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**FOR IMMEDIATE RELEASE**  
THURSDAY, SEPTEMBER 27, 2012

**CONTACT: SEE LIST ON PAGE 2**

**QUEENS MAN CHARGED WITH TRAFFICKING IN UNTAXED CIGARETTES**

*More Than 20,000 Counterfeit State/City Tax Stamps  
and Nearly 230,000 Untaxed Cigarettes Among Items Allegedly Seized*

Queens District Attorney Richard A. Brown, joined by New York City Department of Finance Commissioner David M. Frankel and New York State Department of Taxation and Finance Commissioner Thomas H. Mattox, announced today that a Jackson Heights man has been charged in connection with a scheme to sell untaxed cigarettes by using counterfeit tax stamps. As part of the investigation, authorities allegedly seized 11,423 packs of untaxed cigarettes, more than 21,000 counterfeit cigarette tax stamps and thousands of dollars in cash.

District Attorney Brown said, "Tobacco bootleggers who illegally bring thousands of untaxed packs of cigarettes from other locations to New York for resale cheat the public by failing to contribute their fair share of the dollars. For every dollar or two dollars a store owner or consumer saves by purchasing an untaxed pack of cigarettes, the honest taxpayer becomes the victim by being forced to dip into his or her pocket to pay higher taxes. In today's case, it is alleged that the defendant was seeking to shortchange New York State and New York City out of nearly \$200,000 in tax revenue."

"The Sheriff's Tobacco Enforcement Unit is out on the streets, snuffing out illegal cigarette activity wherever we find it," said Finance Commissioner Frankel. "Working with all of our partners in law enforcement, we are unified in our fight against the plague of illegal cigarettes in New York City. In addition to Sheriff Domenech and the hardworking deputies and investigators who investigated this case on behalf of the City, I would like to thank District Attorney Brown and his team for bringing charges in this case and for their dedication to prosecuting those who try to cheat taxpayers and undercut legitimate small business owners who play by the rules."

"This arrest is the direct result of cooperation between the Department of Finance, the District Attorney and the Tax Department," said Commissioner Mattox. "I applaud District Attorney Brown and Commissioner Frankel for their vigorous effort in bringing such criminals to justice. We will continue our work together to vigorously pursue and prosecute those who attempt to profit from tax evasion."

District Attorney Brown identified the defendant as Manuel R. Espinal-Ramirez, 54, of 35-48 95<sup>th</sup> Street in the Jackson Heights section of Queens. Espinal-Ramirez was arraigned on Saturday, September 22, 2012, before Queens Criminal Court Judge Suzanne Melendez on a criminal complaint charging him with 21,559 counts of first-degree criminal possession of a forged instrument and various violations of New York State Tax Law 1814 (Cigarette and Tobacco

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Products Tax). Espinal-Ramirez, who faces up to fifteen years in prison if convicted, was ordered held on \$5,000 bail and to return to court on September 27, 2012.

District Attorney Brown said that an investigation into the illegal sale of untaxed and counterfeit cigarettes led investigators to a storage structure in the rear of 100-15 35<sup>th</sup> Avenue in Corona, Queens. According to the criminal charges, on Friday, September 21, 2012, City and State tax investigators executed court-authorized search warrants drafted by the District Attorney's Crimes Against Revenue Unit on the storage structure and a nearby gold Toyota Sienna mini-van that Espinal-Ramirez allegedly had been using to transport the illicit cigarettes and from which state investigators had observed him exit and then walk toward and enter the storage structure while holding an opaque black plastic bag believed to contain cartons of cigarettes.

From within the structure, investigators allegedly seized 1,142 cartons of cigarettes that either contained counterfeit tax stamps or no stamps, 15,600 counterfeit joint New York State/New York City tax stamps, 5,959 counterfeit New York State Tax stamps and \$6,241 in cash (\$4,500 that had been tucked into the ceiling and \$1,741 from Espinal-Ramirez's person). From the Toyota mini-van, investigators allegedly seized \$500 in cash from the ashtray and a GPS device.

District Attorney Brown said that all cigarette packages sold in New York City must bear a joint New York City/New York State tax stamp and only a licensed stamping agent can possess untaxed cigarettes and affix the tax stamp on the packages.

The investigation was conducted by Investigators Marta Rivera and Julio Monell, of the New York City Department of Finance, and by several investigators of the New York State Department of Taxation and Finance under the direction of Supervising Investigator Angela Murray and Assistant Chief Carlton Richards.

Assistant District Attorneys Michael-Sean Spence will be prosecuting the case under the supervision of Assistant District Attorneys Andrew H. Kaufman, Chief of the District Attorney's Crimes Against Revenue Unit, Anthony M. Communiello, Bureau Chief of the District Attorney's Special Proceedings Bureau, and Oscar W. Ruiz, 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.

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](http://www.queensda.org).**

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