



RICHARD A. BROWN
DISTRICT ATTORNEY

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

Release # 167-2007
www.queensda.org

FOR IMMEDIATE RELEASE
THURSDAY, SEPTEMBER 6, 2007

CONTACT: QDA Press Office (718-286-6315)

NYPD/DCPI (646-610-6700)

MAJOR “STOLEN TO ORDER” AUTO THEFT AND DISMANTLING RING SMASHED

Allegedly Provided Stolen Auto Parts to Livery Cab Fleet Owner

Queens District Attorney Richard A. Brown, joined by Police Commissioner Raymond W. Kelly and New York State Insurance Department Superintendent Eric R. Dinallo, announced today that the owner of a Queens-based livery cab fleet has been indicted along with five others on charges of profiting from a large scale auto theft and dismantling ring allegedly responsible for the theft of dozens of luxury automobiles over a twelve-month period in Queens County and elsewhere. Nine other individuals are accused of participating in the scheme, including car owners who allegedly turned their vehicles over to the ring and then falsely reported their vehicles as stolen in order to fraudulently obtain insurance settlements.

District Attorney Brown said, “Motor vehicle theft is the most expensive property crime in the United States. According to government figures, more than 1.2 million vehicles are stolen each year, resulting in property losses of more than \$7.5 billion nationwide. These losses are ultimately passed onto the consumer by way of ever-increasing insurance premiums. Here in Queens County auto theft has long been a benchmark in measuring our effectiveness in combating crime. In 1991, when I first took office, there were some 52,000 cars stolen in Queens County. Last year we were at less than 5,000 cars stolen – a decrease of more than 90 percent. As such, we remain committed to aggressively investigating and prosecuting such conduct. Those who make the mistake of setting up shop in Queens County face serious felony charges and prison sentences.”

Commissioner Kelly said, “This ring had the audacity to steal cars from three of the five boroughs, Nassau County, and New Jersey, sometimes stealing from other livery companies for parts ultimately used and sold by a competitor. The outstanding work of our detectives and prosecutors contributed to the fact that car thefts in New York City have declined by 66% in the last decade, from 51,312 stolen vehicles in 1997 to 17,855 last year. We expect another decline for 2007 with car thefts currently running 17% below last year’s low.”

State Insurance Superintendent Dinallo said, “I am proud of the role that the Auto Unit of the Insurance Department’s Frauds Bureau played during this investigation by the NYPD and Queens District Attorney Richard Brown. This case is a great example of how law enforcement agencies and this Department can work together to eliminate auto insurance fraud, which for too long has victimized New York’s honest consumers and businesses.”

Six of the defendants – including the livery cab fleet owner – have been charged in a 148-count indictment charging, among other crimes, Enterprise Corruption under New York State’s Organized Crime Control Act. The indictment alleges that five of the defendants operated an auto theft and dismantling ring out of an illegal chop-shop located in Queens. These defendants are accused of stealing dozens of automobiles – which included mostly Lincoln Town Cars, as well as other such expensive vehicles as BMWs, Mercedes Benzs, Jeep Cherokees, Chrysler Town and Country cars and Ford and Dodge vans – from Queens County, Atlantic City, NJ and elsewhere. After dismantling the stolen vehicles, it is alleged that the defendants then supplied the usable parts to the livery cab fleet owner – either at no cost or below market value.

All fifteen defendants have been variously charged with enterprise corruption, third- and fourth-degree criminal possession of stolen property, illegal possession of a vehicle identification number, third-degree insurance fraud, third-degree auto stripping, first-degree offering a false instrument for filing, first-degree falsifying business records and fifth-degree conspiracy.

The charges are the result of a sweeping 21-month joint investigation by the New York City Police Department’s Auto Crime Division and the Queens District Attorney’s Organized Crime and Rackets Bureau. Dubbed “Operation Caliente Cabs,” the investigation utilized court-authorized wiretaps, intensive surveillance and electronic tracking devices.

-MORE-

It is alleged that ring members – such as Eduardo Aguayo, Robert Franov, Pedro Puello, Leo Vargas and Johnny Morales – would drive stolen vehicles to an illegal chop-shop owned by Aguayo and Franov where the vehicles were dismantled. A majority of the parts were then allegedly supplied to the defendant Saleem Latif, the owner of a fleet of 200 livery cars.

