



RICHARD A. BROWN
DISTRICT ATTORNEY

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

Release # 197-2015
www.queensda.org
twitter@QueensDABrown

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CONTACT: PRESS OFFICE
718-286-6315

LONG ISLAND ATTORNEY SENTENCED TO UP TO 12 YEARS IN PRISON
FOR EMBEZZLING \$797,000 IN FUNDS FROM CLIENTS

In Separate Case Staten Island Attorney Pleads Guilty To Embezzling \$700,000 From Clients

Queens District Attorney Richard A. Brown, acting as a special prosecutor, today announced that a Great Neck, Long Island, attorney has been sentenced to four to twelve years in prison for stealing more than \$797,000 in funds that belonged to clients over a four-year period and that in a separate case, a Staten Island lawyer has pleaded guilty to stealing hundreds of thousands of dollars from clients who retained him to oversee the estates of their deceased loved ones and faces up to nine years in prison when sentenced later this month.

District Attorney Brown said, “The defendants have each admitted to breaching their fiduciary duties and unjustly enriching themselves by a total of nearly \$1.5 million at the expense of their clients. Under the terms of the guilty pleas in which the defendants admitted their guilt, the defendants must sign confessions of judgment to begin the process of making their victims financially whole.”

The District Attorney was appointed a special prosecutor in each of the cases at the request of the Nassau and Richmond County District Attorneys Offices, who requested the appointment of a special prosecutor to handle the matters in order to avoid any appearance of impropriety.

In the Long Island case, Martha Brosius, 52, of Great Neck, New York, appeared today before Acting Nassau Supreme Court Justice Helene F. Gugerty and signed a confession of judgment for \$797,000 before being sentenced to four to twelve years in prison. Brosius, an Elder Law attorney who maintained offices in Great Neck and Manhattan, pleaded guilty on June 22, 2015, to two counts of second-degree grand larceny and one count of scheme to defraud.

District Attorney Brown said that, in pleading guilty, Brosius admitted to stealing more than \$797,000 in funds from clients – including a 77-year-old man deemed incapacitated under the Mental Hygiene Law and for whom Brosius had been appointed as a guardian and two brothers who hired Brosius to handle their father’s estate and sell his residence in order to set up a Special Needs or Supplemental Needs Trust for their disabled sister, who was the sole inheritor of their father’s estate.

In the Staten Island case, Robert DePalma, 54, of Staten Island, New York, appeared yesterday before Acting Richmond County Supreme Court Justice Joel Goldberg and pleaded guilty to the five-count indictment pending against him – four counts of second-degree grand larceny and

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one count of scheme to defraud. Sentencing was set for December 23, 2015, at which time DePalma faces up to nine years in prison. At that time, DePalma will also be required sign a confession of judgment for \$700,000.

District Attorney Brown said that, in pleading guilty, DePalma admitted to embezzling approximately \$700,000 from four different clients who had retained him to assist in the sale of various properties. A forensic examination of DePalma's bank accounts showed that the defendant used the funds collected from these four real estate transactions to pay for business and personal expenses, including mortgage payments and transfers into his personal bank account, and in some instances payments to other escrow clients.

District Attorney Brown thanked the Office of Court Administration Inspector General Sherrill Spatz and its Managing Inspector General for Fiduciary Appointments Elizabeth Candreva for their assistance in the Brosius investigation.

Both investigations were conducted by Detective Kevin J. Kehoe, of the District Attorney's Detective Bureau, under the supervision of Sergeant Daniel M. O'Brien and Deputy Chief Robert J. Burke, and under the overall supervision of Chief Franco Russo. Also assisting in the investigation was Senior Investigative Accountant James J. Dever.

Senior Assistant District Attorney Phyllis C. Weiss prosecuted the DePalma case and Senior Assistant District Attorney Yvonne Francis prosecuted the Brosius case, both under the supervision of Assistant District Attorney James M. Liander, Chief of the District Attorney's Integrity Bureau, and under the overall supervision of Executive Assistant District Attorney for Investigations Peter A. Crusco and Deputy Executive Assistant District Attorney Linda M. Cantoni.

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