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F.#2012R01316

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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U.S. DISTRICT COURT  
EASTERN DISTRICT  
OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

I N D I C T M E N T

- against -

CR No. **12-0691**  
(T. 18, U.S.C., §

JOSEPH ROMANO and  
DEJVID MIRKOVIC,  
also known as  
"Dave Mirkovic,"  
"David Mirkovic" and  
"Dejuid Mirkovic,"

981(a) (1) (G) (iii),  
1117 and 3551 et seq.;  
T. 21, U.S.C., § 853 (p);  
T. 28, U.S.C., § 2461 (c))

Defendants.

WEXLER, J

- - - - -X

THE GRAND JURY CHARGES:

WALL, R.J.

COUNT ONE

(Conspiracy to Murder An Employee of the United States)

1. On or about and between February 1, 2012 and October 9, 2012, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSEPH ROMANO and DEJVID MIRKOVIC, also known as "Dave Mirkovic," "David Mirkovic" and "Dejuid Mirkovic," together with others, did knowingly and intentionally conspire to kill an officer and employee of the United States and of an agency in a branch of the United States Government, to wit: a United States District Judge for the Eastern District of New York, whose identity is known to the Grand Jury (the "Judge"), while such officer and employee was engaged in, and on account of the

performance of, official duties, contrary to Title 18, United States Code, Section 1114.

2. In furtherance of the conspiracy and to effect its objects, within the Eastern District of New York and elsewhere, the defendants JOSEPH ROMANO and DEJVID MIRKOVIC, also known as "Dave Mirkovic," "David Mirkovic" and "Dejuid Mirkovic," together with others, did commit and cause to be committed, among others the following:

OVERT ACTS

a. On or about August 21, 2012, ROMANO held a meeting at the Nassau County Correctional Center (the "NCCC") with an individual posing as a hitman, who in fact was an undercover police officer (the "UC").

b. On or about September 5, 2012, ROMANO directed MIRKOVIC to call the UC to set up a meeting.

c. On or about September 10, 2012, ROMANO met with the UC at the NCCC.

d. On or about September 14, 2012, MIRKOVIC delivered \$1,500 to an individual posing as an associate of the UC, but who in fact was another undercover police officer.

e. On or about September 25, 2012, MIRKOVIC flew from Florida to New York.

f. On or about September 25, 2012, MIRKOVIC paid the UC \$1,500.

g. On or about September 25, 2012, MIRKOVIC and ROMANO met at the NCCC.

h. On or about September 25, 2012, MIRKOVIC paid \$12,000 to the UC.

i. On or about September 25, 2012, MIRKOVIC indicated to the UC that the \$12,000 was a partial down payment for the murders of the Judge and an Assistant United States Attorney for the Eastern District of New York, whose identity is known to the Grand Jury (the "AUSA").

j. On or about October 2, 2012, MIRKOVIC flew from Florida to New York.

k. On or about October 2, 2012, MIRKOVIC paid \$10,000 to the UC.

l. On or about October 2, 2012, MIRKOVIC indicated to the UC that the \$10,000 was a final down payment for the murders of the Judge and the AUSA.

m. On or about October 5, 2012, MIRKOVIC withdrew \$9,800 from a bank account.

n. On or about October 9, 2012, MIRKOVIC stored \$18,000 in a safe at his residence.

(Title 18, United States Code, Sections 1117 and 3551 et seq.)

COUNT TWO

(Conspiracy to Murder An Employee of the United States)

3. On or about and between February 1, 2012 and October 9, 2012, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants JOSEPH ROMANO and DEJVID MIRKOVIC, also known as "Dave Mirkovic," "David Mirkovic" and "Dejuid Mirkovic," together with others, did knowingly and intentionally conspire to kill an officer and employee of the United States and of an agency in a branch of the United States Government, to wit: the AUSA, while such officer and employee was engaged in, and on account of the performance of, official duties, contrary to Title 18, United States Code, Section 1114.

4. In furtherance of the conspiracy and to effect its objects, within the Eastern District of New York and elsewhere, the defendants JOSEPH ROMANO and DEJVID MIRKOVIC, also known as "Dave Mirkovic," "David Mirkovic" and "Dejuid Mirkovic," together with others, did commit and cause to be committed the overt acts set forth in Count One of this Indictment, which are fully incorporated by reference.

(Title 18, United States Code, Sections 1117 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

5. The United States hereby gives notice to the defendants that, upon conviction of the above-charged offenses,

the government will seek forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(G)(iii) and Title 28, United States Code, Section 2461(c)(1), which require the forfeiture of all assets, foreign or domestic, derived from, involved in, or used or intended to be used to commit any Federal crime of terrorism (as defined in Title 18, United States Code, Section 2332b(g)(5)), namely violations of Title 18, United States Code, Sections 1114 and 1117, against the United States, citizens or residents of the United States or their property, including but not limited to:

a. All funds or other monetary instruments on deposit or credited to or through Wells Fargo Bank, Account Number 2000054050266 held in the name of UNIVERSAL COIN COLLECTIONS, INC., including the amount of \$100,268.03 seized on October 9, 2012 and all proceeds traceable thereto;

b. All funds or other monetary instruments on deposit or credited to or through REGIONS BANK, Account Number 0128662008 held in the name of UNIVERSAL COIN COLLECTIONS, INC./DEJVID MIRKOVIC, including the amount of approximately \$48,000 seized on October 11, 2012 and all proceeds traceable thereto;

c. United States currency in the sum of forty three thousand dollars and no cents (\$43,000.00) which was seized from the defendant DEJVID MIRKOVIC in the following increments:

\$1,500 seized on or about September 14, 2012; \$13,500 seized on or about September 25, 2012; \$10,000 seized on or about October 2, 2012 and \$18,000 seized on or about October 9, 2012;

d. One 2012 Honda Accord, VIN 1HGCP2F8XCA082272 registered to the defendant DEJVID MIRKOVIC and Jane Doe, an individual whose identity is known to the Grand Jury, seized on October 9, 2012;

e. One 2012 Mercedes C-Class, VIN WDDGJ7HB6CF776859, registered to the defendant DEJVID MIRKOVIC seized on October 9, 2012;

f. One Kel Tec Kahr 9mm semi-automatic handgun, serial number 56044; one Finar rifle, serial number 319MP05602; one Springfield Arms Socom 16 rifle, serial number 241812; and one Mossberg 500 shotgun, serial number T545186, all seized on or about October 9, 2012; and

g. United States currency in the sum of nine thousand dollars and no cents (\$9,000) which was seized from Jane Doe on or about October 9, 2012.

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

a. cannot be located upon the exercise of due diligence;

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

c. has been placed beyond the jurisdiction of  
the Court;

d. has been substantially diminished in value;  
or

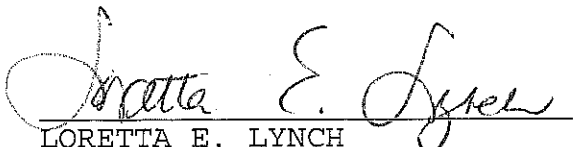
e. has been commingled with other property,  
which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21,  
United States Code, Section 853(p), as incorporated by Title 28,  
United States Code, Section 2461(c)(1), to seek forfeiture of any  
other property of the defendants up to the value of the  
forfeitable property described in this forfeiture allegation.

(Title 28, United States Code, Section 2461(c); Title  
18, United States Code, Section 981(a)(1)(G)(iii); Title 21,  
United States Code, Section 853(p))

A TRUE BILL

  
FOREPERSON

  
LORETTA E. LYNCH  
UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK

