

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA            )  
  )  
          v.                                )     Cr. No.  
  )  
RALPH F. DELEO,                        )     VIOLATION:  
FRANKLIN M. GOLDMAN,                )     18 U.S.C. § 1962(d)  
EDMOND KULESZA, and                 )  
GEORGE WYLIE THOMPSON,             )  
  )  
          Defendants.                    )

INDICTMENT

The Grand Jury charges that:

COUNT ONE:           (18 U.S.C. § 1962(d))

The Enterprise

1. At various times relevant to this Indictment, **RALPH F. DELEO, FRANKLIN M. GOLDMAN, EDMOND KULESZA, and GEORGE WYLIE THOMPSON**, the defendants, and others known and unknown, were members and associates of the "DeLeo Crew," a criminal organization whose members and associates engaged in the importation, trafficking, and distribution of narcotics and controlled substances, extortion, loan sharking, and interstate and foreign travel in aid of racketeering, and which operated principally in the areas of Massachusetts, Arkansas, Rhode Island, New York, and Florida.

2. The DeLeo Crew, including its leadership, membership and associates, constituted an "enterprise," as defined by Title 18, United States Code, Section 1961(4) (hereinafter "the enterprise"), that is, a group of individuals associated in fact.

The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise. This enterprise was engaged in, and its activities affected, interstate and foreign commerce.

3. The enterprise was structured in the following manner, had the following purposes, and the defendants and other persons associated with and employed by the Enterprise functioned in the following roles.

#### Structure of the Enterprise

4. La Cosa Nostra ("LCN"), also known as the "mafia," is a criminal organization that operates in various parts of the United States and Canada through entities known as "families." The five most powerful families of LCN are based in New York City. The Colombo Family is one of those five families.

5. The enterprise was comprised of members and associates of the DeLeo Crew, which operated in the District of Massachusetts and elsewhere. In that capacity, defendant **RALPH F. DELEO ("DELEO")** was responsible for the overall management of the crew's criminal activities.

6. The DeLeo Crew was so named because it is headed by **DELEO**. **DELEO** was a made member of and, throughout most of 2009, occupied the senior leadership position of "street boss" of the Colombo Family. **DELEO's** membership in, and leadership of, the Colombo Family facilitated the affairs of the enterprise and

enhanced the ability of its members to make money by illegal means. Concurrently, **DELEO** used the criminal activities of the DeLeo Crew to increase and maintain his status in the Colombo Family, and to carry out and facilitate his responsibilities as the Colombo Family street boss.

7. Although the DeLeo Crew reported directly to **DELEO** during his tenure as the Colombo Family's street boss, the DeLeo Crew was structured and operated like a traditional crew or regime of LCN. **DELEO** directed and controlled all major decisions regarding criminal activities of the DeLeo Crew. He did this by, among other things, recruiting new members to perform specific functions, directing members and associates of the crew to commit criminal acts, and by approving criminal acts proposed by other members of the enterprise. Members of the enterprise were expected to commit criminal acts, including acts of violence, as directed by **DELEO**.

8. The defendants **FRANKLIN M. GOLDMAN** ("**GOLDMAN**") and **EDMOND KULESZA** ("**KULESZA**") played significant roles in the management of the DeLeo Crew's affairs by meeting regularly with **DELEO** to discuss and plan illegal activities. In addition, **GOLDMAN** played a significant role in setting up illegal narcotics deals, as well as engaging in extortion and extortionate collections of debt. **KULESZA** served as an enforcer, or "muscle," for the enterprise.

9. The defendant **GEORGE WYLIE THOMPSON** ("**THOMPSON**") engaged in illegal narcotics transactions with **DELEO** to further the interests of the DeLeo Crew and planned and participated in other illegal activities with **DELEO**, including supplying **DELEO** with firearms and ammunition to further the interests of the DeLeo Crew.

Goals and Purposes of the Enterprise

10. Members of the enterprise acted with the purpose of controlling, supervising, and financing illegal activities, and otherwise deriving income from those illegal activities, including the importation, trafficking, and distribution of narcotics and controlled substances, extortion, loan sharking, and interstate and foreign travel in aid of racketeering, and identifying and deterring or removing competitors and others who posed a threat to the enterprise or its illegal profits. The defendants utilized violence and the threat of violence to further their aims. The primary goals and purposes of the DeLeo Crew included the following:

(a) Generating money through the importation, trafficking, and distribution of narcotics and controlled substances, extortion, loan sharking, and interstate and foreign travel in aid of racketeering;

(b) Building up a cache of firearms, weapons, ammunition, and disguises which was to be used to support the criminal activities of the enterprise (at times these items were secreted at hidden locations, including a storage space in Watertown, MA); and

(c) Preserving, protecting, and enhancing the enterprise's operations and profits through the use of violence and threats of violence.

