

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- -x  
UNITED STATES OF AMERICA :

-v- :

ROBERT ARTECA, :  
a/k/a "Bobby," :  
a/k/a "Bobby Gambino," :  
ANTHONY RUSSO, and :  
ANTHONY GUIDICE, :  
a/k/a "Tony," :

Defendants. :

INDICTMENT

02 Cr. 729

----- -x  
COUNT ONE

The Grand Jury charges:

Background

1. At all times relevant to this Indictment, a nationwide criminal organization known by various names, including the "Mafia" and "La Cosa Nostra" ("LCN"), operated through entities known as "Families," one of which was the Gambino Organized Crime Family. The head of the Gambino Organized Crime Family was known as the "Boss" and was assisted by an "Underboss" and a "Consigliere," or counselor. The Boss, Underboss, and Consigliere, or other members of the Gambino Organized Crime Family acting on their behalf, were responsible for, among other things, setting policy and resolving disputes.

2. The Gambino Organized Crime Family operated through groups of individuals known as "crews" and "regimes." Each crew had as its leader a person known as a "Caporegime," "Capo," or

"Captain," and consisted of "made" members, sometimes known as "soldiers," "wise guys," and "good fellows."

3. "Made" members were frequently aided in their criminal endeavors by other individuals known as "associates." These associates were sometimes referred to as "connected" or identified as "with" a soldier, and participated in the various activities of the crew and its members.

4. Members and associates of the Gambino Organized Crime Family, including those associates named herein, conspired to, attempted to, and did commit extortion in the garment manufacturing industry in New York City and New Jersey, and used the reputation of the Gambino Organized Crime Family to keep victims and others in fear of the Gambino Organized Crime Family, and its members and associates, by identifying themselves as "with" LCN, the "Mafia", or the Gambino Organized Crime Family, and by committing and threatening to commit physical violence and economic harm.

5. To ensure payment of their extortionate demands, including business-related debts, from various companies that operated in the garment industry in New York City and elsewhere, the members and associates of the Gambino Organized Crime Family, including those associates named herein, communicated by words, and other means of communication, implicit and explicit threats to their victims and others concerning the consequences of non-payment of their extortionate demands, including business-related debts, instilling and intending to instill fear in their victims.

6. As described below, ROBERT ARTECA, a/k/a "Bobby," a/k/a "Bobby Gambino," ANTHONY RUSSO, and ANTHONY GUIDICE, a/k/a "Tony," the defendants, all associates of the Gambino Organized Crime Family, made implicit and explicit threats to their victims and others concerning the consequences of non-payment of certain sums of money, which instilled, and was intended to instill, fear in their victims.

Conspiracy to Commit Extortion

7. From at least in or about December 2000, up to and including in or about September 2001, in the Southern District of New York and elsewhere, ROBERT ARTECA, a/k/a "Bobby," a/k/a "Bobby Gambino," and ANTHONY RUSSO, the defendants, and others known and unknown, unlawfully, willfully, and knowingly combined, conspired, confederated, and agreed together and with each other to commit extortion, as that term is defined in Title 18, United States Code, Section 1951(b) (2), by the obtaining of property, namely, thousands of dollars in United States currency, from and with the consent of another person, to wit, the owners and operators of a business known as Katherine Bishop II, which consent would have been, and was, induced by the wrongful use of actual and threatened force, violence, and fear, and thereby would and did obstruct, delay, and affect commerce, and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b) (3).

(Title 18, United States Code, Section 1951.)

COUNT TWO

Extortion

The Grand Jury further charges:

8. Paragraphs 1 through 6 of this Indictment are hereby repeated, realleged and incorporated by reference as though fully set forth herein.

9. From at least in or about December 2000, up to and including in or about September 2001, in the Southern District of New York and elsewhere, ROBERT ARTECA, a/k/a "Bobby," a/k/a "Bobby Gambino," and ANTHONY RUSSO, the defendants, and others known and unknown, unlawfully, willfully, and knowingly attempted to, and did, commit extortion, as that term is defined in Title 18, United States Code, Section 1951(b)(2), by attempting to obtain and obtaining property, namely, thousands of dollars in United States currency, from and with the consent of another person, to wit, the owners and operators of a business known as Katherine Bishop II, which consent would have been, and was, induced by the wrongful use of actual and threatened force, violence, and fear, and thereby would and did obstruct, delay, and affect commerce, and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3).

(Title 18, United States Code, Sections 1951 and 2.)

COUNT THREE

Conspiracy to Commit Extortion

The Grand Jury further charges:

10. Paragraphs 1 through 6 of this Indictment are hereby repeated, realleged and incorporated by reference as though fully set forth herein.

11. From at least in or about December 2000, up to and including in or about April 2002, in the Southern District of New York and elsewhere; ROBERT ARTECA, a/k/a "Bobby," a/k/a "Bobby Gambino," ANTHONY RUSSO and ANTHONY GUIDICE, a/k/a "Tony," the defendants, and others known and unknown, unlawfully, willfully, and knowingly combined, conspired, confederated, and agreed together and with each other to commit extortion, as that term is defined in Title 18, United States Code, Section 1951(b)(2), by the obtaining of property, namely, tens of thousands of dollars in United States currency, from and with the consent of another person, to wit, the owners and operators of a business, known as Anthony Sicari Apparel Group, Inc., which consent would have been, and was, induced by the wrongful use of actual and threatened force, violence, and fear, and thereby would and did obstruct, delay, and affect commerce, and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3).

(Title 18, United States Code, Section 1951.)

COUNT FOUR

Extortion

The Grand Jury further charges:

12. Paragraphs 1 through 6 of this Indictment are hereby repeated, realleged and incorporated by reference as though fully set forth herein.

13. From at least in or about December 2000, up to and including in or about April 2002, in the Southern District of New York and elsewhere, ROBERT ARTECA, a/k/a "Bobby," a/k/a "Bobby Gambino," ANTHONY RUSSO and ANTHONY GUIDICE, a/k/a "Tony," the defendants, and others known and unknown, unlawfully, willfully, and knowingly attempted to, and did, commit extortion, as that term is defined in Title 18, United States Code, Section 1951(b)(2), by attempting to obtain and obtaining property, namely, tens of thousands of dollars in United States currency, from and with the consent of another person, to wit, the owners and operators of a business known as Anthony Sicari Apparel Group, Inc., which consent would have been, and was, induced by the wrongful use of actual and threatened force, violence, and fear, and thereby would and did obstruct, delay, and affect commerce, and the movement of articles and commodities in

commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3).

(Title 18, United States Code, Sections 1951 and 2.)

PREPERSON

*James B. Comey*  
\_\_\_\_\_  
JAMES B. COMEY  
United States Attorney