

Doc. No.	Dates	Description
	<i>Filed:</i> 12/13/2012 <i>Entered:</i> 12/14/2012	Arrest
<u>1</u>	<i>Filed:</i> 12/13/2012 <i>Entered:</i> 12/14/2012	Indictment (Sealed)
<u>2</u>	<i>Filed:</i> 12/13/2012 <i>Entered:</i> 12/14/2012	Order to Seal Case
<u>3</u>	<i>Filed:</i> 12/13/2012 <i>Entered:</i> 12/14/2012	Initial Appearance
<u>4</u>	<i>Filed:</i> 12/13/2012 <i>Entered:</i> 12/14/2012	Order Appointing Public Defender
<u>6</u>	<i>Filed:</i> 12/13/2012 <i>Entered:</i> 12/14/2012	Warrant Returned Executed
	<i>Filed & Entered:</i> 12/14/2012	Notice of Allocation and Assignment
	<i>Filed & Entered:</i> 12/14/2012	Set/Reset Hearings
<u>7</u>	<i>Filed & Entered:</i> 12/14/2012	Bond Hearing
<u>8</u>	<i>Filed & Entered:</i> 12/14/2012	Order of Detention
<u>9</u>	<i>Filed & Entered:</i> 12/14/2012	Order Appointing Public Defender
<u>11</u>	<i>Filed & Entered:</i> 12/14/2012	Arraignment
<u>12</u>	<i>Filed & Entered:</i> 12/14/2012	Order for Discovery and Inspection
<u>13</u>	<i>Filed & Entered:</i> 12/17/2012	Notice of Attorney Appearance - USA
<u>14</u>	<i>Filed:</i> 12/19/2012 <i>Entered:</i> 12/21/2012	Bond Hearing
	<i>Filed & Entered:</i> 12/21/2012	Bond
<u>15</u>	<i>Filed & Entered:</i> 12/21/2012	Order Setting Conditions of Release

PACER Service Center			
Transaction Receipt			
12/21/2012 11:09:27			
PACER Login:	fp0023	Client Code:	
Description:	History/Documents	Search Criteria:	3:12-cr-00811-FLW
Billable Pages:	1	Cost:	0.10

RECEIVED

DEC 13 2012

AT 8:30
WILLIAM T. WALSH
CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Criminal No. 12-811 (FLW)
	:	
v.	:	18 U.S.C. §§ 287, 1341, 1343 and 2
	:	26 U.S.C. § 7212
	:	
DAVID MOLESKI	:	INDICTMENT
	:	

The Grand Jury in and for the District of New Jersey, sitting at Trenton, charges:

COUNTS 1-14
18 U.S.C. §§ 1341 and 2
Mail Fraud

Background

At times relevant to this Indictment:

1. Defendant DAVID MOLESKI was a licensed chiropractor and a resident of Neptune, Monmouth County, New Jersey.

2. The Internal Revenue Service ("IRS") was and is an agency of the United States Department of the Treasury ("Treasury"); responsible for administering and enforcing the tax laws of the United States, and collecting the taxes that are due and owing to the Treasury by its citizens and businesses.

The Scheme To Defraud

3. From on or about March 31, 2008, through on or about June 10, 2009, in the District of New Jersey and elsewhere, Defendant DAVID MOLESKI knowingly and with the intent to defraud, devised a scheme and artifice to defraud the United States, the State of New Jersey, and private creditors; and in order to obtain money and property from the United States, the State of New Jersey, and private creditors, by means of materially false and fraudulent

pretenses, representations, and promises, placed and caused to be placed in a post office and authorized depository for mail matter, and cause to be sent and delivered by the United States Postal Service: (1) certain false and fraudulent tax returns in an effort to obtain refunds from the IRS; and (2) certain fake financial instruments in purported payment of tax debts and credit card and other debts.

4. It was part of the scheme to defraud that Defendant DAVID MOLESKI mailed and caused to be mailed to the Secretary of the Treasury several fake financial instruments that purported to open accounts at the Treasury.

5. It was further part of the scheme to defraud that Defendant DAVID MOLESKI attempted to use the accounts he purported to open at the Treasury to satisfy tax debts he owed to the United States and the State of New Jersey, and to extinguish credit card debt he owed to private creditors.

6. It was further part of the scheme to defraud that Defendant DAVID MOLESKI, in an attempt to fraudulently satisfy tax debts he owed to the United States and the State of New Jersey, mailed and caused to be mailed to the Secretary of the Treasury and to the IRS, correspondence, wherein Defendant DAVID MOLESKI demanded that tax judgments issued against him by the United States and the State of New Jersey be “settle[d] and close[d]” against non-existent accounts he purported to hold at the Treasury.

7. It was further part of the scheme to defraud that Defendant DAVID MOLESKI, in an attempt to fraudulently extinguish credit card debts he owed to private creditors, mailed and caused to be mailed to the private creditors fake financial instruments, entitled “secured

promissory note[s]” that purported to draw against non-existent accounts he purported to hold at the Treasury.

8. It was further part of the scheme to defraud that Defendant DAVID MOLESKI mailed and caused to be mailed to the Secretary of the Treasury copies of the “secured promissory notes” that he sent to the private creditors, and instructed the Secretary of the Treasury to satisfy the credit card debts Defendant DAVID MOLESKI held with the private creditors from non-existent accounts he purported to hold at the Treasury.

9. It was further part of the scheme to defraud that Defendant DAVID MOLESKI, after receiving notice that the private creditors failed to credit his accounts, mailed and caused to be mailed to the private creditors letters, wherein Defendant DAVID MOLESKI falsely and fraudulently represented that he paid his credit card balances in full based on the fake financial instruments.

10. It was further part of the scheme to defraud that Defendant DAVID MOLESKI, after receiving notice from the private creditors that they refused to honor the fake financial instruments he sent to them, mailed and caused to be mailed to them letters designed to obstruct the private creditors from collecting the debts Defendant DAVID MOLESKI owed to them.

11. It was further part of the scheme to defraud that Defendant DAVID MOLESKI mailed and caused to be mailed to a credit reporting agency several letters, wherein Defendant DAVID MOLESKI falsely and fraudulently claimed that the debts he held with the private creditors were “PAID IN FULL.”

