

FILED

JAN 14 2015

State Grand Jury Judge

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ663-14-5-S

Superior Court 5 - 0 1 - 0 0 0 0 4 - S

Docket Number _____

STATE OF NEW JERSEY

v.

ANDRYS GOMEZ

PASCUAL AQUASVIVAS

FAUSTO CODIO

MARIA PERCY

LUIS PERCY

JOSE VASQUEZ

FRANK LUCIANO

JORGE ROMERO

KEILA SOSA

JENNIFER RAMIREZ

RAMON RAMIREZ

and

FRANCEL MARTINEZ

SUPERSEDING
INDICTMENT

The Grand Jurors of and for the State of New Jersey, upon
their oaths, present that:

COUNT ONE

(Conspiracy - First Degree)

ANDRYS GOMEZ

PASCUAL AQUASVIVAS

FAUSTO CODIO

MARIA PERCY

LUIS PERCY

JOSE VASQUEZ

FRANK LUCIANO

JORGE ROMERO

KEILA SOSA

JENNIFER RAMIREZ

RAMON RAMIREZ

and

FRANCEL MARTINEZ

and other persons whose identities are known and unknown to the Grand Jurors, who are coconspirators but who are not named as defendants herein, between in or about August 2009, and on or about June 29, 2010, at the City of Westfield, in the County of Union, at the City of East Rutherford, in the County of Bergen, at the City of West New York, in the County of Hudson, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crimes of Financial Facilitation of Criminal Activity and Theft by Deception, did conspire, and agree that:

A. One or more of them would engage in conduct which would constitute the aforesaid crime(s), or an attempt or solicitation

to commit such crime(s); or

B. One or more of them would aid in the planning, attempt, solicitation, or commission of the aforesaid crime(s), that is:

1. Financial Facilitation of Criminal Activity, in that one or more of them would engage in transactions involving property; in an aggregate amount of \$500,000 or more, known or which a reasonable person would believe to be derived from criminal activity, knowing that the transactions were designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of the property derived from criminal activity, contrary to the provisions of N.J.S.A. 2C:21-25b(2)(a); and

2. Theft by Deception, in that one or more of them would purposely obtain property of another by deception, by creating or reinforcing a false impression, in an amount of \$75,000 or more, contrary to the provisions of N.J.S.A. 2C:20-4a;

All contrary to the provisions of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Financial Facilitation of Criminal Activity - First Degree)

ANDRYS GOMEZ

PASCUAL AQUASVIVAS

FAUSTO CODIO

MARIA PERCY

LUIS PERCY

JOSE VASQUEZ

FRANK LUCIANO

JORGE ROMERO

KEILA SOSA

JENNIFER RAMIREZ

RAMON RAMIREZ

and

FRANCEL MARTINEZ

between in or about August 2009, and on or about June 29, 2010, at the City of Westfield, in the County of Union, at the City of East Rutherford, in the County of Bergen, at the City of West New York, in the County of Hudson, at the City of Paterson, in the County of Passaic, elsewhere, and within the jurisdiction of this Court, did engage in transactions involving property, to wit: funds in an amount of \$500,000 or more, known or which a reasonable person would believe to be derived from criminal activity, knowing that the transactions were designed in whole or

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in part to conceal or disguise the nature, location, source, ownership or control of the property derived from criminal activity, that is, the said ANDRYS GOMEZ, PASCUAL AQUASVIVAS, FAUSTO CODIO, MARIA PERCY, LUIS PERCY, JOSE VASQUEZ, FRANK LUCIANO, JORGE ROMERO, KEILA SOSA, JENNIFER RAMIREZ, RAMON RAMIREZ, and FRANCEL MARTINEZ, did engage in one or more transactions of issuing checks, check deposits, wire transfers, and cash withdrawals, involving funds in an aggregate amount of \$500,000 or more, known to be derived from criminal activity, knowing that the transactions were designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of the property derived from criminal activity, contrary to the provisions of N.J.S.A. 2C:21-25b(2)(a), N.J.S.A. 2C:21-27a, and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Theft by Deception - Second Degree)

