

FILED
FEB 25 2015
State Grand Jury Judge

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury
Number SGJ663-15-12
Superior Court
Docket Number 5-02-00025-3

)
STATE OF NEW JERSEY)
v.)
HAROLD STEPHENS,) INDICTMENT
MICHAEL CALDWELL,)
and)
JANILYN ROMAN.)

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

COUNT ONE

(Conspiracy - First Degree)

HAROLD STEPHENS

MICHAEL CALDWELL

and

JANILYN ROMAN

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 on or about June 1, 2009 and on or

about September 1, 2014, at diverse locations, in the Counties of Atlantic, Bergen, Essex, Hudson, Hunterdon, Mercer, Middlesex, Morris, Somerset, and Union, 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, Theft by Deception, or Forgery, did agree that:

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

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

1. Financial Facilitation of Criminal Activity, in that one or more of them would transport or possess property, with a value in excess of \$500,000, to wit: counterfeit checks and funds fraudulently withdrawn from the bank accounts in which those counterfeit checks were deposited, which they knew to be, or which a reasonable person would believe to be, derived from criminal activity, namely, Theft by Deception, in violation of N.J.S.A. 2C:20-4, Forgery, in violation of N.J.S.A. 2C:21-1, and Conspiracy to commit the same, in violation of N.J.S.A. 2C:5-2, contrary to the provisions of N.J.S.A. 2C:21-25(a), N.J.S.A. 2C:21-27(a), and N.J.S.A. 2C:2-6;

2. Financial Facilitation of Criminal Activity, in that one or more of them would engage in one or more transactions

involving property with a value in excess of \$500,000, to wit: counterfeit checks and funds fraudulently withdrawn from the bank accounts in which those counterfeit checks were deposited, which the said HAROLD STEPHENS, MICHAEL CALDWELL, and JANILYN ROMAN knew or which a reasonable person would believe to be derived from criminal activity, namely Theft By Deception, in violation of N.J.S.A. 2C:20-4, Forgery, in violation of N.J.S.A. 2C:21-1, and Conspiracy to commit the same, in violation of N.J.S.A. 2C:5-2, with the intent to facilitate or promote the criminal activity or 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:21-25(b) (1), N.J.S.A. 2C:21-25(b) (2), N.J.S.A. 2C:21-27(a), and N.J.S.A. 2C:2-6;

3. Theft by Deception, in that one or more of them would purposely obtain property with a value in excess of \$75,000 by deception, that is, by presenting and depositing counterfeit checks into bank accounts held at various banking and financial institutions and then withdrawing funds, to wit: approximately \$700,000, fraudulently obtained from the deposit of the said counterfeit checks, by creating or reinforcing the false impression that those counterfeit checks were legitimate checks authorized by the various payors, contrary to the provisions of

N.J.S.A. 2C:20-4 and N.J.S.A. 2C:2-6; or

4. Forgery, in that one or more of them, with the purpose to defraud or injure anyone, or with knowledge that they were facilitating a fraud or injury to be perpetrated by anyone, knowingly would utter as true the writing of another which they knew to be forged; that is, the said HAROLD STEPHENS, MICHAEL CALDWELL, and JANILYN ROMAN did present as authentic to one or more banking institutions and deposit one or more checks, knowing these checks to be forged or falsely made and that the payor did not authorize the negotiation of the checks, contrary to the provisions of N.J.S.A. 2C:21-1a(3) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

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)

