

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -	X
	:
UNITED STATES OF AMERICA	:
	:
- v. -	:
	:
DAVID VILLANUEVA,	:
	:
Defendant.	:
	:
- - - - -	X

TO BE FILED UNDER SEAL

SUPERSEDING
INFORMATION

S4 16 Cr. 342 (SHS)

COUNT ONE
(Conspiracy to Commit Bribery)

The United States Attorney charges:

1. From in or about 2011, up to and including in or about 2016, in the Southern District of New York and elsewhere, DAVID VILLANUEVA, the defendant, and others known and unknown, unlawfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to commit bribery, in violation of Title 18, United States Code, Section 666.

2. It was a part and an object of the conspiracy that DAVID VILLANUEVA, the defendant, being an agent of a State and local government, and an agency thereof, to wit, a New York City Police Department ("NYPD") officer in the Licensing Division of the NYPD, willfully, knowingly, and corruptly would and did solicit, demand for the benefit of any person, accept, and agree to accept a thing of value from a person, intending to

be influenced and rewarded in connection with a business, transaction, and series of transactions of the NYPD involving a thing of value of \$5,000 or more, such government and agency having received, in a one year period, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of federal assistance, in violation of Title 18, United States Code, Section 666(a)(1)(B).

Overt Act

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York:

a. In or about February 2015, DAVID VILLANUEVA, the defendant, approved the gun license application of the client of a co-conspirator not named herein ("CC-1") at NYPD Police Headquarters, in New York, New York, for which VILLANUEVA was paid by CC-1.

(Title 18, United States Code, Section 371.)

COUNT TWO
(Bribery)

The United States Attorney further charges:

4. From in or about 2011, up through and including in or about 2016, in the Southern District of New York and

elsewhere, DAVID VILLANUEVA, the defendant, being an agent of a State and local government, and an agency thereof, to wit, an NYPD officer in the Licensing Division of the NYPD, willfully, knowingly, and corruptly did solicit, demand for the benefit of any person, accept, and agree to accept a thing of value from a person, intending to be influenced and rewarded in connection with a business, transaction, and series of transactions of the NYPD involving a thing of value of \$5,000 and more, such government and agency having received, in a one year period, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of federal assistance, to wit, VILLANUEVA accepted cash and benefits from CC-1, in exchange for expediting and approving gun licenses issued by the Licensing Division of the NYPD, as such opportunities arose.

(Title 18, United States Code, Sections 666(a)(1)(B) and 2.)

COUNT THREE
(Bribery)

The United States Attorney further charges:

5. From in or about 2014, up through and including in or about 2016, in the Southern District of New York and elsewhere, DAVID VILLANUEVA, the defendant, being an agent of a State and local government, and an agency thereof, to wit, an

NYPD officer in the Licensing Division of the NYPD, willfully, knowingly, and corruptly did solicit, demand for the benefit of any person, accept, and agree to accept a thing of value from a person, intending to be influenced and rewarded in connection with a business, transaction, and series of transactions of the NYPD involving a thing of value of \$5,000 and more, such government and agency having received, in a one year period, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of federal assistance, to wit, VILLANUEVA accepted cash and benefits from a co-conspirator not named herein ("CC-2"), in exchange for expediting and approving gun licenses issued by the Licensing Division of the NYPD, as such opportunities arose.

(Title 18, United States Code, Sections 666(a)(1)(B) and 2.)

COUNT Four
(Bribery)

The United States Attorney further charges:

6. From in or about 2005, up through and including in or about 2015, in the Southern District of New York and elsewhere, DAVID VILLANUEVA, the defendant, being an agent of a State and local government, and an agency thereof, to wit, an NYPD officer in the Licensing Division of the NYPD, willfully,

knowingly, and corruptly did solicit, demand for the benefit of any person, accept, and agree to accept a thing of value from a person, intending to be influenced and rewarded in connection with a business, transaction, and series of transactions of the NYPD involving a thing of value of \$5,000 and more, such government and agency having received, in a one year period, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of federal assistance, to wit, VILLANUEVA accepted cash and benefits from a co-conspirator not named herein ("CC-3"), in exchange for expediting and approving gun licenses issued by the Licensing Division of the NYPD, as such opportunities arose.

(Title 18, United States Code, Sections 666(a)(1)(B) and 2.)

COUNT FIVE
(Bribery)

The United States Attorney further charges:

7. From in or about 2014, up through and including in or about 2016, in the Southern District of New York and elsewhere, DAVID VILLANUEVA, the defendant, being an agent of a State and local government, and an agency thereof, to wit, an NYPD officer in the Licensing Division of the NYPD, willfully, knowingly, and corruptly did solicit, demand for the benefit of

any person, accept, and agree to accept a thing of value from a person, intending to be influenced and rewarded in connection with a business, transaction, and series of transactions of the NYPD involving a thing of value of \$5,000 and more, such government and agency having received, in a one year period, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of federal assistance, to wit, VILLANUEVA accepted cash and benefits from a co-conspirator not named herein ("CC-4"), in exchange for expediting and approving gun licenses issued by the Licensing Division of the NYPD, as such opportunities arose.

(Title 18, United States Code, Sections 666(a)(1)(B) and 2.)

COUNT SIX
(False Statements)

The United States Attorney further charges:

8. On or about April 17, 2016, in the Southern District of New York, DAVID VILLANUEVA, the defendant, in a matter within the jurisdiction of the executive branch of the Government of the United States, knowingly and willfully falsified, concealed and covered up by trick, scheme and device a material fact, and made a materially false, fictitious and fraudulent statement and representation, to wit, VILLANUEVA

falsely told Federal Bureau of Investigation officials that he had not received money or non-monetary benefits from CC-1 in connection with gun licenses issued by the NYPD Licensing Division.

(Title 18, United States Code, Section 1001.)

FORFEITURE ALLEGATIONS

9. As a result of committing one or more of the offenses alleged in Counts One through Five of this Superseding Information, DAVID VILLANUEVA, the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, which constitutes or is derived from proceeds traceable to the offenses alleged in Counts One through Five of this Superseding Information.

Substitute Asset Provision

10. If any of the above-described forfeitable property, as a result of any act or omission of DAVID VILLANUEVA, the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value;

or

(5) has been commingled with other property which

cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C.

§ 981(a)(1)(C), 21 U.S.C. § 853(p), and 28 U.S.C. § 2461(c), to

seek forfeiture of any other property of the defendant up to the

value of the above forfeitable property.

(Title 18, United States Code, Section 981,
Title 21, United States Code, Section 853, and
Title 28, United States Code, Section 2461.)



PREET BHARARA
United States Attorney

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- v. -

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Defendant.

SEALED SUPERSEDING INFORMATION

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(Title 18, United States Code, Sections
666, 371, 1001 and 2.)

PREET BHARARA

United States Attorney.
