

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL PART
BURLINGTON COUNTY
PROMIS GAVEL No. 06-0480 (3)
ACCUSATION No. 2007-05-0869-A

STATE OF NEW JERSEY

v.

RICHARD TOCCHET

CRIMINAL ACTION
ACCUSATION

RICHARD TOCCHET, being charged upon oath with one count of Conspiracy contrary to N.J.S.A. 2C:5-2, and one count of Promoting Gambling contrary to N.J.S.A. 2C:37-2; having in writing waived indictment and trial by jury and having requested to be tried before this Court, and said request having been granted;

The State of New Jersey, Division of Criminal Justice, through its attorneys, Supervising Deputy Attorney General Mark G. Eliades and Robert B. Leaman, Assistant Attorney General, alleges that:

COUNT ONE

(Conspiracy - Third Degree)

RICHARD TOCCHET

and other individuals whose identities are known to the State, including but not limited to James Harney and James Ulmer, who are coconspirators but are not named as defendants within this Accusation, between in or about or about September 2002, and in or about February 2006, at the Township of Evesham, at the Township of Moorestown, at the Township of Mount Laurel, all in the County of Burlington; at the State of Arizona, elsewhere and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crime of Promoting

Gambling, did agree together that:

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

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

1. Promoting Gambling, in that one or more of them knowingly would accept or receive money or other property, pursuant to an agreement or understanding with any person, whereby one or more of them would participate in the proceeds of gambling activity and/or would engage in conduct which would materially aid gambling activity, by engaging in or materially aiding bookmaking to the extent that one or more of them received or accepted in any one day more than five bets totaling more than \$1,000, contrary to the provisions of N.J.S.A. 2C:37-2a, N.J.S.A. 2C:37-2b(1), and N.J.S.A. 2C:2-6;

OVERT ACT

The State does further present that in pursuance of the said conspiracy, the following Overt Act, among others was committed:

1. On or about January 1, 2006, at the Township of Mount Laurel, in the County of Burlington, and the State of Arizona, RICHARD TOCCHET and James Harney, a co-conspirator who is not named as a defendant in this Accusation, did accept approximately seventeen (17) wagers on professional football games in the approximate amount of \$40,000 from an individual whose identity is known the State.

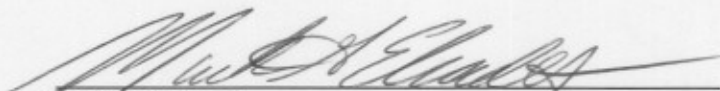
All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Promoting Gambling - Third Degree)

RICHARD TOCCHET

between in or about or about September 2002, and in or about February 2006, at the Township of Evesham, at the Township of Moorestown, at the Township of Mount Laurel, all in the County of Burlington; at the State of Arizona, elsewhere and within the jurisdiction of this Court, did promote gambling by knowingly accepting or receiving money or other property, pursuant to an agreement or understanding with any person whereby the said RICHARD TOCCHET did knowingly participate in the proceeds of gambling activity and/or did engage in conduct which materially aided gambling activity, by engaging in or materially aiding bookmaking to the extent that the said RICHARD TOCCHET received or accepted in any one day more than five bets totaling more than \$1,000, on college and professional football and basketball games; and did share in the monetary proceeds profited by the gambling activity, contrary to the provisions of N.J.S.A. 2C:37-2a, N.J.S.A. 2C:37-2b(1), and N.J.S.A. 2C:2-6; and against the peace of this State, the government and dignity of the same.



Mark G. Eliades
Supervising Deputy Attorney General
Division of Criminal Justice