HAROLD STEPHENS

MICHAEL CALDWELL

and

JANILYN ROMAN

between on or about June 1, 2009 and on or about September 1, 2014, at diverse locations, in the Counties of Atlantic, Bergen, Essex, Hudson, Hunterdon, Mercer, Middlesex, Morris, Somerset, and Union, elsewhere, and within the jurisdiction of this Court, knowingly did commit the offense of Financial Facilitation of Criminal Activity, in that the said HAROLD STEPHENS, MICHAEL CALDWELL, and JANILYN ROMAN did transport or possess property, with a value in excess of \$500,000, that was known to be, or which a reasonable person would believe to be, derived from criminal activity, that is, the said HAROLD STEPHENS, MICHAEL CALDWELL, and JANILYN ROMAN, did transport or possess property, with a value in excess of \$500,000, to wit: counterfeit checks or and funds fraudulently withdrawn from the bank accounts in which those counterfeit checks were deposited, which they knew to be, or which a reasonable person would believe to be, derived from criminal activity, namely, Theft by Deception, in violation of N.J.S.A. 2C:20-4, Forgery, in violation of N.J.S.A. 2C:21-1, and Conspiracy to commit the same, in violation of N.J.S.A. 2C:5-2,

contrary to the provisions of N.J.S.A. 2C:21-25(a), N.J.S.A.
2C:21-27(a), and N.J.S.A. 2C:2-6, and against the peace of this
State, the government and dignity of the same.

COUNT THREE

(Financial Facilitation of Criminal Activity - First Degree)

HAROLD STEPHENS

MICHAEL CALDWELL

and

JANILYN ROMAN

between on or about June 1, 2009 and on or about September 1, 2014, at diverse locations, in the Counties of Atlantic, Bergen, Essex, Hudson, Hunterdon, Mercer, Middlesex, Morris, Somerset, and Union, elsewhere, and within the jurisdiction of this Court, did knowingly engage in one or more transactions involving property with a value in excess of \$500,000, that the said HAROLD STEPHENS, MICHAEL CALDWELL, and JANILYN ROMAN knew to be, or which a reasonable person would believe to be, derived from criminal activity, with the intent to facilitate or promote the criminal activity or 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 said criminal activity, that is, the said HAROLD STEPHENS, MICHAEL CALDWELL, and JANILYN ROMAN did present and deposit counterfeit checks payable to one or more third parties, having an aggregate value in excess of \$500,000, to wit: approximately \$1,650,000, into one or more bank accounts in the name of the said third parties, whose names are both known and unknown to the Grand

Jurors, and then did subsequently withdraw funds, to wit: approximately \$700,000, drawn on those counterfeit checks from various banking and financial institutions, in order to purchase money orders, gift cards, other negotiable instruments, goods, information or services, including supplies and third party banking information, knowing those counterfeit checks and the funds drawn on those counterfeit checks were derived from criminal activity, namely, Theft by Deception, in violation of N.J.S.A. 2C:20-4, Forgery, in violation of N.J.S.A. 2C:21-1, and Conspiracy to commit the same, in violation of N.J.S.A. 2C:5-2; and that the transactions involving those counterfeit checks were made with the intent to facilitate or promote the criminal activity or designed in whole or in part to conceal or disguise the nature, location, source, ownership or control of the checks and funds derived from the criminal activity, contrary to the provisions of N.J.S.A. 2C:21-25(b)(1), N.J.S.A. 2C:21-25(b)(2), N.J.S.A. 2C:21-27(a), and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Financial Facilitation of Criminal Activity - First Degree)

HAROLD STEPHENS

between on or about June 1, 2009 and on or about September 1, 2014, at diverse locations, in the Counties of Atlantic, Bergen, Essex, Hudson, Hunterdon, Mercer, Middlesex, Morris, Somerset, and Union, elsewhere, and within the jurisdiction of this Court, knowingly did commit the offense of Financial Facilitation of Criminal Activity, in that said HAROLD STEPHENS did direct, organize, finance, plan, manage, supervise, or control the transportation of or transactions in property, with a value in excess of \$500,000, which he knew to be, or which a reasonable person would believe to be, derived from criminal activity, that is, the said HAROLD STEPHENS did direct, organize, finance, plan, manage, supervise, or control the transportation of or transactions involving property which he knew to be derived from criminal activity, namely, Theft by Deception, in violation of N.J.S.A. 2C:20-4, Forgery, in violation of N.J.S.A. 2C:21-1, and Conspiracy to commit the same, in violation of N.J.S.A. 2C:5-2, to wit: counterfeit checks having a value of approximately \$1,650,000 and approximately \$700,000 in funds drawn on those counterfeit checks, contrary to the provisions of N.J.S.A. 2C:21-25(c), N.J.S.A. 2C:21-27(a), and N.J.S.A. 2C:2-6, and against the

peace of this State, the government and dignity of the same.