12. It was further part of the scheme to defraud that Defendant DAVID MOLESKI mailed and caused to be mailed to collection agencies acting on behalf of one of the private

creditors letters designed to obstruct the collection agencies from collecting the debts Defendant DAVID MOLESKI owed to them.

13. It was further part of the scheme to defraud that Defendant DAVID MOLESKI sent and caused to be sent to the private creditors false and fraudulent IRS forms, to wit, Forms 1099-OID for tax years 2006 and 2007, wherein Defendant DAVID MOLESKI falsely and fraudulently claimed that he received original issue discount from the private creditors.

14. It was further part of the scheme to defraud that Defendant DAVID MOLESKI mailed and caused to be mailed to the IRS Forms 1040, U.S. Individual Income Tax Returns ("IRS Forms 1040"), for tax years 2006 and 2007, wherein Defendant DAVID MOLESKI falsely and fraudulently claimed refunds based, in part, on the figures falsely reported on the 2006 and 2007 Forms 1099-OID.

Statutory Allegations

On or about the dates listed below, in the District of New Jersey and elsewhere, for the purpose of executing and attempting to execute the above-described scheme and artifice to defraud, and for obtaining money and property by means of materially false and fraudulent, pretenses, representations, and promises, Defendant

DAVID MOLESKI

did knowingly and intentionally place and cause to be placed in a post office and authorized depository for mail matter, and cause to be sent and delivered by the United States Postal Service, certain mail matter, as set forth in the table below, each instance being a separate Count of this Indictment:

Count	On or About	Mailed From	Addressed To	Mailing	False Representations
1	3/31/2008	Cranford, NJ	Department of the Treasury, Washington, DC	Copy of Secured Promissory Note in the amount of \$15,000 sent to Advanta Bank and associated documents	Falsely purporting to draw on non-existent account at the Treasury Department
2	5/29/2008	Belmar, NJ	Department of the Treasury, Washington, DC	Letter entitled "Non-Negotiable Charge Back" and associated documents	Falsely purporting to open an account at the Treasury Department
3	6/23/2008	New Jersey	Department of the Treasury, Washington, DC	Copy of Secured Promissory Note in the amount of \$80,000 sent to Bank of America and associated documents	Falsely purporting to draw on non-existent account at the Treasury Department
4	6/24/2008	New Jersey	Department of the Treasury, Washington, DC	Copy of Secured Promissory Note in the amount of \$100,000 sent to Chase and associated documents	Falsely purporting to draw on non-existent account at the Treasury Department
5	6/27/2008	Belmar, NJ	Advanta Bank, Spring House, PA	Secured Promissory Note in the amount of \$15,000 and associated documents	Falsely purporting to pay credit card balances

6	7/3/2008	Belmar, NJ	Washington Mutual, Seattle, WA	Secured Promissory Note in the amount of \$30,000 and associated documents	Falsely purporting to pay credit card balances
7	7/3/2008	New Jersey	Department of the Treasury, Washington, DC	Copy of Secured Promissory Note in the amount of \$30,000 sent to Washington Mutual and associated documents	Falsely purporting to draw on non-existent account at the Treasury Department
8	9/15/2008	Kilmer, NJ	Experian, Costa Mesa, CA	Letter concerning accounts with Bank of America, Washington Mutual, First Equity, Chase, and Advanta	Falsely claiming that his accounts with Bank of America, Washington Mutual, First Equity, Chase, and Advanta have been "PAID IN FULL."
9	9/29/2008	Neptune City, NJ	Treasury Inspector General for Tax Administration, Lanham, MD	Copy of Secured Promissory Note in the amount of \$100,000 sent to New Jersey Treasurer and associated documents	Falsely purporting to draw on non-existent account at the Treasury Department
10	10/29/2008	New Jersey	Department of the Treasury, Washington, DC	Copy of Secured Promissory Note in the amount of \$500,000 sent to American Home Mortgage and associated documents	Falsely purporting to draw on non-existent account at the Treasury Department

11	3/5/2009	New Jersey	Department of the Treasury, Washington, DC	Copy of Secured Promissory Note in the amount of \$360,000 sent to Saxon Mortgage and associated documents	Falsely purporting to draw on non-existent account at the Treasury Department
12	5/4/2009	Belmar, NJ	Chase Card Services, Wilmington, DE	Secured Promissory Note in the amount of \$100,000 and associated documents	Falsely purporting to pay credit card balances
13	5/20/2009	New Jersey	IRS	IRS Form 1040, U.S. Individual Income Tax Return for 2006	Claiming a fraudulent refund based, in part, on false and fraudulent Forms 1099-OID
14	6/10/2009	New Jersey	IRS	IRS Form 1040, U.S. Individual Income Tax Return for 2007	Claiming a fraudulent refund based, in part, on false and fraudulent Forms 1099-OID

All in violation of Title 18, United States Code, Sections 1341 and 2.

COUNT 15
18 U.S.C. § 1343 and 2
Wire Fraud

15. The allegations contained in paragraphs 1 and 2 are realleged and incorporated by reference into Count 15 as if set out in full herein.

The Scheme To Defraud

16. From in or around the beginning of 2009 through on or about June 23, 2009, in the District of New Jersey and elsewhere, Defendant DAVID MOLESKI did knowingly and with the intent to defraud devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, transmit and cause to be transmitted by means of wire communication in interstate commerce a certain false and fraudulent tax return in an effort to obtain a refund from the IRS.

17. It was part of the scheme to defraud that Defendant DAVID MOLESKI sent and caused to be sent to the private creditors false and fraudulent IRS Forms, to wit, Forms 1099-OID for tax year 2008, wherein Defendant DAVID MOLESKI falsely and fraudulently claimed that he received original issue discount from the private creditors.

18. It was further part of the scheme to defraud that Defendant DAVID MOLESKI electronically filed with the IRS an IRS Form 1040, for tax year 2008, wherein Defendant DAVID MOLESKI falsely and fraudulently claimed a refund based, in part, on the figures falsely reported on the 2008 Forms 1099-OID.