Means and Methods of the Enterprise

11. To further their goal of generating money for the enterprise, members and associates of the DeLeo Crew, among other things, imported, distributed, possessed with intent to distribute, and conspired to distribute, illegal narcotics and controlled substances, loaned money at usurious rates, and conspired to affect businesses engaged in interstate and foreign commerce by extortion.

12. The DeLeo Crew associated itself with certain members of organized crime, including members and associates of the Colombo Family and other families of LCN. This relationship enhanced the DeLeo Crew's ability to operate the Crew's criminal businesses. This relationship also protected the members and associates of the DeLeo Crew from encroachment by other criminal competitors.

13. Among the means and methods by which the defendants and their associates conducted and participated in the conduct of the affairs of the enterprise were the following:

(a) Members of the enterprise and their associates used, attempted to use, and conspired to use extortion, which affected interstate commerce.

(b) Members of the enterprise and their associates imported, trafficked in, and distributed narcotics and controlled substances, including cocaine and marijuana.

(c) Members of the enterprise and their associates made, financed, and collected extortionate extensions of credit.

(d) Members of the enterprise and their associates collected extensions of credit through extortionate means.

(e) Members of the enterprise and their associates committed, and attempted and threatened to commit, acts of violence, including extortion and assault, to protect and expand the enterprise's criminal operations.

(f) Members of the enterprise and their associates promoted a climate of fear through violence and threats of violence.

(g) Members of the enterprise and their associates used and threatened to use physical violence against various individuals.

(h) Members and associates of the DeLeo Crew engaged in activities designed to hinder and obstruct the administration of justice as a means of preserving and protecting the enterprise and its leadership from prosecution. These activities included, but were not limited to, the following: warning other members and associates of the enterprise about contacts with law enforcement and about the possibility of surveillance by law enforcement; providing false exculpatory statements to law enforcement officials and witnesses, and coordinating such statements with other members and associates of the enterprise; providing financial assistance to those who might be witnesses against the enterprise, including by developing other criminal opportunities; engaging in unlawful flight to avoid prosecution and assisting other members of the enterprise who become fugitives.

#### The Racketeering Conspiracy

14. From in or before 2008 through November 2009, both dates being approximate and inclusive, within the District of Massachusetts and elsewhere, the defendants, **RALPH F. DELEO**, **FRANKLIN M. GOLDMAN**, **EDMOND KULESZA**, and **GEORGE WYLIE THOMPSON**, together with other persons known and unknown to the grand jury, being persons employed by and associated with the DeLeo Crew, an enterprise, which engaged in, and the activities of which affected, interstate and foreign commerce, conspired to violate

18 U.S.C. § 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of that enterprise through a pattern of racketeering activity involving multiple acts indictable under the following provisions of federal law:

- (a) 18 U.S.C. § 1951 (extortion);
- (b) 18 U.S.C. § 892 (making extortionate extensions of credit);
- (c) 18 U.S.C. § 894 (collecting extensions of credit by extortionate means);
- (d) 18 U.S.C. § 1512 (obstruction of justice);
- (e) 18 U.S.C. § 1952 (interstate travel in aid of racketeering);

multiple acts involving state offenses chargeable under the following provisions of state law:

- (f) extortion, in violation of Massachusetts General Law, Chapter 265, Section 25;

and multiple acts involving the importation, distribution, and trafficking of narcotics and controlled substances, including cocaine and marijuana, in violation of the laws of the United States, Sections 841(a)(1) and 846 of Title 21, United States Code.

15. It was a further part of the conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise.

Overt Acts

16. In furtherance of the racketeering conspiracy, and to effect the objects thereof, the defendants and their co-conspirators committed and caused to be committed the following overt acts, among others, on or about the following dates, in the District of Massachusetts and elsewhere:

(a) In or about December, 2008, **DELEO** and **THOMPSON** arranged for John Doe #1 to purchase over two kilograms of cocaine, a Schedule II controlled substance, and for John Doe #1 to drive the cocaine from California to **DELEO** in Massachusetts by way of Arkansas. **DELEO** paid for the cocaine by sending \$50,000 to John Doe #1 by FedEx. The Grand Jury alleges that the conspiracy described herein involved at least 500 grams of cocaine, a Schedule II controlled substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(ii) is applicable to this offense.