COUNT FIVE

(Theft by Deception - Second Degree)

HAROLD STEPHENS

MICHAEL CALDWELL

and

JANILYN ROMAN

between on or about June 1, 2009 and on or about September 1, 2014, at diverse locations, in the Counties of Atlantic, Bergen, Essex, Hudson, Hunterdon, Mercer, Middlesex, Morris, Somerset, and Union, elsewhere, and within the jurisdiction of this Court, did purposely obtain property with a value in excess of \$75,000 by deception, that is, the said HAROLD STEPHENS, MICHAEL CALDWELL, and JANILYN ROMAN did present and deposit counterfeit checks into bank accounts held at various banking and financial institutions and then withdraw funds fraudulently obtained from the deposit of those counterfeit checks, to wit: approximately \$700,000, by creating or reinforcing the false impression that the deposited counterfeit checks were legitimate checks authorized by the payors, contrary to the provisions of N.J.S.A. 2C:20-4, and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SIX

(Forgery - Third Degree)

HAROLD STEPHENS

MICHAEL CALDWELL

and

JANILYN ROMAN

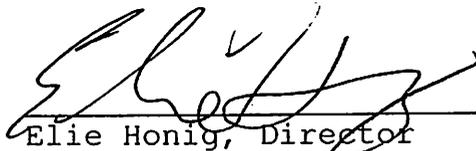
between on or about June 1, 2009 and on or about September 1, 2014, at diverse locations, in the Counties of Atlantic, Bergen, Essex, Hudson, Hunterdon, Mercer, Middlesex, Morris, Somerset, and Union, elsewhere, and within the jurisdiction of this Court, with the purpose to defraud or injure anyone, or with knowledge that they were facilitating a fraud or injury to be perpetrated by anyone, knowingly did utter as true the writing of another which they knew to be forged; that is, the said HAROLD STEPHENS, MICHAEL CALDWELL, and JANILYN ROMAN did present as authentic to one or more banking institutions and deposit one or more checks, identified to the Grand Jurors, knowing those checks to be forged or falsely made and that the payor did not authorize the negotiation of the checks, contrary to the provisions of N.J.S.A. 2C:21-1a(3) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SEVEN

(Forgery - Third Degree)

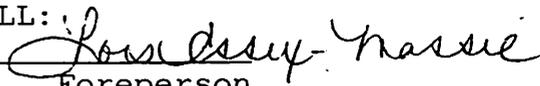
HAROLD STEPHENS

between on or about June 1, 2009 and on or about September 1, 2014, at the City of Newark, in the County of Essex, at the City of Elizabeth, in the County of Union, elsewhere, and within the jurisdiction of this Court, with the purpose to defraud or injure anyone, or with knowledge that he was facilitating a fraud or injury to be perpetrated by anyone, knowingly did make or execute a writing so that it purported to be the act of another who did not authorize that act; that is, the said HAROLD STEPHENS did make or execute one or more forged, counterfeit checks, identified to the Grand Jurors, which purported to be checks issued by various payor(s) who the said HAROLD STEPHENS knew did not authorize the counterfeit checks contrary to the provisions of N.J.S.A. 2C:21-1a(2), 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: 2/25/15

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State Grand Jury Judge

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

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STATE OF NEW JERSEY)
v.)
HAROLD STEPHENS)
MICHAEL CALDWELL)
and)
JANILYN ROMAN)

ORDER OF VENUE

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

IT IS ORDERED on this *25th* day of *February*, 2015, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Middlesex 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 Middlesex for filing.

Mary C. Jacobson, A.J.S.C.
Mary C. Jacobson, A.J.S.C.