



U.S. Department of Justice

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Southern District of New York*

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April 20, 2015

TO BE FILED UNDER SEAL

BY EMAIL

The Honorable Richard J. Sullivan
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: **United States v. Anthony Zoccolillo,**
13 Cr. 340 (RJS)

Dear Judge Sullivan:

The Government respectfully submits this letter to advise the Court of the pertinent facts concerning the assistance that defendant Anthony Zoccolillo has rendered in the investigation and prosecution of other persons. In light of these facts, and assuming that the defendant continues to comply with the terms of his cooperation agreement, commits no additional crimes before sentencing, and appears for his sentencing as scheduled, the Government intends to move at sentencing, pursuant to Section 5K1.1 of the Sentencing Guidelines and Section 3553(e) of Title 18, United States Code, that the Court sentence the defendant in light of the factors set forth in Section 5K1.1(a)(1)-(5) of the Guidelines.

Background

A. **The Investigation and Procedural History**

In 2011 and 2012, the Federal Bureau of Investigation ("FBI") and the New York City Police Department ("NYPD") had a joint investigation into an Albanian gang called the Wolfpack that was operating in the Bronx, New York. Based on information and recordings from a confidential source, wiretaps and surveillance, the FBI determined that the Wolfpack was operating drug routes in the Bronx. Namely, the Wolfpack maintained two phones dedicated to the sale of cocaine and marijuana, respectively; customers called the phones to purchase either cocaine or marijuana; and the Wolfpack delivered the cocaine or marijuana to customers by car. The investigation revealed that members of the Wolfpack also distributed prescription pills, though they more frequently purchased prescription pills for their own use.

Thirteen members and associates of the Wolfpack were arrested in August and September 2012 and were charged with narcotics and weapons offenses in Indictment 12 Cr. 600, which proceeded before Judge Daniels. All thirteen defendants have pleaded guilty and been sentenced.

Thereafter, the Government was also able to identify the Wolfpack's source of supply. More specifically, the Government learned that Salvatore Larca had sent the defendant, Anthony Zoccolillo to California to find marijuana suppliers. Zoccolillo successfully located marijuana suppliers, including Matthew Strock and Kenneth Owen, a/k/a "Rabbit," and made arrangements to purchase large quantities of marijuana from them. Thomas Donahue and Mitch Engelson then arranged for the marijuana to be shipped to New York.

On or about February 20, 2013, Zoccolillo was charged by Complaint with one count of conspiracy to distribute marijuana. On or about November 13, 2013, the defendant entered a plea of guilty to an information charging him with (i) one count of conspiracy to distribute 1,000 kilograms and more of marijuana, in violation of Title 21, United States Code, Section 846 and 841(b)(1)(A); (ii) one count of conspiracy to distribute oxycodone, in violation of Title 21, United States Code, Section 846 and 841(b)(1)(C); and (iii) one count of operating a bookmaking business, in violation of Title 18, United States Code, Section 1955. Following his plea, the defendant was remanded and he has been in custody since that time.

B. Offense Conduct

In approximately 2005, Zoccolillo moved back to the Bronx from California, where he had been incarcerated in connection with a mortgage fraud. He became close during this period with Salvatore Larca, a Genovese soldier operating in the Morris Park area of the Bronx. Larca eventually made Zoccolillo part of his crew and charged Zoccolillo with securing marijuana from the West Coast.

Zoccolillo moved back to San Diego and used his contacts from his mortgage days to identify marijuana suppliers. Zoccolillo began shipping pounds of marijuana back to the East Coast through the United States mail. He sent marijuana to Larca as well as to Ernie Aiello, a high-ranking member of the Bonanno family, Vincent Basciano, Jr., the son of Vincent "Vinnie Gorgeous" Basciano, the former acting boss of the Bonanno family, and others. In 2011, Zoccolillo returned to the Bronx.

Around that time, Larca began purchasing 50 to 100 pounds of marijuana per month from Mitch Engelson. Engelson and Thomas Donahue used freight forwarders to ship large amounts of marijuana from Northern California to a warehouse in Queens.

