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QUEENS GRAND JURY INDICTS FIVE FOR OPERATING
BAYSIDE GAMBLING WIRE ROOM
Allegedly Booked Over \$750,000 Annually

Queens District Attorney Richard A. Brown, joined by New York City Police Commissioner William J. Bratton and Waterfront Commissioner Ronald Goldstock, today announced that a Queens County grand jury has indicted five individuals on charges of operating an illegal sports gambling wire room in Bayside, Queens that is alleged to have annually booked more than \$750,000 in bets.

The defendants are variously charged in a 14-count indictment with enterprise corruption – a violation of New York State’s Organized Crime Control Act – as well as first-degree promoting gambling and fifth-degree conspiracy. The defendants, who are presently awaiting arraignment in Queens County Supreme Court, each face up to 25 years in prison if convicted.

District Attorney Brown said, “Over the last few years – working with our law enforcement colleagues – we have taken down a number of these gambling operations and put them out of business. These cases, I believe, have put a significant dent in illegal gambling nationwide – and have saved individuals across the country millions of dollars in gambling losses.”

Police Commissioner Bratton said, “As alleged, these individuals were running an illegal sports gambling wire room out of a location in Queens and hedged their bets thinking that their illegal activity would remain hidden from the eyes of the law. But thanks to the hard work of NYPD detectives, Waterfront Commission investigators and the Queens District Attorney’s Office, this criminal enterprise was uncovered and its organizers found they were holding a losing hand.”

Waterfront Commissioner Goldstock said, “This case grew out of a broader investigation involving multiple schemes with ties to the waterfront. Our efforts to combat crime and corruption in the Port of New York-New Jersey are ongoing, and additional cases will be announced in the near future.”

District Attorney Brown said that the investigation leading to today’s arrests began in January 2014 when the NYPD’s Organized Crime Investigation Division, in conjunction with the Queens County District Attorney’s Office’s Organized Crime and Rackets Bureau and the Waterfront Commission, developed information about an internet and traditional illegal sports betting ring operating in Queens County and elsewhere. The investigation included physical surveillance, intelligence information and court-authorized electronic eavesdropping that intercepted thousands of hours of allegedly incriminating gambling-related conversations.

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District Attorney Brown said that, according to the indictment, the defendants conspired to make money illegally through the operation of unlawful gambling that accepted bets on sporting events through a wire room located in Bayside, Queens. Bettors would place wagers by calling one of two phones set up at the location.

The District Attorney identified the alleged boss of the wire room as Theodore Simon, who is accused of acting as the bookmaker who controlled and oversaw the entire operation and profited from each criminal pursuit by the other defendants. Frank Nista is alleged to have been Simon's primary agent and manager of the wire room located at 211-11 45th Road in Bayside, Queens, which is owned by James Greene, who was allegedly paid a monthly income for its rental and is the listed subscriber of the two landline phones installed at the location. Russell Bellatera and Jason Levin are alleged to have manned the two phones and handled the betting action for Nista at the location. Levin and Bellatera also allegedly doubled as money collectors/runners for the gambling operation.

In addition to the arrests, court-authorized search warrants were executed at locations allegedly owned or used by the defendants, resulting in the seizure by the New York City Police Department of cash, gambling records and gambling paraphernalia.

The investigation was conducted by NYPD Detectives Patrick Fogarty, Charles Walsh, Scott Signorelli and Jeremy Natal, of Major Investigations; Sergeant Ray Almodovar and Jerry Garcia, Major Investigations Supervisors; Lieutenant Christopher Fasano, Commanding Officer of the Business Integrity Commission; Lieutenant Keith Loughran, Commanding Officer of the Major Investigations Section, Teams 2 and 4; Captain John A. Dusanenko, Commanding Officer of the Major Investigations Section; Inspector John M. Denesopolis, Jr., Commanding Officer of the Criminal Enterprise Investigations and under the overall supervision of Assistant Chief Brian McCarthy, Commanding Officer of the Criminal Enterprise Division, and Chief of Detectives Robert K. Boyce. Also assisting in the investigation were Detective William McCabe, of the NYPD's Asset Forfeiture Unit, and Detectives Katherine Jackson and Andrew Viola, of the Technical Assistance and Response Unit.

For the Waterfront Commission, the investigation was conducted by Detective Ralph Grasso, Sergeant William Kiely, of the Brooklyn Field Office, under the supervision of Captain Jeffrey Heinssen, Commanding Officer of the Brooklyn Field Office, Chief Constantine Minitotis and Executive Director Walter Arsenault and under the overall supervision of Commissioner Ronald Goldstock.

For the Queens District Attorney's Office, the investigation was conducted by Detective Joseph Diehl under the supervision of Sergeant Alan S. Schwartz, and the overall supervision of Deputy Chief Investigator Robert J. Burke and Chief Investigator Franco Russo.

Assistant District Attorneys Michelle W. Witten and John L. Mason, of the District Attorney's Organized Crime and Rackets Bureau, are prosecuting the case under the supervision of Assistant District Attorneys Gerard A. Brave, Bureau Chief, Catherine C. Kane and Mary Lowenburg, Deputy Bureau Chiefs, and the overall supervision of Executive Assistant District Attorney for Investigations Peter A. Crusco and Deputy Executive Assistant District Attorney for Investigations Linda M. Cantoni

It should be noted that an indictment is merely an accusation and that defendants are presumed innocent until proven guilty.

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Note to Editors: Press release e-version posted on www.queensda.org.

ADDENDUM

Theodore Simon, 77, of Flushing, Queens, is charged with one count of enterprise corruption, twelve counts of first-degree promoting gambling and one count of fifth-degree conspiracy. If convicted, he faces up to 25 years in prison.

Frank Nista, 64, of Bayside, Queens, is charged with one count of enterprise corruption, twelve counts of first-degree promoting gambling and one count of fifth-degree conspiracy. If convicted, he faces up to 25 years in prison.

James Greene, 70, of Bayside, Queens, is charged with one count of enterprise corruption, twelve counts of first-degree promoting gambling and one count of fifth-degree conspiracy. If convicted, he faces up to 25 years in prison.

Russell Bellaterra, 69, of Bayside, Queens, is charged with one count of enterprise corruption, twelve counts of first-degree promoting gambling and one count of fifth-degree conspiracy. If convicted, he faces up to 25 years in prison.

Jason Levine, 45, of Rockville Centre, Long Island, is charged with one count of enterprise corruption, twelve counts of first-degree promoting gambling and one count of fifth-degree conspiracy. If convicted, he faces up to 25 years in prison.

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