Statutory Allegation

On or about June 23, 2009, in the District of New Jersey and elsewhere, for the purpose of executing and attempting to execute the above-described scheme and artifice to defraud, and

for obtaining money and property by means of materially false and fraudulent, pretenses, representations, and promises, Defendant

DAVID MOLESKI

did knowingly and intentionally transmit and cause to be transmitted by means of wire communication in interstate commerce certain writings, signs, signals and sounds, to wit, Defendant DAVID MOLESKI electronically filed with the IRS a false and fraudulent IRS Form 1040 for tax year 2008 claiming a refund to which he was not entitled.

All in violation of Title 18, United States Code, Sections 1343 and 2.

COUNT 16

26 U.S.C. § 7212(a)

Corruptly Endeavoring to Impair and Impede the
Due Administration of the Internal Revenue Code

19. The allegations contained in paragraphs 1, 2, 6, 14, and 18 are realleged and

incorporated by reference into Count 16 as if set out in full herein.

20. Defendant DAVID MOLESKI failed to file timely federal income tax returns for tax years 1999 through 2005.

The Corrupt Endeavor

21. From in or about August 15, 2005, through at least on or about June 23, 2009, in the District of New Jersey and elsewhere, Defendant

DAVID MOLESKI

did corruptly obstruct and impede, and endeavored to obstruct and impede, the due administration of the internal revenue laws of the United States by, among other things: (1) instructing a private creditor not to comply with a Notice of Levy issued by the IRS in an attempt to satisfy an outstanding tax debt for Defendant DAVID MOLESKI's 2001 income taxes; (2) filing and causing to be filed fraudulent IRS Forms 1040 for 2006 through 2008, wherein Defendant DAVID MOLESKI falsely claimed refunds to which he knew he was not entitled; (3) sending fraudulent correspondence to the IRS, wherein Defendant DAVID MOLESKI purported to extinguish his tax debts for 1999 through 2000 and 2002 through 2005.

22. Defendant DAVID MOLESKI's corrupt endeavors to obstruct and impede the

due administration of the internal revenue laws are contained in, but not limited to, paragraphs 23 through 33 that follow.

23. On or about August 15, 2005, Defendant DAVID MOLESKI submitted a letter and exhibits to Capital One, instructing Capital One not to comply with a Notice of Levy issued to it by the IRS in satisfaction of Defendant DAVID MOLESKI's 2001 income taxes. Defendant DAVID MOLESKI supplied obstructive correspondence to Capital One and instructed Capital One to send the obstructive correspondence to the IRS in order to verify the validity of the levy.

24. On or about January 9, 2009, Defendant DAVID MOLESKI mailed and caused to be mailed to the IRS correspondence in response to an IRS Revenue Officer's January 2, 2009 issuance of a Final Notice of Intent to Levy for previously requested unpaid income taxes for 1999 through 2000 and 2002 through 2005. In this correspondence, Defendant DAVID MOLESKI returned the Final Notice of Intent to Levy, defacing the document by writing, in part, "Accepted for Value, Exempt From Levy," and demanding that a tax judgment issued against him by the IRS be "settle[d] and close[d]" against a non-existent account he purported to hold at the Treasury.

25. On or about January 15, 2009, Defendant DAVID MOLESKI mailed and caused to be mailed to an IRS Revenue Officer an IRS Form 56, Notice Concerning Fiduciary Relationship, falsely claiming that said Revenue Officer was Defendant DAVID MOLESKI's fiduciary.

26. On or about May 26, 2009, Defendant DAVID MOLESKI signed, mailed or caused to be mailed to the IRS an IRS Form 1040 for calendar year 2006. On this return, Defendant DAVID MOLESKI falsely reported receiving taxable interest of \$656,095; falsely claimed federal income tax withholding in the amount of \$623,289; and fraudulently claimed a refund in the amount of \$440,752.

27. On or before June 3, 2009, Defendant DAVID MOLESKI sent or caused to be sent to Chase a fraudulent Form 1099-OID for tax year 2006, wherein Defendant DAVID MOLESKI claimed that he received an original issue discount of approximately \$25,000 from Chase. Defendant DAVID MOLESKI included the false figure, in part, as a basis for his fraudulent 2006 IRS Form 1040.

28. On or about June 15, 2009, Defendant DAVID MOLESKI signed, mailed or caused to be mailed to the IRS an IRS Form 1040 for calendar year 2007. On this return, Defendant DAVID MOLESKI falsely reported receiving taxable interest of \$1,225,315; falsely claimed federal income tax withholding in the amount of \$1,156,338; and fraudulently claimed a refund in the amount of \$764,248.

29. On or before June 17, 2009, Defendant DAVID MOLESKI sent or caused to be sent to Chase two fraudulent Forms 1099-OID for tax year 2007, wherein Defendant DAVID MOLESKI claimed that he received total original issue discount of approximately \$50,000 from Chase. Defendant DAVID MOLESKI included the figure, in part, as a basis for his fraudulent 2007 IRS Form 1040.

30. On or before June 19, 2009, Defendant DAVID MOLESKI sent or caused to be sent to Chase a fraudulent Form 1099-OID for tax year 2007, wherein Defendant DAVID MOLESKI claimed that he received an original issue discount of approximately \$10,250 from Washington Mutual. Defendant DAVID MOLESKI included the false figure, in part, as a basis for his fraudulent 2007 IRS Form 1040.

31. On or about June 23, 2009, Defendant DAVID MOLESKI electronically signed, submitted or caused to be submitted to the IRS an IRS Form 1040 for calendar year 2008. On

this return, Defendant DAVID MOLESKI falsely reported receiving taxable interest of \$162,623, falsely claimed federal income tax withholding in the amount of \$154,491, and fraudulently claimed a refund in the amount of \$118,078.

32. On or before June 28, 2009, Defendant DAVID MOLESKI sent or caused to be sent to Chase two fraudulent Forms 1099-OID for tax year 2006, wherein Defendant DAVID MOLESKI claimed that he received total original issue discount of approximately \$15,911 from Washington Mutual. Defendant DAVID MOLESKI included the false figure, in part, as a basis for his fraudulent 2006 IRS Form 1040.