It is further alleged that the ring members stole and dismantled the vehicles “to order” – in that Latif would often demand specific vehicle parts from the ring and they would deliver them to him. It is alleged that Latif would receive the stolen parts at his repair shop, Caddy and Lincoln Corner, located at 52-01 Van Dam Street in the Long Island City section of Queens, and that the parts would then be used to repair Latif’s fleet of more than 200 livery Lincoln Town Cars. This was allegedly accomplished by altering the vehicle identification numbers in order to disguise the stolen vehicle parts and the sale of the parts to Latif. In 2006 and 2007, more than 50 search warrants were executed on a random selection of Latif’s vehicles. These warrants revealed Latif to be in possession of approximately 100 separate car parts which had the Vehicle Identification Numbers illegally altered.

District Attorney Brown noted that during the investigation several car owners were arrested on charges of conspiring to file false insurance claims after falsely reporting their vehicles stolen. Car owners allegedly often give up their vehicles for a variety of reasons, such as a desire to avoid the trouble of having to sell the vehicle, to avoid dealing with vehicle mechanical problems or an inability to meet car payments on a lease.

For example, it is alleged that Masimillano Temperino, 36, of Matawan, New Jersey, wanted to dispose of a 2003 Mercedes Benz E320 that he leased by falsely reporting it stolen and then making a false insurance claim. In carrying out the scheme, it is alleged that Temperino used Jamshid Bayatt, 30, of Whitestone and an associate of the auto theft ring, to act as a broker/middleman between himself and the owner of a chop shop who would take possession of the vehicle. On July 1, 2006, Temperino was allegedly instructed by the chop shop owner to turn over his car and car keys to Bayatt, who allegedly demanded a cash payment for his involvement. Ten days later, Temperino allegedly reported the car stolen to police and to his insurance company, American International Insurance (AIG), and filed an insurance claim for the “stolen” vehicle. On August 8, 2006, Bayatt allegedly arranged to obtain the car keys back from the chop shop owner so he could give them to Temperino, who needed to turn them over to the insurance company. It was also allegedly agreed that Temperino would pay Bayatt a sum of cash which would be paid to the chop shop owner for disposing of the vehicle. On September 9, 2006, AIG paid \$31,895 – the value of the Mercedes at the time it was reported stolen to Chase Auto Finance, the lessor of the Mercedes – and \$239 to Temperino out of the claim.

The investigation was conducted by Detectives David Moore and Joseph Rivera and Police Officer Karl Eckert of the New York City Police Department’s Auto Crime Division under the supervision of Sergeant Jonathan Schwartz, and the overall supervision of Lieutenant Gene Borelli, Captain Paul Inzirillo, and Deputy Inspector Charles V. Talamo. Senior Fraud Investigator Hugh Brickley of the New York State Insurance Frauds Bureau also assisted in the investigation.

The cases are being prosecuted by Assistant District Attorneys Dana L. Brubaker, of the District Attorney’s Organized Crime and Rackets Bureau, and Mary M. Lowenburg, Supervisor of the District Attorney’s Auto Crime and Insurance Fraud Unit, under the supervision of Assistant District Attorneys Gerard A. Brave, Chief, and Marc P. Resnick, Deputy 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.

It should be noted that indictments and complaints are merely accusations and that defendants are presumed innocent until proven guilty.

#

E-version of press release posted at www.queensda.org

ADDENDUM

INDICTED DEFENDANTS (6)

Eduardo “Eddie” Aguayo, 38, of 43-07 69th Street in Woodside, Queens, was arraigned yesterday in Queens Supreme Court on charges of enterprise corruption, third- and fourth-degree criminal possession of stolen property, illegal possession of a vehicle identification number and fourth-degree conspiracy. Aguayo, who faces up to 25 years in

-MORE-

prison if convicted, was ordered held on \$100,000 bail and to return to court on September 21, 2007.

Robert "Bobby" Franov, 34, of 26-15 24th Avenue in Astoria, Queens, is charged with enterprise corruption, third- and fourth-degree criminal possession of stolen property, illegal possession of a vehicle identification number and fourth-degree conspiracy. Franov, who faces up to 25 years in prison if convicted, is expected to be arraigned today in Queens County Supreme Court.