In the Spring of 2012, Larca learned that Engelson and Donahue had lost their marijuana supplier in California. With Zoccolillo's assistance, Larca identified new suppliers in Humboldt County, California, and made arrangements to purchase marijuana from those suppliers and to sell it in California to Engelson and Donahue. Larca and Zoccolillo made it appear that they were only brokering the transactions, which generated a small fee, and did not disclose that they were purchasing the marijuana for \$1,700 per pound and re-selling it to Engelson and Donahue at \$1,900 per pound. Engelson and Donahue then shipped the marijuana to Queens, where it was

repurchased by Larca for \$2,500 per pound. Larca then sold the marijuana to lower-level distributors and street level dealers in the Bronx and Westchester for anywhere from \$3,300 to \$4,000 per pound. Over time, the size of the shipments went up from approximately 50 to 100 pounds per month to approximately 100 to 200 pounds per month.

On multiple occasions, Zoccolillo travelled to San Francisco to arrange for the sale and delivery of hundreds of pounds of marijuana to Donahue, who picked the marijuana up in Humboldt County and coordinated the shipment of the marijuana from San Francisco to New York. Zoccolillo, he used a broker, Matthew Strock, to find marijuana in California. Strock also arranged for Zoccolillo to buy additional marijuana with the “profit” — the \$200 per pound that Larca and Zoccolillo made when they sold the marijuana to Donahue. Strock shipped the “profit” marijuana through the United States mail to addresses Larca gave to Zoccolillo.

In roughly July 2012, Zoccolillo had a falling out with Donahue because he told Donahue he had 150 pounds of marijuana that was ready to be picked up from a grower, but after Donahue drove to meet the grower with hundreds of thousands of dollars in cash in his truck, Donahue and Zoccolillo learned that the grower did not actually have all of the promised marijuana. From this point forward, Donahue refused to deal with Zoccolillo. Larca then had Vinnie Bruno take over Zoccolillo's job of travelling to California to arrange for the sale of marijuana to Donahue. Bruno did not use his real name with Donahue and Strock, but rather posed as “Mike from Queens.”

Notwithstanding the business relationship between Larca and Donahue, in the early summer of 2012, Larca decided to burglarize the California warehouse where Donahue was storing marijuana/marijuana proceeds. Larca initially considered having the burglary completed by Christopher Nrecaj, one of the Wolfpack defendants (indeed, Larca, Nrecaj and Zoccolillo met in the Bronx to discuss the plan), but Larca ultimately sent Zoccolillo and Vinnie Bruno. On July 31, 2012, Zoccolillo and Bruno flew to California to commit the burglary, but their plan was thwarted when they were spotted by a neighbor of the warehouse and threatened off the property at gunpoint.

In February 2013, after Bruno was arrested and detained, Larca turned back to Zoccolillo for assistance in supplying marijuana to Donahue. Larca gave Zoccolillo a cellphone and instructed Zoccolillo to pose as “Mike from Queens” and to use the phone to communicate by text message with Donahue and Strock.

In addition to the marijuana shipments described above, Zoccolillo also sold marijuana to numerous other dealers, including Christopher Nrecaj, Frankie Frokaj, and Elon Valentine.

For a roughly six month period in 2012, Zoccolillo also sold Roxycodone pills that contained 30 milligrams of OxyContin. Zoccolillo got prescriptions from a “Dr. Brizer” in Nyack, New York and sold the pills and scripts to others, including Jason Villalona — a defendant in the Wolfpack case who was intercepted numerous times on wiretaps discussing Roxycodone sales.

Zoccolillo has helped operate sports sheets with Larca and Aiello, though his role did not involve collecting money or using force.

C. Zoccolillo's Substantial Assistance:

Proactive Cooperation:

Zoccolillo began cooperating immediately upon his arrest, met with the Government on dozens of occasions, and worked proactively to make hundreds of in-person and consensual telephone recordings. In total, Zoccolillo's cooperation led to charges against more than a dozen individuals who could not otherwise have been charged and was useful to the Government in negotiating pleas and making sentencing arguments for several other individuals.

