

AFFIDAVIT

I, Matthew J. Riportella, having been duly sworn, state as follows:

REQUESTED WARRANTS

1. I submit this affidavit in support of applications for the following:
 - i. A criminal complaint and arrest warrant for Ernest P. “Ernie” Ricci (YOB 1961) (hereinafter “ERNEST RICCI”) for Bankruptcy Fraud in violation of 18 U.S.C. § 157 (Count One); Concealment of Assets in Bankruptcy in violation of 18 U.S.C. § 152 (Count Two); Wire Fraud, in violation of 18 U.S.C. § 1343 (Count Three); and Money Laundering, in violation of 18 U.S.C. § 1956(a)(1) (Count Four).
 - ii. A criminal complaint and arrest warrant for Brenda L. Ricci (YOB 1962) (hereinafter “BRENDA RICCI”) for Aiding and Abetting Bankruptcy Fraud in violation of 18 U.S.C. § 157 & 18 U.S.C. § 2 (Count One); Aiding and Abetting Concealment of Assets in Bankruptcy in violation of 18 U.S.C. § 152 & 18 U.S.C. § 2 (Count Two); Aiding and Abetting Wire Fraud, in violation of 18 U.S.C. § 1343 & 18 U.S.C. § 2 (Count Three); and Aiding and Abetting Money Laundering, in violation of 18 U.S.C. § 1956(a)(1) & 18 U.S.C. § 2 (Count Four).

iii. A search warrant for 180 Plain Rd, North Kingstown, RI, comprising the residence of ERNEST RICCI and BRENDA RICCI, also utilized as the office of Premier Home Restoration LLC and other business entities controlled by ERNEST RICCI and/or BRENDA RICCI (hereinafter “the SUBJECT PREMISES”), further described in Attachment A, incorporated by reference, to search for the items listed in Attachment B, incorporated by reference.

INTRODUCTION AND AGENT BACKGROUND

2. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have been so employed by the FBI since June 2012. My responsibilities include the investigation of white-collar crimes, and I am currently assigned to the FBI Boston Division’s Providence Rhode Island Complex Financial Crimes Task Force, which is comprised of law enforcement agents and officers from the FBI, Rhode Island State Police, Providence Police Department, the North Providence Police Department, United States Secret Service, Internal Revenue Service- Criminal Investigations, and other federal law enforcement agencies. I have been involved, either as lead or in a secondary capacity, in the investigation of bank, mail, and wire fraud as well as illegal gambling, extortion, money laundering, kidnapping, and narcotics offenses. Over the course of my career, I have utilized confidential informants, cooperating witnesses, and

undercover agents; I have conducted physical surveillance, telephone toll analysis, court-authorized electronic surveillance, and witness interviews; and I have executed warrants authorizing the searches of persons, places, and things for bank records, electronic data, United States currency, and transaction records. I have also participated in the execution of warrants to search electronic devices, including computers, cellular telephones, and computer storage devices.

3. The information in this affidavit comes from my personal observations, research, and investigation, my training and experience, my review of records and materials, including tax records obtained via court authorized disclosures, records obtained via grand jury subpoenas, and other sources of information, including witnesses and other law enforcement agents. Because this affidavit is being submitted for the limited purpose of establishing probable cause to search, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to assess the existence of probable cause.

PROBABLE CAUSE

4. A federal grand jury is investigating ERNEST RICCI and BRENDA RICCI and others known and unknown for violations of numerous federal crimes, including the above referenced statutes. The grand jury investigation was initiated following a criminal referral to the United States Attorney's Office (USAO) for the District of Rhode

Island by the Office of the United States' Trustee for the Districts of Maine, Massachusetts, New Hampshire and Rhode Island (UST).¹

5. For the reasons set forth below, there is probable cause to believe that each of the aforementioned crimes were committed by ERNEST RICCI and BRENDA RICCI and that evidence of said crimes will be found at the SUBJECT PREMISES.

Bankruptcy Fraud and Concealment of Assets in Bankruptcy

6. Beginning in at least the 1990s, ERNEST RICCI was a self-employed contractor engaged in the activity of "flipping houses," - i.e., purchasing real estate, making improvements, and selling at a higher price.² BRENDA RICCI worked primarily as a speech therapist.

7. The RICCI's accrued large outstanding debts to the IRS and other creditors as early as 2004, continuing to the present. Beginning at least as early as 2011, ERNEST RICCI and BRENDA RICCI began engaging in conduct designed to evade their creditors. For example, in 2011, ERNEST RICCI created and recorded a fake \$200,000 mortgage in the name of co-conspirator R.L., which ERNEST RICCI back-dated to June 2009, regarding a vacation property the RICCI's owned at 5 Autumn Lane, aka 12 Cow

¹ Bankruptcy proceedings are administered by the UST and its staff, including Assistant United States Trustees. The US Trustee appoints a Chapter 7 Bankruptcy Trustee from a qualified panel to directly handle the bankruptcy estate. Throughout this affidavit I refer to the Chapter 7 Trustee as "the Trustee" and the Assistant United States Trustee as "the US Trustee."

² These businesses were owned, operated and/or managed by ERNEST RICCI under a variety of corporate names including BidPro, LLC, Empire Investments, Inc., Equity Finders, LLC, Equivest LLC, ERT Development, Inc., Five Star Home Restoration, LLC, Cornerstone Holdings LLC, Crown Street Assoc, Inc., TRG Holdings LLC, "Tri Star" Properties, LLC, and "TriStar" Properties, LLC, were effectively the same business, operated by ERNEST RICCI and at times his brother.

Hill Road, Bartlett, New Hampshire, (“the NH Property”). The fictitious mortgage was created to make the NH Property appear encumbered in excess of equity to keep it from creditors, including the IRS, and later the US Bankruptcy Trustee.

The Bankruptcy Petition

8. On October 25, 2017 ERNEST RICCI filed a Chapter 7 bankruptcy case in the United States Bankruptcy Court for the District of Rhode Island.³ The purported purpose of the bankruptcy filing was to protect ERNEST RICCI from the foreclosure of a real estate property ERNEST RICCI owned in Florida (“the Florida property”). The Florida property was a vacation home worth approximately \$1.5 million which ERNEST RICCI and BRENDA RICCI both used and rented out via agencies such as AirBnB. ERNEST RICCI had not made a mortgage payment on the Florida property since at least 2012. The mortgage holder was foreclosing on the property in Florida and ERNEST RICCI was attempting to prevent the foreclosure. By filing bankruptcy, ERNEST RICCI was able to hold all creditors at bay, by obtaining the automatic stay that halted collection activity when bankruptcy proceedings are instituted.⁴ ERNEST

³ ERNEST RICCI filed bankruptcy three times in 2016 and 2017. In re Ernest Ricci, Debtor (Chapter 13 bankruptcy) 16-BK-1147(dismissed due to debtor’s failure to make payments); In re: Ernest P. Ricci, Debtor (Chapter 7 bankruptcy) 17- BK-10900 (dismissed voluntarily); and In re: Ernest P. Ricci 17-BK-11845 (Chapter 7 bankruptcy and the primary case for much of the conduct described herein). In addition, ERNEST and BRENDA RICCI’s obstructive conduct led to multiple related proceedings, including adversarial complaints against RICCI and BRENDA RICCI as well as co-conspirator R.L. I refer herein to all these proceedings collectively as the “bankruptcy proceedings.” Although initially represented by counsel, ERNEST RICCI acted pro se throughout the majority of the bankruptcy proceedings. The government will utilize a filter team consisting of at least one agent and one prosecutor not involved in this matter to review seized materials and filter out any potentially attorney-client privileged materials.

