



RICHARD A. BROWN
DISTRICT ATTORNEY

**DISTRICT ATTORNEY
QUEENS COUNTY
125-01 QUEENS BOULEVARD
KEW GARDENS, NEW YORK 11415-1568
718-286-6000**

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CONTACT: KEVIN RYAN
NICOLE NAVAS
MERIS CAMPBELL
(718)286-6315

D.A. BROWN: LONG ISLAND CARPENTER PLEADS GUILTY
IN \$1 MILLION THEFT FROM ESTATE OF ELDERLY FOREST HILLS MAN

Faces Up to Three Years in Prison

Queens District Attorney Richard A. Brown announced today that a Bayshore, Long Island man has pleaded guilty to grand larceny charges in connection with the theft of more than \$1 million from the estate of an 80-year-old Forest Hills attorney for whom he had been named as executor.

District Attorney Brown said, "The defendant has admitted that he betrayed his position of trust when he slowly siphoned more than \$1 million from the assets of an elderly Forest Hills attorney over a four-year period. He will now be punished for his actions."

The District Attorney identified the defendant as Frank J. Moley, Jr., 70, of 1348 North Windsor Avenue in Bayshore, New York. The defendant pleaded guilty yesterday to first-degree grand larceny before Queens Supreme Court Justice Robert C. McGann who indicated that he would sentence the defendant to a term of one to three years in prison on December 18, 2006.

The District Attorney said that, according to the charges, the victim, William H. Bender, died on May 4, 2001. His will named the defendant both as a person to receive property and as the executor of Mr. Bender's estate. The Surrogate's Court then issued the defendant "preliminary letters testamentary" which allowed the defendant to marshal the assets but not to distribute any assets of the estate to anyone named in the will.

The District Attorney said that, in pleading guilty, the defendant admitted that he illegally withdrew more than \$1 million from Mr. Bender's estate between May 4, 2001 and June 10, 2005.

District Attorney Brown expressed his appreciation to Lois Rosenblatt, the Public Administrator of Queens County, for referring the matter to his office. Ms. Rosenblatt was named the administrator of Mr. Bender's will by Surrogate Judge Robert L. Nahman who has since invalidated the will naming the defendant as executor and as a person receiving a bequest.

The investigation was conducted by Senior Accountant James Dever of the District Attorney's Economic and Environmental Crimes Bureau under the supervision of Assistant District Attorney Gregory C. Pavlides, Bureau Chief, and Christina Hanophy, Deputy Bureau Chief, and Detectives Joseph Brancaccio and Lester Frank of the District Attorney Detective Bureau under the supervision of Lawrence J. Festa, Chief Investigator and Albert D. Velardi, Deputy Chief Investigator.

Assistant District Attorney Theresa E. Smith of the District Attorney's Integrity Bureau is prosecuting the case under the supervision of James M. Liander, Bureau Chief, and Carmencita N. Gutierrez, Deputy Bureau Chief, and the overall supervision of Executive Assistant District Attorney for Investigations Peter A. Crusco and Deputy Executive Assistant District Attorney for Investigations Linda M. Cantoni.

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Note to Editors: Press release e-version posted at www.queensda.org.