(b) On or about December 8, 2008, **THOMPSON** and **DELEO** discussed the types of firearms and ammunition for **THOMPSON** to send **DELEO**.

(c) In or about January, 2009, **DELEO** traveled to New York to meet with other members of the Colombo Family and to preside over a Colombo Family ceremony.

(d) In or about February and March, 2009, **DELEO** traveled to Florida to meet with members and associates of the Colombo Family.

(e) On or about March 11, 2009, **DELEO** and **GOLDMAN** traveled to Canton, Massachusetts, in an attempt to collect an extension of credit by extortionate means. The debt was owed to **DELEO** by John Doe #2, an associate of the enterprise.

(f) On or about March 12, 2009, John Doe #2 warned **DELEO** that he, John Doe #2, had been approached by the Federal Bureau of Investigation (FBI). On or about and after March 12, 2009, **DELEO** warned **GOLDMAN, THOMPSON**, and other members and associates of the enterprise that he was under investigation by the FBI.

(g) On or about April 15, 2009, **DELEO** and **KULESZA** drove to Foxwoods Casino in Connecticut to meet with a member of the Colombo Family.

(h) On or about June 16, 2009, **DELEO, GOLDMAN, and KULESZA** met at a coffee shop and discussed the enterprise's affairs, including extortion and drug dealing. Among other things **DELEO, GOLDMAN, and KULESZA** discussed a request made by an associate of the enterprise, John Doe #3, to administer a beating to an individual known to the grand jury. The intended victim was an advisor employed by an individual who was to have purchased a business owned by John Doe #3 but subsequently

reconsidered and opted not to purchase the business, in part based on advice from his advisor. The objective of the assault on the advisor was to force the individual to go through with the purchase of John Doe #3's business. **DELEO**, **GOLDMAN**, and **KULESZA** agreed to carry out the extortion and to have **KULESZA** locate the advisor for the purpose of carrying out the assault.

(i) On or about August 26, 2009, **DELEO**, **GOLDMAN**, and **KULESZA** met at a coffee shop to discuss the importation of marijuana from Canada to the United States.

(j) On or about September 28, 2009, **DELEO** traveled to Montreal, Canada, and met with members and associates of other LCN families to discuss, among other things, the scheme to import marijuana from Canada to the United States.

(k) On or about November 8, 2009, **DELEO** met with two other members of the Colombo Family to discuss, among other things, the plan to import marijuana from Canada. During that meeting, **DELEO** told the others that 250 pounds of marijuana were being shipped. The Grand Jury alleges that the conspiracy described herein involved at least 100 kilograms of marijuana, a Schedule I controlled substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(vii) is applicable to this offense.

(l) In or about October and November, 2009, **DELEO** and **KULESZA** arranged to have prescriptions delivered to **THOMPSON** in Thailand to assist him in remaining a fugitive.

(m) At times material to this Indictment, and in furtherance of the criminal activities of the enterprise, **DELEO** maintained in a hidden location a cache of at least eleven firearms, together with silencers, ammunition, masks, and patches from different police departments and other entities.

All in violation of Title 18, United States Code, Section 1962(d).

FORFEITURE ALLEGATIONS

1. The allegations of Count One of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 1963.

2. Upon conviction of the offense in violation of Title 18, United States Code, Section 1962, set forth in Count One of this Indictment, the defendants **RALPH F. DELEO, FRANKLIN M. GOLDMAN, EDMOND KULESZA,** and **GEORGE WYLIE THOMPSON** shall forfeit to the United States of America pursuant to Title 18, United States Code, Section 1963(a):

(a) all interests the defendants have acquired and maintained in violation of Title 18, United States Code, Section 1962, wherever located, and in whatever names held;

(b) all interests in, securities of, claims against, and properties and contractual rights of any kind affording a source of influence over, any enterprise which the defendants have established, operated, controlled, conducted, and participated in the conduct of, in violation of Title 18, United States Code, Section 1962; and

(c) all property constituting, and derived from, any proceeds which the defendants obtained, directly and indirectly, from racketeering activity and unlawful debt collection in violation of Title 18, United States Code, Section 1962.