⁴ In March 2019, ERNEST RICCI reported to the Providence FBI that the North Kingstown Police (“NKPD”) committed civil rights violations against him related his ongoing dispute over the Florida property. NKPD went to the

RICCI initially claimed liabilities in excess of \$200,000,000 against assets of only \$1.3 million. ERNEST RICCI later amended the liabilities to \$2,376,742.

9. Prior to filing the bankruptcy petition, all of the assets of ERNEST RICCI's businesses had been transferred or otherwise acquired in the name of companies nominally owned by BRENDA RICCI, but in fact controlled and operated by ERNEST RICCI. Among these companies was Premier Home Restoration LLC ("Premier"), a Rhode Island corporation registered in February 2016 in BRENDA RICCI's name but de facto controlled by ERNEST RICCI.

10. During the course of his bankruptcy proceedings, among other things, ERNEST RICCI falsely swore, under oath, that:

- Other than the Florida property, he owned no other real estate or businesses;
- He was not employed, and he had not been employed in any manner for years;
- He had no income or bank account;
- He claimed that he performed services for his wife BRENDA RICCI's company Premier, and its predecessor company Tristar Properties LLC ("TriStar") without compensation of any kind.

SUBJECT PREMISES at the request of the Broward County Florida Sheriff's Office ("BSCO") to instruct ERNEST RICCI to cease contacting the Florida judge who was presiding over the civil dispute related to the Florida property. ERNEST RICCI alleged that the visit from NKPD was the result of corruption involving the judge, the BSCO and the NKPD. In October 2019 ERNEST RICCI again claimed to FBI Providence that civil rights violations committed against him were continuing. ERNEST RICCI reported that the previous night the NKPD again came to his residence at the request of the BCSO. ERNEST RICCI was again advised by NKPD to not contact the judge. ERNEST RICCI had sent an email containing derogatory comments about the judge. ERNEST RICCI claimed that his computer must have autocorrected the inappropriate comments and that NKPD's appearance was a civil rights violation against him.

11. Notwithstanding those claims, the investigation revealed that ERNEST RICCI in fact controlled Premier, was responsible for its day-to-day operations, had ready access to and made use of the financial resources amassed in the names of Premier, TriStar and BRENDA RICCI, and utilized them to maintain his lifestyle, while placing legal title in the name of Premier and BRENDA RICCI for the purpose of shielding his assets from his creditors.

12. For example, on behalf of Premier, ERNEST RICCI paid and signed checks to workers, authorized and wrote checks to vendors for supplies, showed houses to prospective buyers, and appeared at real estate closings with power of attorney to sign documents. On his Facebook account, ERNEST RICCI described himself as “self-employed” and “Works at Premier Home Restoration.” Investigation also uncovered evidence that ERNEST RICCI claimed to be the self-employed owner of Tristar in 2014 on an application to join Potowomat Golf Club. ERNEST RICCI also listed TRISTAR as BRENDA RICCI’s employer and described her occupation as “Owner.”

13. Numerous records obtained during the course of the bankruptcy proceedings indicate that ERNEST RICCI utilized Premier’s bank accounts to pay for personal expenses under the guise of business expenses. For example, checks were made payable from the Premier checking account at TD Bank for ERNEST RICCI and BRENDA RICCI’s membership at Potowamut Golf Club, ERNEST RICCI’s gym membership, and ERNEST RICCI’s purchase of ammunition at MidState Firearms.

14. ERNEST RICCI used a debit card in his name linked to Premier's bank account for many for personal expenses. Premier also paid legal expenses related to the Florida property even though Premier ostensibly had no interest in the Florida property. BRENDA RICCI admitted that ERNEST RICCI's Ford F-150 pick-up truck was treated as a business expense of TRISTAR or Premier.

15. Throughout the bankruptcy proceedings, ERNEST RICCI concealed assets and made material misrepresentations and omissions. For example:

- ERNEST RICCI filed a false Form 122-A Statement of Current Monthly Income under oath in his bankruptcy proceedings which failed to truthfully disclose his monthly income.
- ERNEST RICCI concealed rental income from both the Florida property and the New Hampshire property which he received through short term rentals using AirBnB.
- During the bankruptcy proceedings, the Trustee identified a Rolex watch which ERNEST RICCI failed to disclose in his schedules. When the Trustee demanded ERNEST RICCI produce the Rolex watch, ERNEST RICCI produced a different, fake Rolex instead.
- ERNEST RICCI repeatedly falsely claimed that R.L. held a \$200,000 mortgage on the NH property. BRENDA RICCI also falsely claimed this under oath.
- ERNEST RICCI falsely claimed that R.L. loaned him \$230,000 secured by mortgages on multiple Rhode Island properties, including 15 Loring Rd, Bristol, RI, 18 Zanfagna Street, Johnston, RI and 3158 West Shore Rd, Warwick RI.
- ERNEST RICCI failed to disclose ownership in a boat which he was offering for sale as recently as February 2023.

*Obstructive Conduct Designed to further the Bankruptcy Fraud and
Concealment of Assets from the Bankruptcy Trustee*

16. Throughout the bankruptcy proceedings, both ERNEST RICCI and BRENDA RICCI engaged in obstructive conduct designed to further the bankruptcy fraud and conceal assets, including filing numerous frivolous pleadings. For example:

- On December 6, 2019, ERNEST RICCI and BRENDA RICCI filed a document titled "OBJECTIONS AS A MATTER OF LAW TO THE COURT'S ENTRY OF DEFAULT JUDGMENT: *Bankruptcy Judge recklessly disregarding the law and facts on the record*" that stated among other things:

QUESTION: How can the Court enter default judgment for saying no answer been filed to support default judgment when the answer was filed that forecloses default judgment in the first place?