33. In and around 2009, Defendant DAVID MOLESKI sent or caused to be sent to Chase two fraudulent Forms 1099-OID for tax year 2008, wherein Defendant DAVID MOLESKI claimed that he received an original issue discount of approximately \$50,000 from Chase. Defendant DAVID MOLESKI included the false figure, in part, as a basis for his fraudulent 2008 IRS Form 1040.

All in violation of Title 26, United States Code, Section 7212.

COUNTS 17 - 19
 18 U.S.C. §§ 287 and 2
 False, Fictitious, and Fraudulent Claims

34. The allegations contained in paragraphs 1, 2, 13, and 17 are realleged and incorporated by reference into Counts 17 through 19 as if set out in full herein.

Statutory Allegations

On or about the dates set forth below, in the District of New Jersey and elsewhere, Defendant

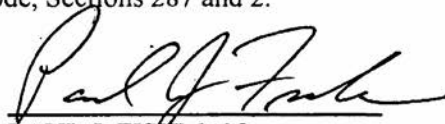
DAVID MOLESKI

a resident of Neptune, Monmouth County, New Jersey, made and presented, and caused to be made and presented, to the United States claims for payment of fraudulent tax refunds in the amounts listed below, with knowledge that such claims were false, fictitious, and fraudulent.

The Defendant made the false claims by submitting U.S. Individual Income Tax Returns, Forms 1040, for the calendar years referenced below, which returns were presented and caused to be presented to the United States Treasury Department through the Internal Revenue Service and which were based, in part, on fictitious Forms 1099-OID.

Count	Refund Year	Approximate Date of Filing	Approximate Amount Claimed
16	2006	May 26, 2009	\$440,752
17	2007	June 15, 2009	\$764,248
18	2008	June 23, 2009	\$118,078

All in violation of Title 18, United States Code, Sections 287 and 2.


 PAUL J. FISHMAN
 UNITED STATES ATTORNEY

CASE NUMBER: 2008R01158

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

DAVID MOLESKI

INDICTMENT FOR

18 U.S.C. §§§287,1341, 1343 and 2
26 U.S.C. § 7212(a)

A True Bill.

PAUL FISHMAN

**U.S. ATTORNEY
NEWARK, NEW JERSEY**

TINO LISELLA

**SPECIAL ASSISTANT U.S. ATTORNEY
609-989-2190**

RECEIVED

DEC 13 2012

AT 8:30
WILLIAM T. WALSH
CLERK

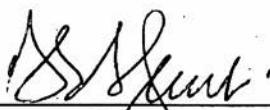
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. [NAME OF MAGISTRATE]
 v. : Crim. No. 12-CR- 811 (FLW)
 : SEALING ORDER
 DAVID MOLESKI :

This matter having come before the Court upon the application of the United States of America (Tino M. Lisella, Trial Attorney, United States Department of Justice, Tax Division, appearing), for an arrest warrant, and its concurrent application that the Indictment filed against the person named in the warrant be filed under seal, and good cause having been shown,

IT IS, on this 13th day of December, 2012,

ORDERED that, except for such copies of the arrest warrant as are necessary to accomplish its purpose, the Indictment and all other documents filed in this matter be and hereby are SEALED until the arrest warrant is executed or until further order of the Court.



 Honorable Douglas E. Arpert
 United States Magistrate Judge

MAGISTRATE'S COURTROOM MINUTES

UNITED STATES OF AMERICA

v.

DAVID MOLESKI

MAGISTRATE JUDGE: Douglas E. Arpert, U.S.M.J.

MAGISTRATE NO.: 12-811(FLW)

DATE OF PROCEEDINGS: 12/13/2012

DATE OF ARREST: 12/13/2012

PROCEEDINGS: INITIAL APPEARANCE

- COMPLAINT
- ADVISED OF RIGHTS
- WAIVER OF COUNSEL
- APPT. OF COUNSEL: AFPD CJA
- WAIVER OF HRG.: PRELIM REMOVAL
- CONSENT TO MAGISTRATE'S JURISDICTION
- PLEA ENTERED: GUILTY NOT GUILTY
- PLEA AGREEMENT
- RULE 11 FORM
- FINANCIAL AFFIDAVIT EXECUTED
- OTHER _____

- TEMPORARY COMMITMENT
- CONSENT TO DETENTION WITH RIGHT TO MAKE A BAIL APPLICATION AT A LATER TIME
- BAIL DENIED - DEFENDANT REMANDED TO CUSTODY
- BAIL SET: _____
- UNSECURED BOND
- SURETY BOND SECURED BY CASH / PROPERTY
- TRAVEL RESTRICTED _____
- REPORT TO PRETRIAL SERVICES
- DRUG TESTING AND/OR TREATMENT
- MENTAL HEALTH TESTING AND/OR TREATMENT
- SURRENDER &/OR OBTAIN NO PASSPORT
- SEE ORDER SETTING CONDITIONS OF RELEASE FOR ADDITIONAL CONDITIONS

HEARING(S) SET FOR:

- PRELIMINARY / REMOVAL HRG.
- DETENTION / BAIL HRG.
- TRIAL: COURT JURY
- SENTENCING
- OTHER: _____

(X) Government to submit Detention Order.

DATE: _____
 DATE: _____
 DATE: _____
 DATE: _____
 DATE: _____

APPEARANCES:

AUSA TINO M. LISELLA

DEFT. COUNSEL DAVID SCHAFFER

PRETRIAL Laurie Nadler

INTERPRETER N/A

Language: ()

Time Commenced: 5:09 Pm

Time Terminated: 5:25 PM

CD No: _____

Charmaine D. Ellington

DEPUTY CLERK


UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	
	:	MAGISTRATE NO. 12-2550(DEA)
	:	
v.	:	
	:	ORDER
DAVID MOLESKI	:	

The financial inability of the defendant to retain counsel having been established by the Court, and the defendant not having waived the appointment of counsel,

It is on this 13TH day of DECEMBER, 2012,

ORDERED that DAVID SCHAFER from the Office of the Federal Public Defender for the District of New Jersey is hereby appointed to represent said defendant in the cause ~~until~~ ~~further order of the Court.~~ *for purposes of the initial appearance only.*



Douglas E. Arpert
United States Magistrate Judge

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

WARRANT FOR ARREST

v.

