

FELONY COMPLAINT

Appearance Ticket No: _____ Case Report No: _____ Return Date: 8/7/12

Arrest Number: 09-12-0877A Court Docket Number: _____

Defendant in Custody, From: 8/6/12 To: _____

Prepared By: Det Cuevas Court Liaison Number: _____

**DISTRICT COURT OF NASSAU COUNTY
FIRST DISTRICT – ARRAIGNMENT PART**

*The people of the State of New York
Against*

Jonathan J Roth (22)
127 Commonwealth Ave
Massapequa, NY 11758

**STATE OF NEW YORK ss
COUNTY OF NASSAU**

Det Cuevas, Shield 406, being duly sworn, deposes and says that he is a member
of the **New York State Park Police** and that on 7/28/12 at about 4:00 pm

At: Field 6 JBSP and elsewhere

In the town of Hempstead, County of Nassau, State of New York,

The defendant: Jonathan J Roth born on: 4/22/90 committed the offense of:

CONSPIRACY IN THE FOURTH DEGREE, (A CLASS 'D' FELONY), IN VIOLATION OF
SECTION 105.10(1) OF THE PENAL LAW OF THE STATE OF NEW YORK, IN THAT, On or about and
between July 21, 2012 and August 6, 2012, in the County of Nassau, State of New York
and elsewhere, with intent that conduct constituting a Class C felony be performed, to
wit: Insurance Fraud in the Second Degree, the defendant agreed with one or more
persons to engage in the performance of such conduct and committed an overt act in
furtherance of such conspiracy, to wit:

the Defendant and his father, Raymond Roth, executed a plan to create the false impression that Raymond Roth had
died, which included the Defendant making of a false report to the New York State Park Police at Jones Beach, so as
to obtain over fifty thousand dollars in the proceeds from life insurance policies taken out in the name of Raymond
Roth.

The above is based upon information and belief the source of said information and belief being the sworn deposition
of the Defendant, the Defendant's Statements of Admission, a Police Investigation, and the Insurance Policy.

Subscribed and sworn to before me
On 8/6/12

Det Cuevas, Shield 406

D/Sgt Duignan, Shield 572

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8/6*

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Jonathan J Roth (22)
127 Commonwealth Ave
Massapequa, NY 11758

**STATE OF NEW YORK ss
COUNTY OF NASSAU**

Det Cuevas, Shield 406, being duly sworn, deposes and says that he is a member
of the *New York State Park Police* and that on 7/31/12 at about _____

At: Field 6 JBSP and elsewhere in NY State

In the town of Hempstead, County of Nassau, State of New York,

The defendant: Jonathan J Roth born on: 4/22/90 committed the offense of:

INSURANCE FRAUD IN THE SECOND DEGREE, (A CLASS 'C' Felony), IN VIOLATION OF SECTION 176.25 OF THE PENAL LAW OF THE STATE OF NEW YORK, IN THAT; On or about July 31, 2012, in the County of Nassau, State of New York and elsewhere, the defendant, knowingly and with intent to defraud, committed a fraudulent insurance act and thereby attempted to wrongfully take, obtain or withhold property with a value in excess of fifty thousand dollars; to wit, the Defendant, acting in concert with another, caused to be presented to or by an insurer, or any agent thereof, a written statement as part of or in support of a claim for payment pursuant to a personal insurance policy, to wit:

On the aforementioned date, time, and place, the Defendant attempted to and did cause a written statement to be presented to MetLife pursuant to a personal insurance policy, policy insuring Raymond Roth, a natural person, against death, that contained materially false information concerning any material fact, to wit: Raymond Roth had died.

The above is based upon information and belief, the source of said information and belief being the sworn deposition of the Defendant, the Defendant's Statements of Admission, Police Investigation, and the Insurance Policy.