ANSWER: Obviously the Couldn't draft the order or even had judicial assistant to draft the order or even check the law being reckless disregard of the law in which that could only mean one thing, as always been the case;

The Plaintiff wrote it drafted the order and just told the Judge, "sign it, thanks man-I got u back like always"

CONCLUSION: C'Mon man

This pleading was signed by hand by both ERNEST RICCI and BRENDA RICCI.

BRENDA RICCI signed twice, in her capacity as "Member PHR" and individually.

- On August 9, 2019, the bankruptcy judge issued an Order to Show Cause why it should not re-impose default judgement against Premier, and take other actions. In response, on August 21, 2019, ERNEST RICCI and BRENDA RICCI filed a document titled "DEFENDANT RICCI RESPONSE TO ORDER TO SHOW CAUSE" which stated among other things "Defendants will not comply with the BJ order show cause unless the BJ complies with the law in the first place and stop advocating for the Plaintiffs the BJ wears the robe not the Plaintiff." This pleading was signed

electronically by both ERNEST RICCI and BRENDA RICCI. BRENDA RICCI signed twice, in her capacity as “Member PHR” and individually.

- October 11, 2019, RICCI filed a document titled “DEFENDANT’S ANSWER” which sated in part: “ERNIE RICCI PERSONAL STATEMENT The officers of the court thinking they can disrespect others right to life, liberty and property to fill their pockets but they at the end they be w/o pants.”

17. In addition, throughout the bankruptcy proceedings, ERNEST RICCI sent numerous harassing, threatening, and obstructive emails to the Trustee and his counsel, designed to further the bankruptcy fraud, conceal assets and otherwise impede and impair the Trustee in performing its lawful functions. For example :

- On April 9, 2020 ERNEST RICCI, using the email address “John Lopez judge1983@gmail.com,” sent the following email to the Trustee’s counsel:

John Lopez <judge1983@gmail.com> Thu, Apr 9, 2020 at 8:15 AM
To: Amanda Perry <amperry@dioriolaw.com>, Charles Pisaturo <charles@pisaturolaw.com>, jmdiorio@dioriolaw.com

Good am assholes;

Where's the deposition motion? Come on hurry now there's less than 2 weeks before your fucking charade blows up!! Let's go!!! If you don't get this done you might not make it to 400 hours and 5k in expenses and I want to do all I can to help you get there!!! Lololol

I'm laughing at each one of you. You really thought you had something didn't you? Lol. I'm sure you realize now I've been 3 steps ahead of you bozos all the way and that's because I'm smarter than all of you combined. And when we're done I'll do all I can to let the rest of the state know how the three of you abused your office and lost hundreds of thousands in the process chasing your collective asses. At least in terms of legal billable hours. Isn't that right Joey? Lolololololol.

Ernie

- Similarly, on March 28, 2020, from the same email address ERNEST RICCI sent the following email:

Laughs on you....

1 message

John Lopez <1983judge@gmail.com> Sat, Mar 28, 2020 at 1:22 PM
To: Amanda Perry <amperry@diiorlaw.com>, Charles Pisaturo <charles@pisaturolaw.com>, jmdiorio@diiorlaw.com
Cc: Richard Pacia <rpacialaw@gmail.com>

I'm sitting here after our meeting with all those on the good side of the fence discussing how your charade is about to come to an end. You can't imagine the amount of satisfaction I'm getting now knowing how you collective losers are going to be staring straight into the face of the abyss of realizing you are getting absolutely nothing after all your hard work very soon. Imagine all those hours...what's it up to now...330? 340 hrs? Plus 4K, maybe even \$4500 in hard costs? lolololol.

If we aren't successful on Tuesday with this corrupt judge and his corrupt rulings we will most certainly be when Alpha forecloses, which by now you have been officially notified has begun. I tried to tell you bozos this was coming, but for selfish and greedy reasons you wouldn't believe me. My settlement offer is now off the table so now my offer to you is nothing. Don't miss my sarcastic smiles when I see the look on your faces when you losers realize the gig is up. I can't wait for that moment.

Its not too late to do the right thing and resign your license to practice law. Your efforts in this case were never in the best interest of the creditors...it was always and only in the interest of your own collection accounts.

Shameful bunch of losers.

Ernie

- On March 31, 2020, from the same email address, ERNEST RICCI sent the following email:

April 22nd.....

2 messages

John Lopez <1983judge@gmail.com> Tue, Mar 31, 2020 at 9:08 PM
To: Charles Pisaturo <charles@pisaturolaw.com>, jmdiorio@diiorlaw.com, Amanda Perry <amperry@diiorlaw.com>

Tick tock.....tick tock

better hurry up with those depositions bozos. 350/5000 next threshold. Lololol. LOSERS.

Ernie

Ps Charlie you sounded like a cry baby today. You're a joke. ...

"look judge he says this and he says that, it's right here judge....look judge"..... Is that all you got Charlie? The case of your lifetime and that's all you brought today? Sad. Wondering how you ever get through law school? Better question who did daddy pay off to get you in?

Same goes for this incapable and corrupt judge, if you even want to call him that. Does he even know the law? He's the biggest joke of them all. Tell him

I dressed up for him today even though he couldn't see me. Asshole.

- April 28, 2020, the bankruptcy Trustee demanded the turnover of all records and documents, including financial documents from Premier. The following day, April 29, 2020, the Trustee received an email from ERNEST RICCI from an email known to be used by ERNEST RICCI that read:

"Here's my response...GO FUCK YOURSELF Charlie. How's that? The party's over asshole. Let it go. Premier is done. So is your chase. Move on and admit you fucked with the wrong guy. ITS OVER!!!
Lololol
Ernie Ricci"

Delay Tactics by ERNEST RICCI and BRENDA RICCI designed to Further The Bankruptcy Fraud and Concealment of Assets from the Bankruptcy Trustee

18. Throughout the bankruptcy proceedings ERNEST RICCI and BRENDA RICCI engaged in numerous delay tactics designed to further the bankruptcy fraud and concealment of assets from the Trustee. For example, both ERNEST RICCI and BRENDA RICCI would request last minute continuances or requests for additional time. By December 2019, ERNEST RICCI had filed at least five requests to delay discovery.

19. Ultimately the bankruptcy court ordered ERNEST RICCI to appear for a deposition on February 28, 2019 at 9:00 am. On February 24, ERNEST RICCI sent an email stating he could not attend at 9:00 am and would arrive before 10:00 am. The US Trustee agreed to postpone the deposition to 10:00 am. On February 25, ERNEST RICCI demanded to bring his cell phone to the deposition or stated he would not appear, so the US Trustee agreed to the accommodation and arranged special permission with the United States Marshals for ERNEST RICCCI to bring his phone into the U.S. Courthouse contrary to the security protocols in place at the time.