3. The property to be forfeited by the defendants pursuant to 18 U.S.C. § 1963 includes, but is not limited to, the following assets:

(a) \$506.00 seized from 12 Hathorn Street, Somerville, MA, on November 16, 2009;

(b) \$41,262.17 seized from 17 Russell Street, Somerville, MA, on November 16, 2009;

(c) \$5,000 seized from Ralph Deleo on November 16, 2009;

(d) one 2004 Lexus RX330, bearing Vehicle Identification Number JTJHA31U040013983, seized from 17 Russell Street, Somerville, MA, on November 16, 2009;

(e) one Intratec Miami Florida .22 caliber scorpion, serial number 005928, and two magazines, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(f) one P Beretta cal 9 mm Corto 1934 Brevet. Cordone V.T. 1942 XXI pistol, serial number F74606, one magazine, and one silencer, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(g) one Mossberg New Haven, Conn 500A 12 GA shotgun, serial number L759085, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(h) one Ruger Model 10/22 carbine .22LR caliber rifle, serial number 23695108, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(i) five "45 AUTO" bullets seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(j) one Kimber ProCarry .45 pistol, serial number KR05447 and one magazine, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(k) one Browning Arms Company .22LR caliber Buckmark rifle, serial number 655NX05124 and one magazine, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(l) nine "45 AUTO" bullets, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(m) one Kimber Stainless Ultra Carry II .45 caliber pistol, serial number KU24667, and one magazine, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(n) one Ruger MKII .22LR caliber rifle, serial number 22470558, and two magazines, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(o) one Mountain Eagle .22LR caliber rifle, only Mountain Research Inc., serial number M691222369, and one magazine, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(p) one Ruger 22/45 .22LR caliber Target Competition Model pistol, serial number 22522207, and one magazine, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(q) one Kimber Classic Custom .45 caliber pistol, serial number K050061, one magazine, and one gun tool, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(r) Eight magazines and three Ruger magazines, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(s) five loose bullets seized from 128 Arlington Street, Watertown, MA, on December 3, 2009

(t) twenty-six rounds of .357 Magnum 100 GR jacketed HP Winchester ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(u) twenty rounds of .25 Auto 230 Gr. FMJ PMC ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(v) fifty rounds of Winchester .357 Magnum 158 Gr. Jackets S.P. ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(w) forty-one rounds of .38 Special Federal Premium 125 Gr. Hollow Point ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(x) six rounds of .38 Super Auto+P Winchester ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(y) forty-one rounds of .40 caliber S+W 180 Gr. TMJ Cleanfire CCI Blazer ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(z) thirty-eight rounds of .38 caliber Winchester Super Auto+P 130 Gr. Full Metal Jacket ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(aa) forty-six rounds of .38 Special caliber 158 Gr. L-RN CCI Blazer ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(bb) forty-two rounds of .22LR caliber subsonic rimfire cartridges, fifteen rounds of .380 Auto Hydra Shock jacketed Federal ammunition, and two spent cartridges, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(cc) fifty rounds of Super SE Extra Aguila 22 long rifle ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(dd) ninety-nine rounds of .22 long rifle Mini Mag CCI ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(ee) eighty rounds of .22 LR CCI Green Tag competition ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(ff) ninety rounds of .22 LR CCI Green Tag competition ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(gg) fifty rounds of .22 Long rifle SGB (small game bullet) ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(hh) thirty-six rounds of .22 long rifle "subsonic" ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(ii) fifty rounds of .22 long rifle "subsonic" ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(jj) thirty-three rounds of .380 Auto Full Metal Case "Made in USA" ammunition, and one spent cartridge, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(kk) forty-four rounds of .380 Auto Full Metal Case "Made in USA" ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(ll) forty-nine rounds of Remington Nitro 27 Handicap ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(mm) two rounds of Federal Maximum load "00" buck ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(nn) twelve rounds of Winchester .357 ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(oo) six rounds of WW Super .44 Rem Mag ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009;

(pp) six rounds of Federal .38 Special ammunition, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009; and

(qq) twenty rounds of .22 Long Rifle ammunition, and one empty magazine, seized from 128 Arlington Street, Watertown, MA, on December 3, 2009.

3. If any of the property described in paragraphs 2 and 3 hereof as being forfeitable pursuant to Title 18, United States Code, Section 1963, as a result of any act and omission of the defendants --

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred to, sold to, or deposited with a third party;

(c) has been placed beyond the jurisdiction of this Court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 18, United States Code, Section 1963(m), to seek forfeiture of any other property of the defendants up to the value of the property described in subparagraphs (a) through (e) hereof, including without limitation:

4. Each of the above named defendants is jointly and severally liable for the forfeiture obligations as alleged above.

All pursuant to Title 18, United States Code, Section 1963.

A TRUE BILL,

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FOREPERSON OF THE GRAND JURY

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TIMOTHY E. MORAN  
PETER K. LEVITT  
ASSISTANT U.S. ATTORNEYS

DISTRICT OF MASSACHUSETTS

December 17, 2009

Returned into the District Court by the Grand Jurors and  
filed.

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Deputy Clerk