DAVID MOLESKI

Case Number: 12-cr- 811 (FLW)

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest David Moleski

and bring him forthwith to the nearest magistrate to answer an

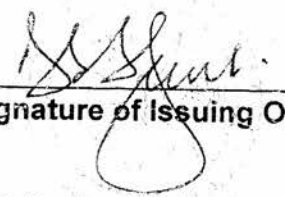
Indictment Information Complaint Order of Court Violation Notice Probation Violation Petition

charging him with mail fraud, wire fraud, submitting false claims for refunds, and corruptly endeavoring to obstruct and impede the Internal Revenue Laws.

in violation of Titles 18 and 26, United States Code, Sections 1341, 1343, 287, 7212(a)

Honorable Douglas E. Arpert
Name of Issuing Officer

United States Magistrate Judge
Title of Issuing Officer


Signature of Issuing Officer


Trenton, New Jersey
Date and Location

Bail fixed at \$ _____ by _____

RETURN

This warrant was received and executed with the arrest of the above-named defendant at

402 E. State St, Trenton, NJ 08608

Date Received <u>12/13/12</u>	Name and Title of Arresting Officer <u>Jeffrey McDevitt</u>	Signature of Arresting Officer 
Date of Arrest <u>12/13/12</u>	Special Agent	

MAGISTRATE'S COURTROOM MINUTES

UNITED STATES OF AMERICA :
 :
 v. :
 :
 DAVID MOLESKI :
 :

MAGISTRATE JUDGE: Douglas E. Arpert, U.S.M.J.
MAGISTRATE NO.: 12-811(FLW)
DATE OF PROCEEDINGS: 12/14/2012
DATE OF ARREST: 12-13-12

PROCEEDINGS: Bail Hearing
~~INITIAL APPEARANCE~~

- COMPLAINT
- ADVISED OF RIGHTS
- WAIVER OF COUNSEL
- APPT. OF COUNSEL: AFPD CJA
- WAIVER OF HRG.: PRELIM REMOVAL
- CONSENT TO MAGISTRATE'S JURISDICTION
- PLEA ENTERED: GUILTY NOT GUILTY
- PLEA AGREEMENT
- RULE 11 FORM
- FINANCIAL AFFIDAVIT EXECUTED
- OTHER _____

- TEMPORARY COMMITMENT
- CONSENT TO DETENTION WITH RIGHT TO MAKE A BAIL APPLICATION AT A LATER TIME
- BAIL DENIED - DEFENDANT REMANDED TO CUSTODY
- BAIL SET: _____
 - UNSECURED BOND
 - SURETY BOND SECURED BY CASH / PROPERTY
- TRAVEL RESTRICTED _____
- REPORT TO PRETRIAL SERVICES
- DRUG TESTING AND/OR TREATMENT
- MENTAL HEALTH TESTING AND/OR TREATMENT
- SURRENDER &/OR OBTAIN NO PASSPORT
- SEE ORDER SETTING CONDITIONS OF RELEASE FOR ADDITIONAL CONDITIONS

HEARING(S) SET FOR:

 PRELIMINARY / REMOVAL HRG.
 DETENTION / BAIL HRG.
 TRIAL: COURT JURY
 SENTENCING
 OTHER: _____

DATE: _____
DATE: _____
DATE: _____
DATE: _____
DATE: _____

APPEARANCES:

AUSA TINO M. LISELLA

DEFT. COUNSEL DAVID SCHAFER

PRETRIAL Present

INTERPRETER N/A
Language: (_____)

Time Commenced: 11:18 AM
Time Terminated: 11:23 AM
CD No: _____
5 minutes total time

Charmaine D. Ellington
DEPUTY CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Crim No.12-811 (FLW)
v. : Hon. Douglas E. Arpert
DAVID MOLESKI : ORDER OF DETENTION

This matter having been opened to the Court on motion of the United States, by Kathryn Keneally, Assistant Attorney General, United States Department of Justice, Tax Division (Tino M. Lisella, Trial Attorney, appearing on behalf of the United States before the Court on December 13, 2012) in the presence of David E. Schafer, Esq., attorney for defendant DAVID MOLESKI, for an order pursuant to Title 18, United States Code, Section 3142 detaining the defendant without bail based on risk of flight, and for the reasons stated on the record and for good cause shown;

IT IS, therefore, on this 14th day of December, 2012,

ORDERED that the motion of the United States for an order detaining the defendant is hereby GRANTED, and defendant is hereby ordered detained; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142, that the defendant be committed to the custody of the United States Marshal's Service; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142(i), that the defendant be afforded reasonable opportunity for private consultations with counsel; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142(i), that, upon order of this or any other court of the United States of competent jurisdiction or on request of an

attorney for the United States, the defendant shall be delivered to a United States Marshal for the purpose of appearances in connection with court proceedings.



HON. DOUGLAS E. ARPERT
United States Magistrate Judge

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA :
 :
 :
 v. :
 :
 DAVID MOLESKI :

12-811 (FLW)
MAGISTRATE NO. ~~12-2550 (DEA)~~

ORDER

The financial inability of the defendant to retain counsel having been established by the Court, and the defendant not having waived the appointment of counsel,

It is on this 14th day of DECEMBER, 2012,

ORDERED that DAVID SCHAFER from the Office of the Federal Public Defender for the District of New Jersey is hereby appointed to represent said defendant in the cause until further order of the Court.



Douglas E. Arper
United States Magistrate Judge

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
MINUTES OF PROCEEDINGS

December 14, 2012
DATE OF PROCEEDINGS

OFFICE: TRENTON

JUDGE FREDA L. WOLFSON, U.S.D.J.

COURT REPORTER: VINCENT RUSSOINELLO

Docket # CR. 12-811-01(FLW)

TITLE OF CASE:
UNITED STATES OF AMERICA

v.

DAVID MOLESKI

DEFT. PRESENT

APPEARANCES:

Tino Martin Lisella, & Yael Epstein, AUSA for Government
David Schafer, AFPD for Defendant

NATURE OF PROCEEDINGS: ARRAIGNMENT

Defendant advised of his/her rights, charges and penalties.

PLEA: NOT GUILTY as to counts 1-19 of the indictment.

Deft waives formal reading of Indictment.

