



SEP-23-2014 18:41

JUDGE GARAUFI'S USDC

718 613 2546 P.002

Dominick Cicale

July 25, 2014

Honorable Judge Nicholas Garaufis  
Brooklyn Federal Court  
225 Cadman Plaza East #130  
Brooklyn, NY 11201

RECEIVED

AUG 04 2014  
In the Chambers of  
Judge  
Nicholas G. Garaufis

Dear Judge Garaufis;

I would once again like to express my thanks for your leniency in sentencing me. You have provided me with a second chance in life.

Your Honor, I have been taking life extremely slow—just one day at a time. Life has been challenging, but I am happy for my blessings. I have not been working due to the fact that I am currently under a doctor's care. In [redacted] that left me with 11 herniated disks in my back. Even though my physical ability is now limited, I am grateful to be alive.

Your Honor, I have one serious concern that relates to my mandated 1,000 hours of community service. Humbly, I request that Your Honor strongly consider vacating that condition of the court's sentence. [redacted] and therefore performing community service could place me in an extremely precarious position. I would be around other felons who would then know my name, hours, and location of my volunteer work which could expose me to great risk not mention my family. I can then be easily followed [redacted] And now because of my physical limitations, I'm facing even more challenges.

However, I have found another solution, but I would need Your Honor's approval. I would like to do volunteer fundraising work for [redacted]

[redacted] I could do the volunteer work out of the safety of my own home, thus I will not be placing myself in danger. Also, I would love the opportunity to help [redacted]

I hope you can assist me with this potentially life-threatening problem.

Best Regards,

*Dominick Cicale*  
Dominick Cicale



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

EAG:NMA  
F. #2005R0060

*271 Cadman Plaza East  
Brooklyn, New York 11201*

December 9, 2014

**Filed Under Seal**

By ECF

The Honorable Nicholas G. Garaufis  
United States District Court Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York

Re: United States v. Dominick Cicale  
Criminal Docket No. 05-60 (S-4) (NGG)

Dear Judge Garaufis:

By letter filed August 4, 2014, the defendant moves to vacate the community service portion of the sentence imposed in the above-captioned matter, or, in the alternative, perform volunteer fundraising work [REDACTED]. After conferring with the defendant's Probation Officer, the government respectfully submits that the defendant's requests should be denied.

The defendant pled guilty to, among other crimes, (1) racketeering conspiracy, including predicates act of murder and murder conspiracy, (2) murder in-aid-of racketeering related to the murder of Frank Santoro, (3) murder in-aid-of racketeering related to the murder of Randy Pizzolo, and (4) assault in-aid-of racketeering related to the assault of John Doe #1, an individual whose identity is known to the government. At sentencing, the government made a motion pursuant to U.S.S.G. § 5K1.1 and 18 U.S.C. § 3553(f) based upon the defendant's substantial assistance to the government in the prosecution of other individuals, including Bonanno family acting bosses Vincent Basciano and Michael Mancuso. The Court sentenced the defendant to 120 months' imprisonment on all counts, to run concurrently, and five years' supervised release, which included a condition that the defendant complete 1,000 hours of community service at the direction of the Probation Department. (Docket Entry No. 1343).

The defendant claims that "performing community service could place [him] in an extremely precarious position" because he would be "around other felons" who would

know his name and location, and thus endanger his safety and the safety of his family. This concern is curious given that the defendant's recent actions, including (1) operating a publicly-viewable Facebook page that includes multiple recent photos of the defendant, as well as an old photograph of the defendant and Vincent Basciano, (2) operating publicly-viewable Twitter<sup>1</sup> and Instagram accounts [REDACTED]

[REDACTED] (3) filing a letter under his own name on Vincent Basciano's son's behalf related to the son's sentencing,<sup>2</sup> and (4) posting publicly-viewable You Tube videos under his own name, including one of himself under his name and discussing his former ties to organized crime.

Moreover, the government has spoken with the defendant's Probation Officer, who has advised that she has offered the defendant several appropriate opportunities for community service, [REDACTED]. The government respectfully submits that given the defendant's own actions in raising his public profile [REDACTED] it is unclear how participation in either of these programs would compromise the defendant's safety. In the absence of any explanation as to how these opportunities would jeopardize Cicale's safety, the government concurs with Probation and requests that the community service condition remain.

As to the defendant's suggestion that he work [REDACTED], the Probation Department has advised that such a placement would be inadvisable and inappropriate as [REDACTED]. In light of the [REDACTED], the government agrees with the Probation Department that it could not effectively verify that Cicale completed the condition.

For the foregoing reasons, the government respectfully submits that the defendant's motion should be denied.

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<sup>1</sup> See [REDACTED]

<sup>2</sup> See <http://nypost.com/2014/07/09/ex-bonanno-capo-asks-judge-to-show-leniency-for-mobsters-son/>.