More specifically, information provided, and consensual recordings made by Zoccolillo resulted in the following indictments against the following individuals:¹

United States v. Salvatore Larca, et. al., (13 Cr. 340)(RJS)

- Salvatore Larca
- Mitch Engelson
- Thomas Donahue
- Matthew Strock

United States v. Vincent Basciano, et al., (13 Cr. 340)(RJS)

- Vincent Basciano, Jr.
- Stephen Basciano
- George Kokenyei
- Joseph Basciano
- Elon Valentine

United States v. Dominick Deluccia, (13 Cr. 340)(RJS)

- Dominick Deluccia

United States v. Kenneth Owen, (13 Cr. 340)(RJS)

- Kenneth Owen

United States v. Pasquale Falcetti, et al., (13 Cr. 716)(LGS)

- Pasquale Falcetti
- Thomas Joy

United States v. Vincent Bruno, (13 Cr. 120)(KMW)²

- Vincent Bruno

¹ A chart summarizing the sentences received by defendants in cases in which Zoccolillo's information was used is attached hereto as Exhibit A.

² The original Indictment was brought prior to Zoccolillo's cooperation. A Superseding Indictment charging a second and wholly separate narcotics conspiracy resulted from Zoccolillo's cooperation.

Zoccolillo's assistance provided the principle evidence in each and every one of these investigations and none of these cases would have been brought without Zoccolillo's extraordinary cooperation. Indeed, the Government initiated its investigation into these targets solely as the result of information provided by Zoccolillo and had no other evidence against these targets prior to Zoccolillo's initial proffer. As described above, and as Your Honor is aware from presiding over the majority of these cases, the charges in these cases arose from a far reaching, cross-country marijuana trafficking conspiracy run by Genovese soldier Salvatore Larca. Larca and Zoccolillo received an extortionate loan from Genovese Capo Pasquale Falcetti and his partner Thomas Joy in order to fund the marijuana business. Larca then arranged to purchase vast quantities of marijuana in California and to ship it – sometimes hundreds of pounds at a time – to New York. Once in New York the marijuana was sold to numerous other individuals for further distribution. Larca's customers included Vincent Basciano, Jr., Joseph Basciano, and Stephen Basciano – the three sons of Vincent "Vinnie Gorgeous" Basciano, the former acting boss of the Bonanno family. Larca also supplied marijuana to the Wolfpack – a violent Albanian gang who defended their territory with scalpels and guns – and who distributed marijuana and other narcotics in the Bronx.

Provision of Other Information:

In addition to providing information and making consensual recordings in the above matters, Zoccolillo also provided significant other information to federal law enforcement.

- As referenced above, Zoccolillo provided historical information about narcotics trafficking by members of the Wolfpack which was of great assistance to the Government in negotiating plea offers and making sentencing arguments.

- [REDACTED]

Testimony:

Finally, Zoccolillo has remained ready and willing to testify in any of the cases in which he provided information, and indeed, was scheduled to testify in Fatico hearings against both Vincent Basciano, Jr. and Pasquale Falcetti. Zoccolillo met with the Government to prepare for those hearings, but the need for the hearings was ultimately mooted as a result of a resolution of the disputed facts by the parties.

[REDACTED]

[REDACTED]

[REDACTED]

Personal Risk:

More so than the vast majority of cooperators, Zoccolillo has cooperated at great risk to himself and at significant cost to his loved ones. The individuals against whom Zoccolillo cooperated are dangerous and violent criminals who would not hesitate to retaliate against cooperating witnesses.

Members of the Wolfpack routinely carry guns, scalpels and other weapons, and have engaged in violence – including shootings – against rivals. Indeed, multiple members of the Wolfpack were found with firearms on their persons at the time of their arrest. The Wolfpack also has a history of retaliating and attempting to retaliate against cooperating witnesses. For example, after members of the Wolfpack were arrested, Vincent Bruno suspected that another individual (“Individual-1”) was cooperating with law enforcement. Bruno went to Individual-1’s home and beat Individual-1 with a pipe.

Members and associates of Italian organized crime are similarly known to retaliate against cooperating witnesses. [REDACTED]

Indeed, the Government has learned that shortly after the first wave of arrests on indictment 13 Cr. 340, a subject of the investigation contacted multiple individuals, including Zoccolillo’s family, in order to attempt to locate Zoccolillo ([REDACTED]). In addition, after the first wave of arrests, one of the arrested individuals was overheard telling Salvatore Larca, “He [Zoccolillo] really f—ked us. I didn’t realize until I saw the Facebook thing. I should beat his ass, that little f—k. You know that they are not gonna let us leave this place, cause we are a threat to him.” Since that time, Zoccolillo’s cooperation has been repeatedly made public through, among other avenues, the organized crime newsletter “Gangland,” which named him the most effective mob turncoat of the year.⁴

[REDACTED]

⁴ A copy of the Gangland issue referenced above is attached hereto as Exhibit C.