20. On February 28, ERNEST RICCI did not appear at the deposition until 11:00 a.m. During the deposition, ERNEST RICCI refused to answer any relevant questions regarding his bankruptcy schedules and repeatedly looked at his phone. At 12:30 p.m., ERNEST RICCI requested a 15 minute break to attend to his parking meter. ERNEST RICCI still had not returned some 40 minutes later, while the US Trustee and court reporter waited. The US Trustee continued the deposition until 2:00 pm. At 1:30

pm, ERNEST RICCI reappeared and was informed the deposition would continue at 2:00 pm to which he replied “No problem.” ERNEST RICCI then left and did not return. The US Trustee waited until 2:30 pm before suspending the deposition.

21. A similar pattern occurred with the US Trustee’s attempt to obtain sworn information from BRENDA RICCI. On January 11, 2018, the US Trustee filed a Motion for an Examination of BRENDA RICCI requesting production of documents and an examination on February 27, 2018. The motion was granted. ERNEST RICCI filed a Motion to Reconsider which was subsequently dismissed for failure to comply with the Local Rules. BRENDA RICCI did not produce any documents as required by the date ordered. The US Trustee sent BRENDA RICCI a meet and confer request. BRENDA RICCI then produced documents, many of which were redacted, but not until March 8, 2018. The US Trustee then agreed to continue the date of the examination based on the request of BRENDA RICCI’s attorney, who entered on March 26, 2018. After the continuance was agreed to and granted, the attorney withdrew his appearance. A new attorney entered an appearance on April 4, 2018.

22. The examination finally began April 23, 2018. During the examination, among other falsities, BRENDA RICCI falsely claimed under oath that R.L. had provided a \$200,000 loan secured by a mortgage and falsely claimed those funds were used to conduct a major renovation of the NH property. At the examination, it became apparent to the US Trustee that numerous documents were either not produced by

BRENDA RICCI or contained inappropriate redactions, including cancelled checks and rental income accounting. The examination had to be continued until those documents were properly produced

The suborned perjury of R.L.

As part of the bankruptcy proceedings, the Trustee identified several properties owned or controlled by ERNEST RICCI, BRENDA RICCI and/or Premier. These included the NH Property and properties, including a 15 Loring Street in Bristol, RI, ("Loring Street"). ERNEST RICCI falsely told the Trustee that co-conspirator R.L. held mortgages on the NH property and Loring Street which rendered them worthless to the Trustee. BRENDA RICCI also falsely told the US Trustee under oath that R.L. had provided \$200,000 to renovate the NH property.

23. The Trustee deposed R.L. At the deposition, among other things, R.L. falsely claimed under oath that he loaned ERNEST RICCI approximately \$200,000 in the early 2000s which was used to improve the NH Property and secured by a mortgage. R.L. testified that he had no records of any of these payments; that he paid ERNEST RICCI in cash over a period of time; that no interest was charged; and that no repayments had ever been made by the RICCI's. ERNEST RICCI attended the deposition and often interrupted and corrected R.L.'s answers. When told to stop this behavior, ERNEST RICCI threatened to take R.L. and leave the deposition.

24. The Trustee eventually brought an adversarial complaint against R.L. R.L. retained Attorney Michael Lepizzera to represent him in the adversarial proceeding. R.L. paid Lepizzera a \$10,000 cash retainer. Attorney Lepizzera attempted to negotiate a resolution with the Trustee and reached a proposed agreement which was filed with the Court in which R.L. would pay the Trustee \$200,000 to settle all claims against R.L. After ERNEST RICCI learned of the agreement, ERNEST RICCI directed R.L. to withdraw from the agreement. Lepizzera withdrew from representing R.L.

25. In August 2022, R.L. was interviewed at the United States Attorney's Office under the terms of a "proffer letter," in which the US Attorney's Office agreed not to use R.L.'s statements against him as long as he was truthful. Among other things, R.L. admitted that his testimony in the bankruptcy depositions was false; that there was never any real mortgage on the NH property; that he had not paid ERNEST RICCI \$200,000. R.L. stated that he lied to the Trustee because ERNEST RICCI told him to. ERNEST RICCI told him that he was being unfairly pursued by the Trustee. ERNEST RICCI disclosed to R.L. that he had created and recorded the fictitious NH Property mortgage back in 2011 and back dated it to 2009. ERNEST RICCI provided R.L. the \$10,000 cash retainer for Lepizzera's services. R.L. stated that he attempted to back out of the \$200,000 settlement negotiated by Lepizzera because ERNEST RICCI told him to. ERNEST RICCI was going to fund the settlement and wanted a "global"

settlement that would resolve all claims against him as well as R.L. and end all the proceedings.

26. ERNEST RICCI convinced R.L. to provide him access to an old e-mail address R.L. had left dormant. Using the old email address, ERNEST RICCI falsely pretended to be R.L. and communicated with Attorney Lepizzera as if he were R.L., attempting to direct the litigation and insisting on a “global” settlement that would resolve ERNEST RICCI’s bankruptcy. R.L. provided the FBI access to his smart phone, which showed the emails.

27. Shortly after R.L. met with the government, ERNEST RICCI attempted to speak with him. R.L. told ERNEST RICCI that on advice of counsel, he could not speak to ERNEST RICCI. ERNEST RICCI subsequently left a voicemail with R.L.’s son, in which he stated that “that’s all bullshit from the FBI” and that R.L. could in fact speak with him, and that R.L.’s son should pay the \$200,000 settlement and that ERNEST RICCI would pay it back to him “every penny interest included.”

28. Attorney Lepizzera was interviewed after R.L. provided a waiver of the attorney client privilege. Lepizzera did not initially know that ERNEST RICCI provided the funds for his retainer, but learned that fact later after the relationship soured. Lepizzera stated, among other things, he had no idea that he was actually communicating with ERNEST RICCI via email when he thought he was communicating with his client R.L. Lepizzera suspected that ERNEST RICCI was attempting to

improperly influence R.L., which led to a breakdown in the attorney-client relationship with R.L. ERNEST RICCI started showing up at Lepizzera's law office and stalking him. Lepizzera believed the settlement with the Trustee was in R.L.'s interest because the purported mortgages were fake and the resolution would limit R.L.'s exposure. Lepizzera was concerned that if R.L. did not settle, eventually both R.L. and ERNEST RICCI would become subjects of a criminal investigation. Lepizzera identified numerous emails from the old R.L. email address in which he believed at the time he was communicating with R.L., but in hindsight recognizes as ERNEST RICCI. Lepizzera stated he would never knowingly communicate with a third party because it would eviscerate the attorney client privilege and that he repeatedly advised R.L. not to listen to ERNEST RICCI.