Subscribed and sworn to before me
On 8/6/12

Det Cuevas, Shield 406

D/Sgt Duignan, Shield 572

DISTRICT COURT INFORMATION

Appearance Ticket No: _____ Case Report No: _____ Return Date: 8/7/12

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FIRST DISTRICT – ARRAIGNMENT PART**

*The people of the State of New York
Against*

Jonathan J Roth (22)
127 Commonwealth Ave
Massapequa, NY 11758

**STATE OF NEW YORK ss
COUNTY OF NASSAU**

Det Cuevas, Shield 406, being duly sworn, deposes and says that he is a member of the **New York State Park Police** and that on 7/28/12 at about 4:00 pm
At: Jones Beach State Park field 6

In the town of Hempstead, County of Nassau, State of New York,

The defendant: Jonathan J Roth born on: 4/22/90 committed the offense of:

FALSELY REPORTING AN INCIDENT, (A CLASS 'A' MISDEMEANOR), IN VIOLATION OF SECTION 240.50 SUB 2 OF THE PENAL LAW OF THE STATE OF NEW YORK, IN THAT, when knowing the information reported was false, he reported by word or action to an official having the THE FUNCTION OF DEALING WITH EMERGENCIES involving danger to life, an alleged occurrence of an emergency which did not in fact occur, to wit, On July 28, 2012 at about 4:00p.m. the defendant made a call to 911 and reported his father missing. The defendant reported to responding New York State

Park Police that he observed his father walk into the ocean at field 6 Jones Beach State Park and has not seen him since. The defendant stated to your deponent, a Detective of the New York State Park Police, whose function is to respond to emergencies involving danger to life at Jones Beach State Park, that he saw his father walk into the ocean and walk in chest high. The defendant was present when a massive search of the waters and area was conducted by police 4x4s, marine patrols, a helicopter, approximately 40 lifeguards, fire department dive teams, and the United States Coast guard. The defendant at all times was fully aware that his father never walked into the water and had in fact driven off in his personal vehicle. The above is based upon your deponent's observations, his conversations with the Defendant at the time he made the report of his father's disappearance, personal observations of the massive search, and his later statements of admission on August 8, 2012 to your deponent, which were in sum and substance that he was fully aware that his statement was false and that his father had left Jones Beach in his vehicle.

Subscribed and sworn to before me
On 8/6/12

Det Cuevas, Shield 406

D/Sgt Duignan, Shield 572

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Jonathan J Roth (22)
127 Commonwealth Ave
Massapequa, NY 11758

**STATE OF NEW YORK ss
COUNTY OF NASSAU**

Det Cuevas, Shield 406, being duly sworn, deposes and says that he is a member of the **New York State Park Police** and that on 7/28/12 at about 5:30 pm

At: Jones Beach field 6

In the town of Hempstead, County of Nassau, State of New York,

The defendant: Jonathan J Roth born on: 4/22/90 committed the offense of:

Making a punishable false written statement, in violation of section 210.45 of the Penal Law of the State of New York, in that, on or about July 28, 2012, in the County of Nassau State of New York, the Defendant did knowingly make a false statement, which he did not believe to be true, in a written instrument bearing a legally authorized form notice to the effect that false statements made therein are punishable, to wit: On the aforementioned date, time, and place, the Defendant signed a sworn supporting deposition with the New York State Park Police at Jones Beach, which bore upon it an explicit warning that "any false statement made herein is a crime and punishable as a class 'A'

Misdemeanor." That written deposition stated that his father, Raymond Roth, went missing that day after having informed the Defendant that he was going to go for a swim. On August 6, 2012, the Defendant admitted that this report was false and that the Defendant knew so at the time he signed it. On July 28, 2012, the Defendant knew that his father was not missing because he observed him leave Jones Beach after informing the Defendant that he was going to flee secretly to Florida.

The above is based upon your deponent's personal observation of the Defendant's signed written statement and the Defendant's Statements of Admission to your deponent, in which he stated in sum and substance that he did in fact sign the aforementioned statement, that he knew the report was false when he signed it, and that when he signed it he knew that his father had left the beach to flee to Florida.

Subscribed and sworn to before me
On 8/6/12

Det Cuevas, Shield 406

D/Sgt Duignan, Shield 572