Ordered motions to be filed by January 14, 2013

Ordered responses due by January 28, 2013

Ordered motions returnable February 11, 2013

Ordered trial set for **February 19, 2013** at 9:30 a.m.

Order for Discovery and Inspection to be filed.

Ordered detention continued as previously set.

Time commenced: 11:50 a.m.

Time Adjourned: 11:55 a.m.

Total Time: (5)

s/Jacqueline Gore
DEPUTY CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA :
 :
 v. : **CRIMINAL NO. 12-811-01(FLW)**
 :
 DAVID MOLESKI : **ORDER FOR DISCOVERY**
 : **AND INSPECTION**
 Defendant(s) :

In order to eliminate unnecessary motions for discovery in this case, to eliminate delays in the presentation of evidence and the examination of witnesses, and to expedite the trial pursuant to the provisions of the Speedy Trial Act of 1974,

IT IS ORDERED:

1. Conference. Within ten (10) days from the date hereof, the attorneys representing the United States and the defendant shall meet or confer to seek to resolve any discovery issues prior to the filing of motions, and the United States shall permit the defendant to inspect, and shall permit defendant to photograph or copy, or shall furnish a photograph or copy of:

(a) All statements of the defendant required to be produced under Rule 16 (a) (1) (A), (B) or (C), Fed. R. Crim. P.

(b) Defendant's prior criminal record as required by Rule 16 (a) (1) (D), Fed. R. Crim. P.

(c) All documents and tangible objects required to be produced under Rule 16 (a) (1) (E), Fed. R. Crim. P.

(d) All reports of examinations and tests required to be produced under Rule 16 (a) (1) (F), Fed. R. Crim. P.

(e) All summaries of expert witnesses' testimony, required to be produced under Rule 16 (a) (1) (G), Fed. R. Crim. P. The summaries provided shall describe the witnesses' opinions, the bases and reasons therefor, and the witnesses' qualifications.

(f) Any material evidence favorable to the defense related to issues of guilt, lack of guilt or punishment which is known or that by the exercise of due diligence may become known to the attorney for the United States, within the purview of Brady v. Maryland and its progeny.

(g) If there is more than one defendant named in the indictment, and if the United States intends to introduce into evidence in its case-in-chief a confession made to law enforcement authorities by one defendant which names or makes mention of a co-defendant, then the United States must make a copy of that statement or confession available to counsel for the non-declarant defendant, along with a proposal for its redaction to conform with the requirements of Bruton v. United States. If the government makes no such disclosure and turnover within the time period allowed, the confession may not be received at a joint trial of the declarant and non-declarant defendants. If, within ten (10) days after receipt of the confession and its redacted version, counsel for the non-declarant defendant makes no objection to the redacted statement, the

defendant will be deemed to have acceded to the receipt of the redacted statement into evidence.

(h) A defendant who receives discovery pursuant to this Order shall be deemed to have requested such disclosure for the purpose of triggering defendant's reciprocal discovery obligations under Rule 16 (b), Fed. R. Crim. P. The defendant shall have ten (10) days from its receipt of discovery from the United States to produce its reciprocal discovery.

(i) Any defendant intending to offer a defense of alibi or insanity or mental condition shall comply with the requirements of Rules 12.1 and 12.2, Fed. R. Crim. P.

2. Disclosure Declined. If, in the judgment of the United States Attorney, in

order to protect the identity of a confidential informant or undercover agent, to prevent interference with an ongoing investigation, to protect the integrity of the criminal proceeding, or to otherwise serve the interests of justice, any disclosure set forth in paragraph 1 hereof should not be made, disclosure may be declined, and defense counsel advised in writing of the declination within five (5) days of the conference.

A defendant who seeks to challenge the declination may move the Court for relief in the following manner:

(a) No later than ten (10) days from the time that the government declines, the defendant shall file a motion for discovery or inspection.

(b) The motion shall conform to the schedule set forth in paragraph 12 of this

Order, unless otherwise ordered by the Court.

(c) The motion shall set forth: (1) the statement that the prescribed conference was held; (2) the date of the conference; (3) the name of the attorney for the United States with whom the conference was held; (4) the matters which were agreed upon; and (5) the matters which are in dispute and which require the determination of the Court.

(d) In responding to any such motion, the United States must show good cause for the declination of discovery, and in doing so may invoke the provisions of Fed. R. Crim. P. 16 (d) (1).

3. Rule 404 (b) Evidence. The United States shall provide notice to the defense of all evidence it intends to offer of other crimes, wrongs or acts within the meaning of Rule 404 (b) of the Federal Rules of Evidence, not less than ten (10) calendar days prior to the date of trial, except that for good cause shown, the Court may excuse such pretrial notice.

4. Jencks and Giglio Material. The United States agrees to produce all statements within the meaning of the Jencks Act, 18 U.S.C. § 3500, and impeachment evidence within the meaning of Giglio v. United States, 405 U.S. 150 (1972), sufficiently in advance of the witness' testimony to avoid delay in the trial. Similarly, the defense shall produce "reverse Jencks" statements sufficiently in advance of the witness' testimony to avoid delay in the trial.

5. Continuing Duty. Any duty of disclosure and discovery set forth herein is a

continuing one and the attorneys for all parties shall produce any additional discoverable information.

6. Exhibits. The United States shall pre-mark all exhibits that it intends to introduce as part of its case-in-chief and shall permit defense counsel to inspect and copy such exhibits thirty (30) days before trial. A set of such pre-marked exhibits with an exhibit list shall be given to the trial judge's deputy clerk no later than the first day of trial. The defendant's exhibits shall also be pre-marked and, unless otherwise ordered by the Court upon the defendant's application, shall be disclosed to the United States within seven (7) days after the United States' disclosure. Defense counsel, in an appropriate case, may apply to the Court for an order requiring the United States to pre-mark exhibits more than thirty (30) days in advance of trial. The United States and the defense shall also pre-mark all Jencks Act materials and "reverse Jencks" pursuant to Rule 26.2, Fed. R. Crim P., so that no trial delay is encountered.