Wire Fraud in Connection with PPP and EIDL Loans

29. As a result of ERNEST RICCI and BRENDA RICCI's conduct designed to further the bankruptcy fraud and conceal assets from the Trustee, the Trustee brought an adversarial proceeding against ERNEST RICCI, BRENDA RICCI and Premier, alleging that Premier was an alter ego of ERNEST RICCI and seeking to make Premier an asset of the bankruptcy estate. That effort was successful, and the Trustee was declared by the bankruptcy court to be the equitable owner of Premier.

30. Notwithstanding, as described below, ERNEST RICCI and BRENDA RICCI subsequently proceeded to engage in wire fraud by applying for Paycheck

Protection Program (PPP) and Economic Injury Disaster Loans (EIDL) from the Small Business Administration (SBA) which failed to disclose that the Trustee was the owner of Premier, and that ERNEST RICCI, BRENDA RICCI and Premier were all involved in bankruptcy proceedings. In addition, false information was provided to TD Bank and the SBA in support of the loan applications. At the same time, ERNEST RICCI filed for and received unemployment benefits. After fraudulently obtaining the funds, ERNEST RICCI and BRENDA RICCI committed money laundering by using the proceeds of the EIDL loan to conduct a series of financial transactions designed to conceal the location, ownership, and control of the unlawful proceeds by purchasing a property on the West Shore Road in Warwick, RI in R.L.'s name.

31. In an adversarial proceeding brought by the Trustee⁵, the Trustee alleged that: The Trustee Becomes the Equitable Owner of Premier

Despite Debtor's claim of indigence, a very different picture has emerged in the course of these proceedings.... The Investment Companies described above (and the properties which they own) are actually under the near complete control of Debtor [ERNEST RICCI] – and Brenda Ricci was barely aware of their existence much less being involved in the day-to-day operations of these companies.

In Re: Ernest P. Ricci, Debtor, 17-BK-11845, RI Bankr. ECF No. 108 at 4.

⁵ See *In Re: Ernest P. Ricci, Debtor; Pisatauro v. Ricci*, Bk. No. 17-11845, Adv. Pro. No. 19-01014, RI Bankr.

32. On November 25, 2019, the Bankruptcy Court issued a default judgement in favor of the Chapter 7 Trustee and against Defendants ERNEST RICCI, BRENDA RICCI, and Premier as follows:

“Judgement is entered against Defendants, jointly and severally, under Count I, declaring that all ownership interests and rights in Defendant Premier Home Restoration, LLC and all of its assets including (without limitation) Premier’s real property, bank deposits, cash, and the rights to all present and future cash distributions, constitute property of the Debtor’s bankruptcy estate under 11 USC 541 and that Plaintiff, in his capacity as Chapter 7 Trustee is therefore, the equitable owner of Premier and of all of its assets.”

Wire Fraud Related to Paycheck Protection Program

33. On April 6, 2020, an application was signed by BRENDA RICCI, Owner/Member, on behalf of Premier Home Restoration for Paycheck Protection Program (PPP) through TD Bank and the Small Business Administration (SBA) and submitted electronically.

34. The application required the applicant to list all owners with 20% or more of the equity of the Applicant. The application identified BRENDA RICCI as the “100%” owner. The application did not identify the Chapter 7 Trustee as an equitable owner of PREMIER. Other forms sent as part of this application list “Ernie RICCI” as the primary contact for the loan. The loan was to be used for payroll, lease/mortgage and utilities for PREMIER.

35. The application asked, among other questions, “Is the Applicant or any owner of the Applicant.....presently involved in any bankruptcy?” The question was answered “No.”

36. Attached to the application were Form 1099s for the year 2019 for I.B.S and E.S. According to the records submitted, I.B.S. made \$82,918.24 and E.S. made \$15,848.77 working as contractors for Premier Home Restoration. Along with the 1099s were a list of checks that were paid to each contractor. The list included the date, check number, contractor name, and amount paid. I reviewed the records from TD Bank for Premier and observed that some of the checks listed in support of the application were deposited into the Premier account. The checks in question were not written out of the Premier bank account, but rather out of the bank account for TRG Holdings, a new corporate entity created by ERNEST RICCI subsequent to the bankruptcy filing. TRG Holdings is also the name of the company that ERNEST RICCI claimed to own and work for on his Unemployment Insurance application filed with the Rhode Island Department of Labor and Training.

37. A second application page was filled out with the company name, Premier Home Restoration of 180 Plain Rd. N. Kingstown, RI 02852. This page included the business phone number as (401) 533-8382, the primary contact as “Ernie RICCI (Husband)” and Ernie Ricci’s email address as tristarproperties@gmail.com. Under

average monthly payroll, \$24,602.47 was written in, under x2.5 for EIDL, \$61,506.18 was written in and under number of employees, 4 was written in.

38. Under the questions above, is a section with a series of questions that the applicant needs to check “yes” or “no.” Question #1 is “Is the Applicant or any owner of the Applicant presently suspended, debarred, proposed for debarment, declared ineligible, voluntarily excluded from participation from participation in this transaction by any Federal department or agency, or presently involved in any bankruptcy?” to which the answer “No” was checked off.

39. As part of the application process, Forms 1099 for contractors had to be provided along with a listing of paychecks to determine the amount of money that Premier Home Restoration would be eligible to receive. ERNEST RICCI and BRENDA RICCI submitted a printout of payroll software reflecting payments to the same individuals. However, a review of bank records from TD Bank show some of those checks were written from the TRG account and subsequently deposited into Premier’s account; they do not appear to have been cashed.

40. I interviewed I.B.S., one of the employees purportedly paid by Premier. I.B.S. stated he was hired to work for Premier from about July 2019 to August 2020 after seeing an ad on Craigslist. I.B.S. stated that he and other workers continued to work through the Covid-19 pandemic. I.B.S. was aware of BRENDA RICCI but primarily dealt with and worked for ERNEST RICCI. I showed I.B.S. a Form 1099 for

approximately \$82,919 in his name. I.B.S. stated that ERNEST RICCI attempted to give him the 1099 but he refused because he never made that much money. I.B.S. made approximately \$34,000 per year. I.B.S. said that ERNEST RICCI would sometimes pay him with a check in excess of his pay, then direct I.B.S. to cash the check and pay the surplus to other workers. ERNEST RICCI also sometimes paid in cash. I.B.S. said that ERNEST RICCI did not withhold social security and other taxes and did not provide pay stubs. Thus it appears that ERNEST RICCI and BRENDA RICCI inflated PREMIER's payroll in applying for the PPP loan, in order to obtain additional funds from the SBA.

41. On May 11, 2020, a credit deposit for \$61,506 posted to the TD Bank account for BRENDA RICCI DBA Premier Home Restoration.

