GCF”), which operated principally in New Jersey and New York. Cicalese admitted that he conducted the affairs of the GCF through a pattern of illegal activity that included the commission of the racketeering acts. Cicalese admitted that the purpose of the GCF was to make money for its associates through participation in these criminal activities.

In pleading guilty, Cicalese admitted committing seven specific racketeering acts which included; operating an illegal gambling business; collection of payments due on extended credit; conspiracy to commit wire fraud involving a bar code scheme to defraud stores such as Lowes, Home Depot and others; conspiracy to extort lunch truck vendors; a Taft-Hartley violation that involved receiving unlawful labor payments or bribes; and wire fraud involving the theft of honest services where individuals were permitted to bypass the Local 1153 Union’s out of work list.

According to the Indictment, bets were placed in the illegal gambling operation over an internet website that operated overseas and by telephone calls placed to a toll-free telephone number. Bets were placed on sporting events as well as casino-style games. At times, gambling agents were delinquent in making their payments to Merola and Cicalese, resulting in the use of threats of violence to insure collection of their gambling debt to the enterprise.

The Indictment also alleges Merola, Cicalese, Charles Muccigrosso, 69, a.k.a. “Buddy Musk,” of Newark, Kyle Ragusa, 41, of East Hanover, John Tizio, 48, of West Orange, India Fugate, 28, of Newark, Vincent Fichera, 47, of Toms River, and others, fraudulently

purchased store merchandise at a greatly reduced price from stores, including Lowe's Home Improvement, by creating, and using, bar code labels which falsely represented the true price of the merchandise.

Additionally, the Indictment alleges that Merola and Cicalese conspired with Joseph Manzella, 50, of West Orange, the Business Agent of Local 1153 of the Laborers International Union of North America, to allow Par Wrecking Corporation to use non-union labor at a demolition project at the Prudential garage in Newark in violation of its collective bargaining agreement with Local 1153. According to the Indictment, Par Wrecking paid more than \$35,000 in cash to Cicalese, who had been appointed as the Job Steward for Local 1153 at the Prudential garage construction site.

The charge to which Cicalese pleaded guilty carries a statutory maximum penalty of 20 years in prison, a \$250,000 maximum fine, an order of restitution, and costs of prosecution when he is sentenced by Judge Chesler.

In determining an actual sentence, Judge Chesler will consult the advisory U.S. Sentencing Guidelines, which provide appropriate sentencing ranges that take into account the severity and characteristics of the offense, the defendant's criminal history, if any, and other factors. The judge, however, is not bound by those guidelines in determining a sentence.

Parole has been abolished in the federal system. Defendants who are given custodial terms must serve nearly all that time.

Marra credited Special Agents with the FBI, under the direction of Special Agent in Charge Weysan Dun; the U.S. Department of Labor OIG, under the direction of Inspector General Gordon S. Heddell, the Internal Revenue Service Criminal Investigation Division, under the direction of Special Agent in Charge William P. Offord; Troopers with the N.J. State Police, under the direction of Colonel Joseph R. Fuentes, Superintendent; and the Union County Prosecutor's Office, under the direction of Prosecutor Theodore Romankow, with the investigation leading to the federal Indictment and the guilty plea.

The case is being prosecuted by Assistant U.S. Attorney Ronald D. Wigler of the Criminal Division's Strike Force Unit, in Newark.

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Defense Attorney: Stephen Turano, Esq. Madison