7. Authenticity of Exhibits. The authenticity of all exhibits disclosed to and examined by counsel pursuant to the provisions of paragraph 6 of this Order shall be deemed to have been accepted by either the defendant or the United States unless counsel files with the Court, fourteen (14) days prior to the date of trial, a notice that the authenticity of one or more exhibits will be contested at trial, together with a statement delineating why the authenticity of the exhibit is being challenged together with a certification that the challenge to authenticity is being made in good faith.

8. Chain of Possession. When counsel has examined an exhibit disclosed prior

to trial pursuant to the provisions of paragraph 6 of this Order, the chain of possession of the exhibit will be deemed to have been accepted by either the defendant or the United States unless counsel files with the Court, fourteen (14) days prior to the date of trial, a notice that the chain of possession of the exhibit will be contested at trial together with a statement delineating that the chain of possession of the exhibit is being challenged and a certification that the challenge to the chain of possession is being made in good faith.

9. Scientific Analysis. When any party has disclosed the scientific analysis of an exhibit proposed to be introduced at trial by that party, which analysis has been determined by an expert in the field of science involved, then the scientific analysis of the exhibit will be deemed admitted unless counsel for a party receiving the disclosure files with the Court, fourteen (14) days prior to trial, a notice that the scientific analysis of the exhibit will be contested.

10. Other Motions by Defendant. Motions regarding defenses or objections permitted pursuant to Rules 12 and 41(g), Fed. R. Crim. P., including, inter alia, motions for suppression of evidence, shall be made within thirty (30) days from the date hereof unless good cause for delay is shown.

11. Translations - In the event that the United States intends to utilize translations of any conversations, copies or transcripts of such translations shall be produced for defense counsel no later than thirty (30) days prior to the date of trial. The correctness of any such translation or transcript will be deemed admitted, unless defense counsel serves and files with the Court, fourteen (14) days prior to the date of trial, a notice that counsel objects to the translation or transcript, specifying the portions

thereof to which objection is made and counsel's contentions as to the correct translation.

12. All pretrial motions not otherwise specifically provided for in this or other Orders of the Court in this case will be deemed waived unless they are filed and served not later than:

ALL PRETRIAL MOTIONS TO BE FILED BY: **January 14, 2013**

OPPOSITION DUE BY: **January 28, 2013**

MOTIONS HEARING DATE: **February 11, 2013**

TRIAL SET FOR: **February 19, 2013**

13. Counsel shall furnish to the Court, five (5) days prior to the date of trial, requests to charge and proposed voir dire questions.

s/Freda L. Wolfson
FREDA L. WOLFSON
UNITED STATES DISTRICT JUDGE

Dated: December 14, 2012

UNITED STATES DISTRICT COURT

for the

District of New Jersey

UNITED STATES OF AMERICA)

Plaintiff)

v.)

DAVID MOLESKI)

Defendant)

Case No. 3:12-CR-00811 (FLW)

APPEARANCE OF COUNSEL

To: The clerk of court and all parties of record

I am admitted or otherwise authorized to practice in this court, and I appear in this case as counsel for:

The United States of America

Date: 12/17/2012

s/ Yael T. Epstein

Attorney's signature

Yael T. Epstein

Printed name and bar number

United States Department of Justice
Tax Division, Criminal Enforcement Section
601 D Street NW Room 7139
Washington, DC 20004

Address

yael.t.epstein@usdoj.gov

E-mail address

(202) 514-5150

Telephone number

(202) 514-8455

FAX number

MAGISTRATE'S COURTROOM MINUTES

UNITED STATES OF AMERICA
v.
DAVID MOLESKI

MAGISTRATE JUDGE: Douglas E. Arpert, U.S.M.J.
MAGISTRATE NO.: 12-811(FLW)
DATE OF PROCEEDINGS: 12/19/2012
DATE OF ARREST: _____

PROCEEDINGS: Bail Hearing
~~INITIAL APPEARANCE~~

- COMPLAINT
- ADVISED OF RIGHTS
- WAIVER OF COUNSEL
- APPT. OF COUNSEL: ___ AFPD ___ CJA
- WAIVER OF HRG.: ___ PRELIM ___ REMOVAL
- CONSENT TO MAGISTRATE'S JURISDICTION
- PLEA ENTERED: ___ GUILTY ___ NOT GUILTY
- PLEA AGREEMENT
- RULE 11 FORM
- FINANCIAL AFFIDAVIT EXECUTED
- OTHER _____

- TEMPORARY COMMITMENT
- CONSENT TO DETENTION WITH RIGHT TO MAKE A BAIL APPLICATION AT A LATER TIME
- BAIL DENIED - DEFENDANT REMANDED TO CUSTODY
- BAIL SET: \$ 50,000 w/ third party
custodian
- UNSECURED BOND
- SURETY BOND SECURED BY CASH / PROPERTY
- TRAVEL RESTRICTED NJ & Florida
- REPORT TO PRETRIAL SERVICES
- DRUG TESTING AND/OR TREATMENT
- MENTAL HEALTH TESTING AND/OR TREATMENT
- SURRENDER &/OR OBTAIN NO PASSPORT
- SEE ORDER SETTING CONDITIONS OF RELEASE FOR ADDITIONAL CONDITIONS

HEARING(S) SET FOR:

- PRELIMINARY / REMOVAL HRG.
- DETENTION / BAIL HRG.
- TRIAL: ___ COURT ___ JURY
- SENTENCING
- OTHER: _____

DATE: _____
DATE: _____
DATE: _____
DATE: _____
DATE: _____

APPEARANCES:

AUSA Yael Epstein & Harvey Bartle
DEFT. COUNSEL DAVID SCHAFFER
PRETRIAL Present
INTERPRETER N/A
Language: (_____)

Time Commenced: 12:01 PM
Time Terminated: 12:13 PM
CD No: _____

Charmaine D. Ellington
DEPUTY CLERK

for the District of New Jersey

United States of America

ORDER SETTING CONDITIONS OF RELEASE

v.

DAVID MOLESKI

Case Number: 12-811(FLW)

Defendant

IT IS ORDERED on this 19TH day of December, 2012 that the release of the defendant is subject to the following conditions:

- (1) The defendant must not violate any federal, state or local law while on release.
(2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
(3) The defendant must immediately advise the court, defense counsel, and the U.S. attorney in writing before any change in address and/or telephone number.
(4) The defendant must appear in court as required and must surrender to serve any sentence imposed.