42. During a September 7, 2021, hearing in which ERNEST RICCI was attempting to get money back from the Trustee, ERNEST RICCI told U.S. Bankruptcy Judge Frank Bailey that ERNEST RICCI assisted his wife BRENDA RICCI in preparing the documents for the SBA loan. ERNEST RICCI further stated that Premier had 1099 employees but that he was unsure of their names. ERNEST RICCI claimed the SBA loan funds went to the employees.

43. The Judge expressed concern that ERNEST RICCI and BRENDA RICCI did not have the right to apply for a PPP loan on behalf of Premier as the Trustee had legal

control over Premier, stating in relevant part: “.....it appears to me that by virtue of the default judgement its the Trustee that’s the owner of Premier Home Restoration.”

Judge Bailey further stated:

I do have concerns about the underlying facts here... I’ve now learned that the SBA may have funded an earlier PPP loan to Premier Home Restoration and I think the Trustee should be informed about, should have a copy of the application and should have a copy of any papers relating to it. And I’m sure he’ll undertake that action to find out and to get to the bottom of what happened and where those dollars went, so that’s another whole issue that’s raised by these two now denied motions. And you might want to consider, this is the time I think if I were in your shoes I would consider hiring a lawyer. You need some legal advice Mr. Ricci, as does Brenda.

44. Two weeks later, on September 21, 2021, a “Request for Forgiveness of PPP Loan” was electronically filed on behalf of Premier with BRENDA RICCI’s electronic signature. The Request for Forgiveness certified that 100% of the PPP loan proceeds were spent on payroll costs for 4 employees.

*Wire Fraud and Money Laundering
in Connection with Economic Injury Disaster Loan*

45. On April 20, 2020, An application intake summary was created for an Economic Injury Disaster Loan for Premier Home Restoration LLC. The primary business address is listed at 180 Plain Rd. N Kingstown, RI 02852. The business phone number is (401) 533-8382 and the business email listed is tristarproperties@gmail.

46. The owner of Premier Home Restoration LLC is listed as BRENDA RICCI. Ernie RICCI (HUSBAND), (401) 533-8382 of 180 Plain Rd is listed as a representative

that the SBA can discuss any portion of the application with. The bank account listed a TD Bank account ending in X4998.

47. At the bottom of the application there is a box checked that states: I hereby certify UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES that the above is true and correct.

48. A Loan Authorization and Agreement form was generated for SBA Loan# 8946137910 for Premier Home Restoration LLC and docusigned by BRENDA RICCI on June 19, 2020. The loan was for \$67,800.00.

49. In the Use of Loan Proceeds section it states: "Borrower will use all the proceeds of this Loan solely as working capital to alleviate economic injury caused by disaster occurring in the month of January 31, 2020 and continuing thereafter and to pay Uniform Commercial Code (UCC) lien filing fees and a third-party UCC handling charge of \$100 which will be deducted from the Loan stated above."

50. In the Requirements for Use of Loan Proceeds and Receipts section it states: Borrower will obtain and itemize receipts (paid receipts, paid invoices or cancelled checks) and contracts for all Loan funds spent and retain these receipts for 3 years from the date of the final disbursement.

51. At the conclusion of the document, above BRENDA RICCI's docusignature dated June 19, 2020, reads: Under penalty of perjury of the United States

of America, I hereby certify that I am authorized to apply for and obtain a disaster loan on behalf of Borrower, in connection with the effects of the COVID-19 emergency.

52. On June 22, 2020, \$67,700 was deposited into the Premier Home Restoration LLC TD Bank account ending in X4998 with description "CCD DEPOSIT, SBAD TREAS 310 MISC PAY 894613791073000" The dollar amount of this transaction is the same as the loan amount, minus the \$100 UCC filing fee. Also referenced as the first 10 numbers is the SBA Loan number from the paperwork.

53. On June 22, 2020, \$67,000 was transferred from the Premier Home Restoration LLC TD Bank account ending in X4998 to a TD Bank account ending in X3762 which is held by BRENDA RICCI SLP CCC LLC, 180 Plain Rd. North Kingstown, RI.

54. On June 22, 2020, \$67,000 was transferred from the BRENDA RICCI SLP CCC LLC account ending in X3762 to a TD Bank account ending in X4414 held by Jonathan T Ricci and BRENDA RICCI, 48 Woodfield Pl Enterprise, AL.

55. On June 25, 2020, an \$80,000 wire transfer was generated from TD Bank Account X4414 and sent to USAA account 02616-9164-3 which is held by George H Bannon and BRENDA RICCI.

56. On July 9, 2020, a check was written off of the USAA Account and addressed to R.L. for \$73834.05 with "3158 W Shore" written in the memo line. The

check is signed by BRENDA RICCI. This check was deposited into a Coastal1 Bank account held by R.L. and his wife S.L. ending in X8353.

57. On July 10, 2020, a check was written off of R.L.'s Coastal1 account and addressed to Resnick and Caffrey for \$73,834.05 with "West Shore (Illegible)" in the memo line.

58. During his proffer, R.L. stated that he purchased 3158 W. Shore Rd on ERNEST RICCI's behalf using ERNEST RICCI's money. ERNEST RICCI asked R.L. to do this because he could not have 3158 W. Shore Rd in his name due to the bankruptcy proceedings. ERNEST RICCI arranged for tenants to rent 3158 W. Shore Rd, and had them pay the rent directly into R.L.'s bank account, which R.L. then used to pay the mortgage. ERNEST RICCI would periodically settle up with R.L. if there was a shortage.

59. I interviewed the tenant at 3158 West Shore Rd in Warwick. The tenant had never met R.L. and only dealt with ERNEST RICCI as his landlord. At ERNEST RICCI's direction, the tenant paid his rent directly into an account in R.L.'s name. ERNEST RICCI stored items at 3158 W. Shore Rd. and was the tenant's point of contact for any issues related to the property.

60. In approximately February 2022, 3158 West Shore Rd was quitclaimed to TRG Holdings. The Quitclaim deed is purported to be signed by R.L. and notarized by

ERNEST RICCI. R.L. stated that he did not recall quitclaiming the property to ERNEST RICCI but may have signed a document without reading it.

61. Based on the above, I believe that ERNEST RICCI and BRENDA RICCI fraudulently applied for an EIDL Loan for Premier Home Restoration LLC when they were not the owners of the company. At this point, the company was owned and operated by the Bankruptcy Trustees. Based on my training and experience, ERNEST RICCI and BRENDA RICCI then committed money laundering by quickly moving the EIDL proceeds through multiple accounts and multiple banks before issuing a check to co-conspirator R.L., who then deposited it and write his own check as part of the money used to purchase 3158 West Shore Road in Warwick, RI. I believe all these steps to launder the money were any attempt by ERNEST RICCI and BRENDA RICCI to conceal the fact that they applied for the loan from the Bankruptcy trustees and well as shield the asset, 3158 West Shore Drive, so the trustees could not attempt to seize the asset.

