

Book

UNITED STATES DISTRICT COURT
District of Rhode Island

UNITED STATES OF AMERICA

v.

Case Number CR CR 91-115-01T

STEPHEN SACCOCCIA
Defendant.

AMENDED JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, STEPHEN SACCOCCIA, was represented by W. KENNETH O'DONNELL, ESQ., and JACK HILL, ESQ..

The defendant was found guilty on count(s) 1, 38-39, 44-46, 48-52, 54-56, 58-61, 63-64, 66-71, 74-75, 77-83, 121-133, 134, 128-140 after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 1962	RICO CONSPIRACY	11/19/91	1
18 USC 1957	MONETARY TRANSACTIONS IN CRIMINALLY DERIVED PROPERTY	11/20/90	38-39, 41-42, 44-46, 48-52, 54-56, 58-61, 63-64, 66-71, 74-75, 77-83
18 USC 1956	MONEY LAUNDERING	10/26/90	121-133
18 USC 1952	TRAVEL ACT VIOLATIONS	4/4/91	134, 138-140

As pronounced on MAY 12, 1993, the defendant is sentenced as provided in pages 2 through 6 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$2,700.00, for count(s) 1, 38-39, 41-42, 44-46, 48-52, 54-56, 58-61, 63-64, 66-71, 74-75, 77-83, 121-133, 134, 138-140, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 22nd day of June, 1993.

Defendant's SSAN: 036-40-4567

Defendant's Date of Birth: 4/13/58

Defendant's address: 2 BRIMFIELD ROAD, CRANSTON RI

Ernest C. Jones
United States District Judge

(10)

Defendant: STEPHEN SACCOCCIA
Case Number: CR 91-115-01T

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 660 years as listed below.

Count 1 - 20 years.

Counts 38-39, 41-42, 44-46, 48-52, 54-56, 58-61, 63-64, 66-71, 74-75, 77-83, as to each of the 36 counts the defendant is hereby committed to the custody of the Bureau of Prisons for a term of 10 years per count (360 years), to be served consecutive to count 1.

Counts 121-133 as to each of the 13 counts the defendant is hereby committed to the custody of the Bureau of Prisons for a term of 20 years per count (260 years) to be served consecutive to count 1 and counts 38-39, 41-42, 44-46, 48-52, 54-56, 58-61, 63-64, 66-71, 74-75, 77-83.

Counts 134, 138, 139 & 140 as to each of the 4 counts the defendant is hereby committed to the custody of the Bureau of Prisons for a term of 5 years per count (20 years), to be served consecutive to count 1, counts 38-39, 41-42, 44-46, 48-52, 54-56, 58-61, 63-64, 66-71, 74-75, 77-83, and counts 121-133.

RETURN

The defendant is remanded to the custody of the United States Marshal.

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____

Defendant: STEPHEN SACCOCCIA
Case Number: CR 91-115-01T

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years with respect to counts 1, 38-39, 41-42, 44-46, 48-52, 54-56, 58-61, 63-64, 66-71, 74-75, 77-83, 121-133, 134, 138-140, to be served concurrently with each other.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If ordered to the custody of the Bureau of Prisons, the defendant shall report in person to the probation office in which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall pay the cost of supervised release.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this Judgment:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Defendant: STEPHEN SACCOCCIA
Case Number: CR 91-115-01T

FINE

The defendant shall pay a fine of \$ 15,794,150.80. This fine includes any costs of incarceration and supervision.

This amount is the total of the fines imposed on individual counts, as follows:

\$ 250,000.00 FINE COUNT 1
\$9,000,000.00 FINE COUNTS 38-39, 41-42, 44-46, 48-52, 54-56, 58-61, 63-64,
66-71, 74-75, 77-83
\$6,500,000.00 FINE COUNTS 121-133
\$ 40,000.00 FINE COUNTS 134, 138-140
\$ 4,150.80 COST OF SUPERVISED RELEASE.

This fine (plus any interest required) shall be paid in installments according to the following schedule:

Fine - \$15,790,000.00 - DUE IMMEDIATELY

Cost of Supervised Release - \$4,150.80 - Cost of supervised release to be paid in installments of \$115.30
per month during each month of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: STEPHEN SACCOCCIA
Case Number: CR 91-115-01T

RESTITUTION AND FORFEITURE

FORFEITURE

The defendant is ordered to forfeit the following property to the United States:

The defendant is ordered to forfeit the following property to the United States his interest in all assets, including bank accounts of Trend Precious Metals, Inc., Saccoccia Coin Co., International Metal Marketing, Inc., International Chain Sales, Vogue Precious Metals, Fefined Metals, Gold Enterprises Refinery, and SASCO Refining Co.