Release on Bond

Bail be fixed at \$ 50,000 and the defendant shall be released upon:

- (X) Executing an unsecured appearance bond (X) with co-signor(s) Stephen Moleski;
(X) Executing a secured appearance bond () with co-signor(s) and () depositing in cash in the registry of the Court % of the bail fixed; and/or () execute an agreement to forfeit designated property located at Local Criminal Rule 46.1(d)(3) waived/not waived by the Court.
() Executing an appearance bond with approved sureties, or the deposit of cash in the full amount of the bail in lieu thereof;

Additional Conditions of Release

Upon finding that release by the above methods will not by themselves reasonably assure the appearance of the defendant and the safety of other persons and the community, it is further ordered that the release of the defendant is subject to the condition(s) listed below:

IT IS FURTHER ORDERED that, in addition to the above, the following conditions are imposed:

- (X) Report to Pretrial Services ("PTS") as directed and advise them immediately of any contact with law enforcement personnel, including but not limited to, any arrest, questioning or traffic stop.
(X) The defendant shall not attempt to influence, intimidate, or injure any juror or judicial officer; not tamper with any witness, victim, or informant; not retaliate against any witness, victim or informant in this case.
(X) The defendant shall be released into the third party custody of Sheik Neerroa

who agrees (a) to supervise the defendant in accordance with all the conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Custodian Signature: [Signature] Date: 12/19/12
Witness: Angel Peterson, USPO - 12.19.12

- (X) The defendant's travel is restricted to (X) New Jersey (X) Other Florida unless approved by Pretrial Services (PTS).

- Surrender all passports and travel documents to PTS. Do not apply for new travel documents.
- Substance abuse testing and/or treatment as directed by PTS. Refrain from obstructing or tampering with substance abuse testing procedures/equipment.
- Refrain from possessing a firearm, destructive device, or other dangerous weapons. All firearms in any home in which the defendant resides shall be removed by _____ and verification provided to PTS.
- Mental health testing/treatment as directed by PTS.
- Abstain from the use of alcohol.
- Maintain current residence or a residence approved by PTS.
- Maintain or actively seek employment and/or commence an education program.
- No contact with minors unless in the presence of a parent or guardian who is aware of the present offense.
- Have no contact with the following individuals: _____
- Defendant is to participate in one of the following home confinement program components and abide by all the requirements of the program which will or will not include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your ability to pay as determined by the pretrial services office or supervising officer.
 - (i) **Curfew.** You are restricted to your residence every day from _____ to _____, or as directed by the pretrial services office or supervising officer; or
 - (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the pretrial services office or supervising officer; or
 - (iii) **Home Incarceration.** You are restricted to your residence at all times except for medical needs or treatment, religious services, and court appearances or other activities pre-approved by the pretrial services office or supervising officer.
- Defendant is subject to the following computer/internet restrictions which may include manual inspection and or the installation of computer monitoring software as deemed appropriate by Pretrial Services;
 - (i) **No Computers** - defendant is prohibited from possession and/or use of computers or connected devices.
 - (ii) **Computer - No Internet Access:** defendant is permitted use of computers or connected devices, but is not permitted access to the Internet (World Wide Web, FTP Sites, IRC Servers, Instant Messaging, etc);
 - (iii) **Computer With Internet Access:** defendant is permitted use of computers or connected devices, and is permitted access to the Internet (World Wide Web, FTP Sites, IRC Servers, Instant Messaging, etc.) for purposes pre-approved by Pretrial Services at [] home [] for employment purposes.
 - (iv) **Consent of Other Residents** -by consent of other residents in the home, any computers in the home utilized by other residents shall be approved by Pretrial Services, password protected by a third party custodian approved by Pretrial Services, and subject to inspection for compliance by Pretrial Services.

Other: passport to be surrendered immediately.

Other: Surrender pilot's license immediately.

Other: _____

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

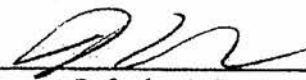
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.



Defendant's Signature

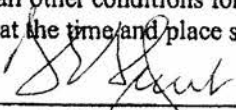
Deerfield Beach FL

City and State

Directions to the United States Marshal

- The defendant is ORDERED released after processing.
- The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 12-21-12



Judicial Officer's Signature

Printed name and title

PRETRIAL RELEASE REPORTING INSTRUCTIONS

DEFENDANT David Moleski	DISTRICT COURT Trenton, New Jersey	DOCKET NO. 12-811
CASE SUPERVISOR Laurie Nadler	TELEPHONE NUMBER (609) 989-2056	

REPORT AS FOLLOWS:

In Person:
As directed by Florida Southern Probation Office

By Telephone:
As directed by Florida Southern Probation Office

Additional Instructions:

Immediately surrender US Passport and Pilots license. Do not apply for any new travel documents.
Sheik Neerooa to serve as third party custodian
Maintain current residence or a residence approved by Pretrial Services
Travel restricted to New Jersey and Florida

Report in person to Florida Southern Probation Office, United States Courthouse, 299 East Broward Boulevard, Suite 409, Ft Lauderdale, FL 33301, telephone 954-769-5500 by 10am on Wednesday, December 26, 2012 to surrender US Passport. You must also call Pretrial Services in NJ to report the surrender of your passport.

Home visits will be conducted throughout your period of supervision.

Notify your Pretrial Services Officer immediately of any change in address, telephone, or employment.



COURT ORDER required for travel outside the restricted area.

You shall not commit a federal, state, or local crime during the period of release. You shall inform the Pretrial Services Officer immediately if you are charged with an offense.

In case of an emergent event that may result in the closing of your assigned reporting office, you are instructed to contact one of the alternate Pretrial Services' sites: Camden (Tel. 856.757.5107), Trenton (Tel. 609.989.2056), Newark (Tel. 973.645.2230).

DEFENDANT'S STATEMENT

I understand the above stated instructions and understand that failure to comply will be reported to the Court and may result in the revocation of my bond and my detention pending the outcome of my case.

SIGNATURE OF DEFENDANT 	DATE
SIGNATURE OF UNITED STATES PRETRIAL SERVICES OFFICER 	DATE 12/21/12