Wire Fraud based on Claim for Unemployment Benefits

62. Also in April 2020, at approximately the same time BRENDA RICCI and ERNEST RICCI were requesting PPP and EIDL funds to pay employees and expenses, ERNEST RICCI filed for unemployment from the State of Rhode Island as an employee of TRG, claiming in the category "Job Duties "BUYING REHABBING SELLING FORECLOSED AUCTIONS...AUCTIONS NOW CANCELLED."

63. According to information provided by the Rhode Island Department of Labor and Training, ERNEST RICCI received unemployment benefits from May 10, 2020 to September 9, 2021 through the Pandemic Unemployment Assistance (PUA) program. To receive these benefits, ERNEST RICCI was required to report any earnings from work, including as a landlord, maintaining properties and collecting rent. All PUA claims were filed with the RIDLT electronically. ERNEST RICCI did not report any earnings. According to AirBNB records, during that time, the ERNEST RICCI received approximately \$84,370 from renting out the New Hampshire property. An FBI Forensic Accountant reviewed bank records tied to PHR and TRG and reported that approximately \$50,000 of customer money was deposited into PHR and TRG accounts from April 1, 2020 to June 30, 2020. Thus ERNEST RICCI was fraudulently collecting unemployment benefits while simultaneously collecting a large amount of rental income and while he continued to operate his real estate flipping business under a new name, TRG.

Continued Efforts By ERNEST RICCI to Further the Bankruptcy Fraud

64. The bankruptcy proceedings are ongoing. ERNEST RICCI continues to appear at the proceedings filing frivolous pleadings, claiming to be indigent, and seeking delays.

65. On November 16, 2022, RICCI sent an unsolicited email from the email address ernie.premier@gmail.com to the United States Attorney's Office with the

subject line “thought id (sic) share with you.....” Attached to the email was a letter titled “Dear Senator Reed (us atty)” purportedly sent by ERNEST RICCI to United States Senator Jack Reed describing ERNEST RICCI’s perspective of the bankruptcy proceedings. In the letter, among other statements ERNEST RICCI admitted that his sole purpose in filing for bankruptcy was to exploit the automatic stay provided by federal bankruptcy proceedings to stop the sale of the Florida property “but I never followed through because I wasn’t bankrupt.”

66. In addition, ERNEST RICCI stated that “During the Pandemic we, as employers, applied for PPP money and received a \$4k grant and a loan which was ultimately forgiven. We used the money to keep our employees working during that difficult time.”

67. In addition, ERNEST RICCI falsely stated “the IRS and I have a deal where they have a lien on my home that protects them. I hired a company who met with the IRS and set up the plan. They even backed off collection efforts.” In reality, ERNEST RICCI contacted the IRS in 2020 and 2021, when he was aware the Trustee was attempting to obtain equity from properties, he concealed from the bankruptcy proceedings. ERNEST RICCI requested the IRS to apply liens to the properties and use them to pay his prior tax debts, which were still outstanding for multiple years dating back to 2010. The IRS informed ERNEST RICCI that it could not apply liens after

bankruptcy was established and that ERNEST RICCI could not establish his interest in the properties.

68. Among other things, ERNEST RICCI again falsely claimed the NH property was secured by a mortgage from a cash loan provided by R.L. stating:

“the trustee set his sights on our New Hampshire property by challenging the 2009 private mortgage on file strictly because it was made in cash. This loan was given by a friend of 37 years who had cash savings & wanted to invest into a mortgage which we used to rehab the home that he too used with his family over the 21 years we owned the property.”##

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EVIDENCE TO BE FOUND AT SUBJECT PREMISES

69. Based on my training and experience, I believe that evidence of the aforementioned criminal offenses will be found at the SUBJECT PREMISES. As referenced above, in the course of the bankruptcy proceedings, BRENDA RICCI produced incomplete records pursuant to a subpoena issued by the USTO. BRENDA RICCI stated that she maintained records of Premier in a physical file located in her closet at the SUBJECT PREMISES. BRENDA RICCI further stated that Premier does not maintain records at any other location. BRENDA RICCI also stated that she maintains some electronic records on her computer, including Quickbooks.

70. Based on my training and experience, I know that running a business requires maintain records in order to accomplish day-to-day tasks. In addition, businesses such as RICCI and BRENDA RICCI’s which deal with the “flipping” of real estate, often retain correspondence, financial, transactional, and other business records for years to identify past customers and vendors for potential future transactions; keep track of business deals; monitor payments, debts, and expenses; resolve business

disputes stemming from past transactions; prepare tax returns and other tax documents; and engage in other business related purposes.

71. In addition, there is likely evidence of communications by RICCI with R.L. and evidence of the use of R.L.'s dormant email address on RICCI's computers and/or smart phones.

72. In addition, there are likely assets which were concealed from the Trustee in the bankruptcy proceeding, including jewelry, a Rolex watch, United States currency, cryptocurrency, and other valuables.

73. In addition, there are likely to be records related to the PPP, EIDL and unemployment benefits ERNEST RICCI and BRENDA RICCI received.

74. From my training, experience, and information provided to me by other agents, I am aware that businesses, frequently use computers to carry out, communicate about, and store records about their business operations. These tasks are frequently accomplished through sending and receiving business related email and instant messages; drafting other business documents such as spreadsheets and presentations; scheduling business activities; keeping a calendar of business and other activities; arranging for business travel; storing pictures related to business activities; purchasing and selling inventory and supplies online; researching online; and accessing banking, financial, investment, utility, and other accounts concerning the movement and payment of money online.

75. Based on my knowledge, training, experience, and information provided to me by other agents, I know that computer files or remnants of such files can be recovered months or years after they have been written, downloaded, saved, deleted, or viewed locally or over the Internet. This is true because:

- a. Electronic files that have been downloaded to a storage medium

can be stored for years at little or no cost. Furthermore, when users replace their computers, they can easily transfer the data from their old computer to their new computer.

b. Even after files have been deleted, they can be recovered months or years later using forensic tools. This is so because when a person "deletes" a file on a computer, the data contained in the file does not actually disappear; rather, that data remains on the storage medium until it is overwritten by new data, which might not occur for long periods of time. In addition, a computer's operating system may also keep a record of deleted data in a "swap" or "recovery" file.

c. Wholly apart from user generated files, computer storage media – in particular, computers' internal hard drives – contain electronic evidence of how the computer has been used, what it has been used for, and who has used it. This evidence can take the form of operating system configurations, artifacts from operating system or application operation, file system data structures, and virtual memory "swap" or paging files. It is technically possible to delete this information, but computer users typically do not erase or delete this evidence because special software is typically required for that task.

d. Similarly, files that have been viewed over the Internet are sometimes automatically downloaded into a temporary Internet directory or "cache." The browser often maintains a fixed amount of hard drive space devoted to these files, and the files are overwritten only as they are replaced with more recently viewed Internet pages or if a user takes steps to delete them.

