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QUEENS MAN CHARGED WITH GRAND LARCENY AND INSURANCE FRAUD
AFTER JUDGE HALTS CIVIL CASE AND REFERS MATTER TO DISTRICT ATTORNEY
Background Check At Time of Arrest Reveals Defendant Wanted On Rape Charges in Pennsylvania

Queens District Attorney Richard A. Brown announced today that a former mortgage company employee whose civil lawsuit against the New York City Transit Authority was placed on hold earlier this year after the judge declared a mistrial and referred the matter to the district attorney's office for possible prosecution for fraud has, in fact, been charged with submitting false claims to the Transit Authority for which he received more than \$16,000 in lost wages following a bus accident. In addition, while being processed prior to his arraignment, it was revealed that the defendant is wanted on a Pennsylvania warrant for an alleged 2004 rape.

District Attorney Brown said, "The defendant is accused of filing a false claim with the New York City Transit Authority for wages he said he lost after being unable to work in the aftermath of a bus accident. Claims like those allegedly filed in this case take money out of the pockets of all New Yorkers. While allegedly stealing from this agency is bad enough, it turns out that a warrant had been issued for the defendant who is wanted for the alleged rape of a minor in Pennsylvania."

The District Attorney identified the defendant as Paul Hightower, 37, of 139-06 232nd Street in Laurelton, Queens. The defendant has been charged with third-degree grand larceny, third-degree insurance fraud, first-degree perjury and first-degree falsifying business records. He was arraigned last night before Queens Criminal Court Judge Suzanne Melendez and ordered held without bail because of his fugitive status. He refused to waive extradition to Pennsylvania. If convicted in the Queens case he faces up to four years in prison. His next court date is March 24, 2009.

District Attorney Brown said that, according to the charges, the defendant claimed to have been injured in a bus accident on September 11, 2006, at the intersection of Baisley Avenue and Bedell Boulevard. As a result of the alleged accident, he filed a no-fault insurance claim for lost wages with the New York City Transit Authority. The defendant later testified under oath about the lost wage claim in connection with a lawsuit he filed against the NYCTA. The defendant testified that his earnings were approximately \$5,000 a month, and that he had earned \$4,000 during the month of July 2006 and \$5,000 during the month of August 2006, according to a transcript of the proceeding, while working at Discount Home Mortgage, which is located at One Cross Island Plaza, Rosedale, Queens.

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Furthermore, the District Attorney said, a New York motor vehicle no-fault insurance employer's wage verification request allegedly submitted to the NYCTA by the defendant in support of his lost wage claim indicated that the defendant earned \$3,000 a month at Discount Home Mortgage. Investigators from the District Attorney's Detective Squad, however, spoke to the defendant's former employer – the president of Discount Home Mortgage – and learned that he never signed the wage verification form and that the defendant did not earn \$4,000 during July 2006 and \$5,000 during August 2006, but in fact earned \$1,100 during that period.

In addition, the District Attorney said, the defendant was fingerprinted following his arrest and as the prints were processed a warrant for the defendant issued in Pennsylvania was revealed indicating that the defendant was charged in Harrisburg, in Dauphin County, on June 14, 2005, for the alleged rape by forcible compulsion of a person under the age of 14 on December 20, 2004.

According to District Attorney Brown, the investigation of the grand larceny case began after it was referred to the District Attorney's office for investigation by Queens Supreme Court Justice Duane Hart, who was overseeing the civil lawsuit brought by the defendant.

The investigation was conducted by Detective Joseph Brancaccio and Detective Patrick F. Dolan of the District Attorney's Detective Bureau under the supervision of Sergeant Evelyn Alegre and Lieutenant Robert J. Burke, and the overall supervision of Chief Lawrence J. Festa and Deputy Chief Albert D. Velardi.

Assistant District Attorney Mary M. Lowenburg, chief of the District Attorney's Auto Crime and Insurance Fraud Unit, of the Organized Crime and Rackets Bureau, is prosecuting the case under the supervision of Gerard A. Brave, Bureau Chief, and Marc P. Resnick, Deputy Bureau Chief, and the overall supervision of Peter A. Crusco, Executive Assistant District Attorney of the Investigations Division, and Linda M. Cantoni, Deputy Executive Assistant District Attorney.

It should be noted that a criminal complaint is merely an accusation and that a defendant is presumed innocent until proven guilty.

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