[REDACTED]

[REDACTED]

Zoccolillo's Positive Attitude:

As described above, Zoccolillo began cooperating from the very beginning. But even beyond the timing and extent of his cooperation, Zoccolillo has been a model cooperater. Zoccolillo has been completely and exhaustively forthcoming and honest from the get-go. He has never minimized his own criminal conduct or withheld any information in his possession about others. He willingly made recordings against more than 25 individuals, often at risk to himself. Notwithstanding (i) the complete disruption of his life; (ii) the need for him to [REDACTED] and later to deal with a complicated medical issue while incarcerated; (iii) the repeated disruption as Zoccolillo has been transferred back and forth within the Bureau of Prisons in order to make him available to prepare for Fatico hearings and trial testimony, Zoccolillo has maintained a positive attitude throughout and has been a pleasure to deal with. [REDACTED]

[REDACTED]

[REDACTED]

Conclusion

In light of the information set forth above, and assuming that the defendant continues to comply with the terms of his cooperation agreement, commits no additional crimes before sentencing, and appears for his sentencing as scheduled, the Government intends to move at sentencing, pursuant to Section 5K1.1 of the Sentencing Guidelines, that the Court sentence the defendant in light of the factors set forth in Section 5K1.1(a)(1)-(5) of the Guidelines.

Respectfully submitted,

PREET BHARARA
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Exhibit A

Defendant	Charge	Sentence
United States v. Christopher Nrecaj, et al, 12 Cr. 600 (GBD)		
Christopher Nrecaj	(b)(1)(B) & 924(c)	168 months' imprisonment
David Nrecaj	(b)(1)(B) & 924(c)	120 months' imprisonment
Frankie Frokaj	(b)(1)(A)	135 months' imprisonment
Deda Frokaj	(b)(1)(B)	63 months' imprisonment
Corry Lombardi	(b)(1)(B)	70 months' imprisonment
Joseph Camaj	(b)(1)(B)	70 months' imprisonment
Driton Haxhijaj	(b)(1)(B)	60 months' imprisonment
Maria Mangiardi	(b)(1)(B)	Time served
Joseph Mitchell	(b)(1)(B)	Time served
George Cekaj	(b)(1)(C) [career offender]	151 months' imprisonment
Stephen Crivillaro	(b)(1)(D)	2 years' probation
Alberto Spagnuolo	(b)(1)(D)	3 years' probation
Jason Villalona	(b)(1)(C)	3 years' probation
United States v. Salvatore Larca, et al., 13 Cr. 340 (RJS)		
Salvatore Larca	(b)(1)(B)	102 months' imprisonment
Mitch Engleson	(b)(1)(B)	108 months' imprisonment
Thomas Donahue	(b)(1)(B)	102 months' imprisonment
Matthew Strock	(b)(1)(A)	Time served (appx. 10 months) + 30 days
United States v. Vincent Basciano, S3 13 Cr. 340 (RJS)		
Vincent Basciano, Jr.	(b)(1)(C)	24 months' imprisonment
Stephen Basciano	(b)(1)(C)	42 months' imprisonment
George Kokenyei	(b)(1)(C)	36 months' imprisonment
Joseph Basciano	(b)(1)(D)	6 months' imprisonment
Elon Valentine	(b)(1)(C)	72 months' imprisonment
United States v. Dominick Deluccia, S4 13 Cr. 340 (RJS)		
Dominick Deluccia	(b)(1)(D)	18 months' imprisonment
United States v. Kenneth Owen, S5 13 Cr. 340 (RSJ)		
Kenneth Owen	(b)(1)(C)	27 months' imprisonment
United States v. Vincent Bruno, 13 Cr. 120 (KMW)		
Vincent Bruno	(b)(1)(B)	108 months' imprisonment
United States v. Pasquale Falcetti, et al. 13 Cr. 716 (LGS)		
Pasquale Falcetti	18 U.S.C. §892	30 months' imprisonment
Thomas Joy	18 U.S.C. §892	14 months' imprisonment