Saleem Latif, 47, of 286 Wayne Street in Jersey City, New Jersey and the alleged principal owner and operator of Hi-Teck Management, Inc., Saleem Motors & Co., Black Car Leasing, Inc., and RR Automotives, Inc., all of which are located at 52-01 Van Dam Street, was arraigned yesterday in Queens Supreme Court on charges of enterprise corruption, third- and fourth-degree criminal possession of stolen property, illegal possession of a vehicle identification number and fourth-degree conspiracy. Latif, who faces up to 25 years in prison if convicted, was ordered held on \$200,000 bail and to return to court on November 27, 2007.

Johnny Morales, 40, of 89-02 97th Avenue in Ozone Park, Queens, was arraigned yesterday in Queens Supreme Court on charges of enterprise corruption, third- and fourth-degree criminal possession of stolen property, illegal possession of a vehicle identification number and fourth-degree conspiracy. Morales, who faces up to 25 years in prison if convicted, was ordered held on \$7,500 bail and to return to court on September 21, 2007.

Pedro Puello, 31, of 210 East 166th Street in the Bronx, was arraigned yesterday in Queens Supreme Court on charges of enterprise corruption, third- and fourth-degree criminal possession of stolen property, illegal possession of a vehicle identification number and fourth-degree conspiracy. Puello, who faces up to 25 years in prison if convicted, was ordered held on \$15,000 bail and to return to court today for a bail argument.

Leandro "Leo" Vargas, 38, of 558 West 193rd Street in Manhattan, was arraigned yesterday in Queens Supreme Court on charges of enterprise corruption, third- and fourth-degree criminal possession of stolen property, illegal possession of a vehicle identification number and fourth-degree conspiracy. Vargas, who faces up to 25 years in prison if convicted, was ordered held on \$7,500 bail and to return to court on September 21, 2007.

DEFENDANTS CHARGED IN CRIMINAL COMPLAINTS (9)

Jamshid Bayatt, 30, of 7-25 Clintonville Street in Whitestone, Queens, was arrested on June 13, 2007, and charged with third-degree insurance fraud, first-degree falsifying business records and fifth-degree conspiracy. He was released on his own recognizance and is scheduled to appear in Queens Criminal Court on September 20, 2007. If convicted, he faces up to seven years in prison.

Agnieszka Borowiak, 25, of 63-89 Saunders Street in Rego Park, Queens, is charged with third-degree insurance fraud and second-degree falsifying business records for allegedly disposing of her vehicle and falsely reporting it stolen. If convicted, she faces up to seven years in prison.

John Franov, 36, of 26-15 24th Street in Astoria, Queens, is charged with third-degree insurance fraud for allegedly disposing of his vehicle and falsely reporting it stolen. If convicted, he faces up to seven years in prison.

Susan Franov, 31, of 83-30 98th Street in Woodhaven, Queens, is charged with third-degree insurance fraud for disposing of her vehicle and falsely reporting it stolen. If convicted, he faces up to seven years in prison.

John Mouzakitis, 28, of 22-35 75th Street in East Elmhurst, Queens, is charged with third-degree insurance fraud and second-degree falsifying business records for allegedly disposing of his vehicle and falsely reporting it stolen. If convicted, he faces up to seven years in prison.

James Orozco, 41, of 86-29 59th Avenue in Elmhurst, Queens, was arrested on December 11, 2006, and charged with illegal possession of a vehicle identification number. He was released on his own recognizance and is scheduled to appear in Queens Criminal Court on October 5, 2007. If convicted, he faces up to four years in prison.

Joseph Smith, 48, of 50-70 46th Street in Woodside, Queens, is charged with third- and fourth-degree criminal possession of stolen property. If convicted, he faces up to seven years in prison.

Massimiliano Temperino, 36, of 15 Rachele Court in Matawan, New Jersey, was arrested on June 28, 2007, and charged with third-degree insurance fraud, first-degree offering a false instrument for filing and fifth-degree conspiracy for allegedly disposing of his vehicle and falsely reporting it stolen. He was released on his own recognizance and is scheduled to appear in Queens Criminal Court on September 20, 2007. If convicted, he faces up to seven years in prison.

Evangelos Vasdekis, 21, of 22-41 38th Street in Astoria, Queens, was arrested on June 28, 2007, and charged with fourth-degree criminal possession of stolen property and third-degree auto stripping. He was released on his own recognizance and is scheduled to appear in Queens Criminal Court on September 19, 2007. If convicted, he faces up to four years in prison.