Count 1 - Pursuant to 18 USC 1963 (a)(3) and (m), the defendant shall forfeit to the United States \$136,344,231.86.

Counts 38-39, 41-42, 44-46, 48-52, 54-56, 58-61, 63-64, 66-71, 74-75, 77-83, 121-134, 138-140 - Pursuant to 18 USC 982(a)(1) and (b)(1)(A), the defendant shall forfeit to the United States \$9,381,757.75, said amount is included in and not in addition to the amount forfeited under Count 1.

Defendant: STEPHEN SACCOCCIA
Case Number: CR 91-115-01T

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	45
Criminal History Category:	II
Imprisonment Range:	Life in imprisonment
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 25,000.00 to \$ 6,000,000.00
Restitution:	\$

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reasons:

SEE ATTACHED TRANSCRIPT

United States District Court

FOR THE District of RHODE ISLAND

UNITED STATES OF AMERICA

V.

STEPHEN SACCOCCIA

(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: CR 91-115-01T
W. KENNETH O'DONNELL, ESQ.
JACK HILL, ESQ.

Defendant's Attorney

THE DEFENDANT:

- ☐ pleaded guilty to count(s) _____
☒ was found guilty on count(s) 1, 38-39, 41-42, 44-46, 48-52, 54-56, 58-61, 63- after a
plea of not guilty. 64, 66-71, 74-75, 77-83, 121-133, 134, 138-140

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:1962	RICO CONSPIRACY	11/19/91	1
18:1957	MONETARY TRANSACTIONS IN CRIMINALLY DERIVED PROPERTY	11/20/90	38-39, 41-42 44-46, 48-52 54-56, 58-61 63-64, 66-71 74-75, 77-83
18:1956	MONEY LAUNDERING	10/26/90	121-133
18:1952	TRAVEL ACT VIOLATIONS	4/4/91	134, 138-140

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).

☐ Count(s) _____ (is)(are) dismissed on the motion of the United States.

☒ It is ordered that the defendant shall pay a special assessment of \$ 2,650.00 for count(s) 1, 38-39, 41-42, 44-46, 48-52, 54-56 which shall be due immediately ☐ as follows:
1, 38-39, 41-42, 44-46, 48-52, 54-56 which shall be due immediately
3-61, 63-64, 66-71, 74-75, 77-83, 121-133, 134, 138-140

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 036-40-4567

Defendant's Date of Birth: 4/13/58

Defendant's Mailing Address:
2 BRIMFIELD ROAD

CRANSTON, RI

Defendant's Residence Address:

Date of Imposition of Sentence

Ernest C. Torres

Signature of Judicial Officer

ERNEST C. TORRES, US DISTRICT JUDGE

Name & Title of Judicial Officer

MAY 18, 1993

Date

Derendant: **STEPHEN SACCOCCIA**
Case Number: **CR 91-115-01T**

Judgment—Page 2 of 6**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 660 years as listed below

Count 1 - 20 years.

Counts 38-39, 41-42, 44-46, 48-52, 54-56, 58-61, 63-64, 66-71, 74-75, 77-83, as to each of the 36 counts the defendant is hereby committed to the custody of the Bureau of Prisons for a term of 10 years per count (360 years), to be served consecutive to count 1.

Counts 121-133 as to each of the 13 counts the defendant is hereby committed to the custody of the Bureau of Prisons for a term of 20 years per count (260 years) to be served consecutive to count 1 and counts 38-39, 41-42, 44-46, 48-52, 54-56, 58-61, 63-64, 66-71, 74-75, 77-83.

Counts 134, 138, 139 & 140 as to each of the 4 counts the defendant is hereby committed to the custody of the Bureau of Prisons for a term of 5 years per count (20 years), to be served consecutive to count 1, counts 38-39, 41-42, 44-46, 48-52, 54-56, 58-61, 63-64, 66-71, 74-75, 77-83, counts 121-133.

☐ The court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States marshal.

☐ The defendant shall surrender to the United States marshal for this district,

☐ at _____ a.m. on _____
☐ as notified by the United States marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons.