76. Based on my knowledge and training and the experience of other agents with whom I have spoken, I am aware that in order to completely and accurately retrieve data maintained in computer hardware, computer software or storage media, to ensure the accuracy and completeness of such data, and to prevent the loss of the data either from accidental or programmed destruction, it is often necessary that computer hardware, computer software, and storage media (computer equipment) be seized and subsequently processed by a computer specialist in a laboratory setting rather than in the location where it is seized. This is true because of:

- a. The volume of evidence – storage media such as hard disks, flash drives, CDs, and DVDs can store the equivalent of thousands or, in some instances, millions of pages of information. Additionally, a user may seek to conceal evidence by storing it in random order or with deceptive file names. Searching authorities may need to examine all the stored data to determine which particular files are evidence, fruits, or instrumentalities of criminal activity. This process can take weeks or months, depending on the volume of data stored, and it would be impractical to attempt this analysis on site.
- b. Technical requirements – analyzing computer hardware, computer software or storage media for criminal evidence is a highly technical process requiring expertise and a properly controlled environment. The vast array of computer hardware and software available requires even computer experts to specialize in some systems and applications. Thus, it is difficult to know, before the search, which expert possesses sufficient specialized skill to best analyze the system and its data. Furthermore, data analysis protocols are exacting procedures,

designed to protect the integrity of the evidence and to recover even "hidden," deleted, compressed, or encrypted files. Many commercial computer software programs also save data in unique formats that are not conducive to standard data searches. Additionally, computer evidence is extremely vulnerable to tampering or destruction, both from external sources and destructive code imbedded in the system as a "booby trap."

77. Consequently, law enforcement agents may either copy the data at the premises to be searched or seize the computer equipment for subsequent processing elsewhere.

78. The premises may contain computer equipment whose use in the crime(s) or storage of the things described in this warrant is impractical to determine at the scene. Computer equipment and data can be disguised, mislabeled, or used without the owner's knowledge. In addition, technical, time, safety, or other constraints can prevent definitive determination of their ownership at the premises during the execution of this warrant. If the things described in Attachment B are of the type that might be found on any of the computer equipment, this application seeks permission to search and seize it onsite or off-site in order to determine their true use or contents, regardless of how the contents or ownership appear or are described by people at the scene of the search.

CONCLUSION

79. Based on the information described above, I have probable cause to believe that ERNEST RICCI committed the crimes referenced above, to wit, Bankruptcy Fraud, Concealment of Assets in Bankruptcy, Wire Fraud and Money Laundering and that BRENDA RICCI aided and abetted ERNEST RICCI in those crimes. I also have probable cause to believe that evidence, fruits, and instrumentalities of these crimes, as

described in Attachment B, are contained within the SUBJECT PREMISES.



MATTHEW J. RIPORELLA
Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed.

R. Crim. P. 4.1 by Telephone.

(specify reliable electronic means)

March 23, 2023

Date

Providence RI

City and State


Judge's signature

Lincoln D Almond USMJ

Printed name and title

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ INFORMATION ☐ INDICTMENT ☒ COMPLAINT

CASE NO. 1:23-MJ-22PAS

Matter Sealed: ☐ Juvenile ☐ Other than Juvenile☐ Pre-Indictment Plea ☐ Superseding ☐ Defendant Added
☐ Indictment ☐ Charges/Counts Added
☐ Information

Name of District Court, and/or Judge/Magistrate Location (City)

UNITED STATES DISTRICT COURT RHODE ISLAND
DISTRICT OF RHODE ISLAND Divisional OfficeName and Office of Person ZACHARY A. CUNHA
Furnishing Information on ☒ U.S. Atty ☐ Other U.S. Agency
THIS FORM Phone No. (401) 709-5000Name of Asst.
U.S. Attorney
(if assigned)

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)
Federal Bureau of Investigation - Matt Riportella☐ person is awaiting trial in another Federal or State Court
(give name of court)☐ this person/proceeding transferred from another district
per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges
previously dismissed which were
dismissed on motion of:☐ U.S. Atty ☐ Defense☐ this prosecution relates to a
pending case involving this same
defendant. (Notice of Related
Case must still be filed with the
Clerk.)☐ prior proceedings or appearance(s)
before U.S. Magistrate Judge
regarding this defendant were
recorded underSHOW
DOCKET NO.MAG. JUDGE
CASE NO.Place of
offense RHODE ISLAND

County

USA vs.

Defendant: Ernest P. "Ernie" Ricci

Address:

☐ Interpreter Required Dialect: _____Birth Date ☒ Male ☐ Alien
☐ Female (if applicable)

Social Security Number

DEFENDANT

Issue: ☒ Warrant ☐ Summons

Location Status:

Arrest Date _____ or Date Transferred to Federal Custody _____

☐ Currently in Federal Custody☐ Currently in State Custody☐ Writ Required☐ Currently on bond☐ Fugitive

Defense Counsel (if any): _____

☐ FPD ☐ CJA ☐ RET'D☐ Appointed on Target Letter☐ This report amends AO 257 previously submitted

OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts 5

Set	Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Felony/Misd.
	See attachment		<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
		Estimated Trial Days: 5	<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor

**OFFENSE CHARGED – U.S.C. CITATION – STATUTORY MAXIMUM PENALTIES –
ADDITIONAL INFORMATION OR COMMENTS**

Total # of Counts: 4

Count Breakdown	Title & Section/Offense Level (Petty = 1/ Misdemeanor = 3/ Felony = 4)	Description of Offense Charged	Felony/Misd.
1	18 U.S.C. § 157	Bankruptcy Fraud	FELONY
	Imprisonment: 5 years Supervised Release: 3 years	Fine: \$250,000 Special Assessment: \$100	
2	18 U.S.C. § 152	Concealment of Assets in Bankruptcy	FELONY
	Imprisonment: 5 years Supervised Release: 3 years	Fine: \$ 250,000 Special Assessment: \$ 100	
3	18 U.S.C. § 1343	Wire Fraud	FELONY
	Imprisonment: 20 years Supervised Release: 5 years	Fine: \$250,000 Special Assessment: \$100	
4	18 U.S.C. § 1956(a)(1)	Money Laundering	FELONY
	Imprisonment: 20 years Supervised Release: 5 years	Fine: \$500,000 Special Assessment: \$100	