ANDRYS GOMEZ

PASCUAL AQUASVIVAS

FAUSTO CODIO

MARIA PERCY

LUIS PERCY

JOSE VASQUEZ

FRANK LUCIANO

JORGE ROMERO

KEILA SOSA

JENNIFER RAMIREZ

RAMON RAMIREZ

and

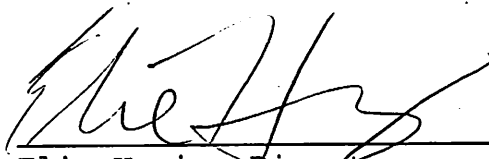
FRANCEL MARTINEZ

between in or about August 2009, and on or about June 29, 2010,
at the City of Westfield, in the County of Union, at the City of
East Rutherford, in the County of Bergen, at the City of West New
York, in the County of Hudson, at the City of Paterson, in the
County of Passaic, elsewhere, and within the jurisdiction of this
Court, purposely did obtain the property of another by deception,
in an amount of \$75,000 or more, to wit: approximately
\$402,903.70, \$274,274.40, and \$247,960.67, by creating or
reinforcing the false impression to the lenders, P.M.C. and

B.O.A., and whose identities are known to the Grand Jurors, that the information reported in the mortgage applications and U.S. Department of Housing and Urban Development (HUD) settlement forms for the sale and purchase of properties located at 21 Jersey Street, East Rutherford, New Jersey, 71-73 Putnam Street, Paterson, New Jersey, and 496 Summer Street, Paterson, New Jersey were true and accurate,

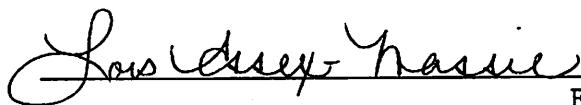
WHEREAS IN TRUTH AND IN FACT, as the said ANDRYS GOMEZ, PASCUAL AQUASVIVAS, FAUSTO CODIO, MARIA PERCY, LUIS PERCY, JOSE VASQUEZ, FRANK LUCIANO, JORGE ROMERO, KEILA SOSA, JENNIFER RAMIREZ, RAMON RAMIREZ, and FRANCEL MARTINEZ, well knew, that the information reported in the mortgage applications and U.S. Department of Housing and Urban Development (HUD) settlement forms, were not true and accurate, causing the said lenders, P.M.C. and B.O.A. to approve a loan application for mortgages in an amount of \$75,000 or more, to wit: approximately \$402,903.70, \$274,274.40, and \$247,960.67, contrary to the provisions of

N.J.S.A. 2C:20-4a, and N.J.S.A. 2C:2-6, and against the peace of
this State, the government and dignity of the same.



Elie Honig, Director
Division of Criminal Justice

A TRUE BILL:



Foreperson

Dated: 1/14/15

FILED

JAN 14 2015

State Grand Jury Judge

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ663-14-5-S

Superior Court

Docket Number

15 - 01 - 00004 - S

STATE OF NEW JERSEY)

v.)

ORDER OF VENUE

ANDRYS GOMEZ)

PASCUAL AQUASVIVAS)

FAUSTO CODIO)

MARIA PERCY)

LUIS PERCY)

JOSE VASQUEZ)

FRANK LUCIANO)

JORGE ROMERO)

KEILA SOSA)

JENNIFER RAMIREZ)

RAMON RAMIREZ)

and)

FRANCEL MARTINEZ)

An Indictment having been returned to this Court by the
State Grand Jury in the above captioned matter,

IT IS ORDERED on this 14th day of January, 2015,
pursuant to paragraph 8 of the State Grand Jury Act, that the

County of Union be and hereby is designated as the County of venue for the purpose of trial..

IT IS FURTHER ORDERED that the Clerk of the Superior Court shall transmit forthwith the Indictment in this matter and a certified copy of this Order to the Criminal Division Manager of the County of Union for filing.


Pedro J. Jimenez, Jr., J.S.C.