☐ before 2 p.m. on _____
☐ as notified by the United States marshal.
☐ as notified by the probation office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at

_____, with a certified copy of this judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: **STEPHEN SACCOCCIA**
 Case Number: **CR 91-115-01T**

Judgment - Page 3 of 6

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 YEARS WITH RESPECT TO COUNTS 1, 38-39, 41-42, 44-46, 48-52, 54-56, 58-61, 63-64, 66-71, 4-75, 77-83, 121-133, 134, 138-140 TO BE SERVED CONCURRENTLY WITH EACH OTHER.

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- ☒ The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- ☒ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- ☒ The defendant shall not possess a firearm or destructive device.

AS A FURTHER CONDITION OF SUPERVISED RELEASE THE DEFENDANT SHALL PAY THE COST OF SUPERVISED RELEASE.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Defendant: **STEPHEN SACCOCCIA**
Case Number: **CR 91-115-01T**

Judgment - Page 4 of 6

FINE

The defendant shall pay a fine of \$ 15,794,150.80 The fine includes any costs of incarceration and/or supervision.

☒ This amount is the total of the fines imposed on individual counts, as follows:

\$4,150.80 COST OF SUPERVISED RELEASE
50,000.00 FINE - COUNT 1
100,000.00 FINE - COUNTS 38-39, 41-42, 44-46, 48-52, 54-56, 58-61, 63-64, 66-71
74-75 AND 77-83
500,000.00 FINE - COUNTS 121-133
540,000.00 FINE - COUNTS 134, 138-140

☐ The court has determined that the defendant does not have the ability to pay interest. It is ordered that:

- ☐ The interest requirement is waived.
- ☐ The interest requirement is modified as follows:

This fine plus any interest required shall be paid:

- ☐ in full immediately.
- ☐ in full not later than _____.
- ☐ in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.

☒ in installments according to the following schedule of payments:

\$4,150.80 - COST OF SUPERVISED RELEASE TO BE PAID IN INSTALLMENTS OF \$115.30 PER MONTH DURING EACH MONTH OF SUPERVISED RELEASE.
\$15,790,000.00 FINE - DUE IMMEDIATELY

Defendant: STEPHEN SACCOCOLA
Case Number: CR 91-115-01T

Judgment - Page 5 of 6

RESTITUTION AND FORFEITURE

RESTITUTION

☐ The defendant shall make restitution to the following persons in the following amounts:

Name of Payee

Amount of Restitution

Payments of restitution are to be made to:

- ☐ the United States Attorney for transfer to the payee(s).
- ☐ the payee(s).

Restitution shall be paid:

- ☐ in full immediately
- ☐ in full not later than _____.
- ☐ in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- ☐ in installments according to the following schedule of payments:

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

FORFEITURE

☐ The defendant is ordered to forfeit the following property to the United States:

SEE ATTACHED (page 5A)

DEFENDANT: STEPHEN SACCOCCIA
CASE NUMBER: CR 91-115-01T

JUDGMENT - PAGE 5A OF 6

FORFEITURE

The defendant is ordered to forfeit the following property to the United States his interest in all assets, including bank accounts of Trend Precious Metals, Inc., Saccoccia Coin Co., International Metal Marketing, Inc., International Chain Sales, Vogue Precious Metals, Refined Metals, Gold Enterprises Refinery, and SASCO Refining Co.

Count 1 - Pursuant to 18 USC 1963(a)(3) and (m) the defendant shall forfeit to the United States \$136,344,231.86.

Counts 38-39, 41-41, 44-46, 48-52, 54-56, 58-61, 63-64, 66-71, 74-75, -83, 121-134, 138-140 - Pursuant to 18 USC 982(a)(1) and (b)(1)(A) the defendant shall forfeit to the United States, 9,381,757.75, said amount is included in and not in addition to the amount forfeited under count 1.

Defendant: **STEPHEN SACCOCCIA**
Case Number: **CR 91-115-01T**

Judgment—Page 6 of 6

STATEMENT OF REASONS

☒ The court adopts the factual findings and guideline application in the presentence report.

OR

☐ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 45

Criminal History Category: II

Imprisonment Range: ~~XXXXXXXXXXXX~~ LIFE IN IMPRISONMENT

Supervised Release Range: 2 to 3 years

Fine Range: \$ 25,000.00 to \$ 6,000,000.00

☐ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ _____

☐ Full restitution is not ordered for the following reason(s):

☐ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☒ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

SEE ATTACHED TRANSCRIPT

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reason(s):