

SUPREME COURT OF THE STATE OF NEW YORK
CITY OF NEW YORK
COUNTY OF NEW YORK
CRIMINAL TERM: SPECIAL NARCOTICS PARTS
THE PEOPLE OF THE STATE OF NEW YORK

-Against-

SAMANTHA BARBASH,
KARINA PASCUCCHI,
MARSI ROSEN,
ROSELYN KEO,
CARMINE VITOLO,

Defendants.

FIRST COUNT

THE GRAND JURY OF THE SPECIAL NARCOTICS COURTS OF THE CITY OF NEW YORK, by this indictment, accuses the defendants SAMANTHA BARBASH, KARINA PASCUCCHI, MARSI ROSEN and ROSELYN KEO of the crime of CONSPIRACY IN THE FOURTH DEGREE, P.L. §105.10(1), committed as follows:

Said defendants, in the City of New York, the Counties of New York and Queens, and elsewhere, from on or about September 3, 2013, until on or about December 19, 2013, with the intent that conduct constituting the crime of GRAND LARCENY IN THE SECOND DEGREE, a class C felony, be performed, did knowingly and intentionally agree with one or more persons to engage in and cause the performance of such conduct as would constitute the above-mentioned class C felony.

SECOND COUNT

AND THE GRAND JURY AFORESAID, by this indictment, further accuses the defendants SAMANTHA BARBASH, KARINA PASCUCCI, MARSI ROSEN, ROSELYN KEO and CARMINE VITOLO of the crime of CONSPIRACY IN THE FIFTH DEGREE, P.L. §105.05(1), committed as follows:

Said defendants, in the City of New York, the Counties of New York and Queens, and elsewhere, from on or about September 3, 2013, until on or about December 19, 2013, with the intent that conduct constituting the crime of GRAND LARCENY IN THE THIRD DEGREE, a felony, be performed, did knowingly and intentionally agree with one or more persons to engage in and cause the performance of such conduct as would constitute the above-mentioned felony.

PREAMBLE

It was part of the conspiracies for SAMANTHA BARBASH, KARINA PASCUCCI, MARSI ROSEN and ROSELYN KEO to contact and meet with potential victims. It was part of the conspiracies for SAMANTHA BARBASH, KARINA PASCUCCI, MARSI ROSEN and ROSELYN KEO to provide the victims with drugs and acquire their credit cards. It was part of the conspiracies for SAMANTHA BARBASH, ROSELYN KEO, and CARMINE VITOLO to make unauthorized charges to the victims' credit cards. It was part of the conspiracies for SAMANTHA BARBASH to forge the victims' signatures on credit card receipts and other documents.

OVERT ACTS

In furtherance of the above described conspiracies, the following acts, among others, were committed:

1. On or about September 3, 2013, a member of the conspiracy sent a text message to an individual known to the Grand Jury ("VICTIM 1").
2. On or about September 4, 2013, SAMANTHA BARBASH and ROSELYN KEO met VICTIM 1 at a location in Nassau County.
3. On or about September 4, 2013, in Nassau County, ROSELYN KEO put a substance into a drink later consumed by VICTIM 1.
4. On or about September 4, 2013, in Nassau County, SAMANTHA BARBASH put a substance into a drink later consumed by VICTIM 1.
5. On or about September 4, 2013, SAMANTHA BARBASH and ROSELYN KEO transported VICTIM 1 to Roadhouse Gentlemen's Club at 32-17 College Point Boulevard in Queens County.
6. On or about September 5, 2013, at Roadhouse Gentlemen's Club, SAMANTHA BARBASH and ROSELYN KEO obtained one or more credit cards belonging to VICTIM 1.
7. On or about September 5, 2013, at Roadhouse Gentlemen's Club, SAMANTHA BARBASH, ROSELYN KEO and CARMINE VITOLO had a conversation about making a charge to one or more credit cards belonging to VICTIM 1.
8. On or about September 5, 2013, at Roadhouse Gentlemen's Club, CARMINE VITOLO made one or more charges to one or more credit cards belonging to VICTIM 1.
9. On or about October 17, 2013, a member of the conspiracy

sent a text message to an individual known to the Grand Jury ("VICTIM 2").

10. On or about October 17, 2013, SAMANTHA BARBASH and MARSI ROSEN met VICTIM 2 at a location in New York County.

11. On or about October 17, 2013, while inside an automobile in New York County, SAMANTHA BARBASH and MARSI ROSEN provided VICTIM 2 with a substance consumed by VICTIM 2.

12. On or about October 17, 2013, SAMANTHA BARBASH and MARSI ROSEN transported VICTIM 2 to another location in New York County.

13. On or about October 17, 2013, while at this other location in New York County, ROSELYN KEO met with SAMANTHA BARBASH, MARSI ROSEN and VICTIM 2.

14. On or about October 17, 2013, while at this other location in New York County, MARSI ROSEN provided VICTIM 2 with a substance consumed by VICTIM 2.

15. On or about October 17, 2013, SAMANTHA BARBASH, MARSI ROSEN and ROSELYN KEO transported VICTIM 2 to Roadhouse Gentlemen's Club at 32-17 College Point Boulevard in Queens County.

16. On or about October 18, 2013, at Roadhouse Gentlemen's Club, SAMANTHA BARBASH, MARSI ROSEN and ROSELYN KEO obtained one or more credit cards belonging to VICTIM 2.

17. On or about October 18, 2013, at Roadhouse Gentlemen's Club, SAMANTHA BARBASH, ROSELYN KEO and CARMINE VITOLO had a conversation about making a charge to one or more credit cards belonging to VICTIM 2.

18. On or about October 18, 2013, at Roadhouse Gentlemen's

Club, CARMINE VITOLO made one or more charges to one or more credit cards belonging to VICTIM 2.

19. On or about November 12, 2013, a member of the conspiracy sent a text message to an individual known to the Grand Jury ("VICTIM 3").

20. On or about November 16, 2013, KARINA PASCUCCHI met VICTIM 3 at a location in New York County.

21. On or about November 16, 2013, a member of the conspiracy transported VICTIM 3 to Scores New York at 536 West 28th Street in New York County.

22. On or about November 17, 2013, at Scores New York, a member of the conspiracy obtained one or more credit cards belonging to VICTIM 3.

23. On or about November 17, 2013, at Scores New York, a member of the conspiracy caused one or more charges to be made to one or more credit cards belonging to VICTIM 3.

24. On or about November 22, 2013, KARINA PASCUCCHI met VICTIM 3 at a location in New York County.

25. On or about November 22, 2013, a member of the conspiracy transported VICTIM 3 to Scores New York in New York County.

26. On or about November 23, 2013, at Scores New York, a member of the conspiracy obtained one or more credit cards belonging to VICTIM 3.

27. On or about November 23, 2013, at Scores New York, a member of the conspiracy caused one or more charges to be made to one or more credit cards belonging to VICTIM 3.

28. On or about November 25, 2013, KARINA PASCUCCHI met VICTIM 3 at a location in New York County.

29. On or about November 25, 2013, a member of the conspiracy transported VICTIM 3 to Scores New York in New York County.

30. On or about November 26, 2013, SAMANTHA BARBASH, KARINA PASCUCCHI, MARSIE ROSEN and ROSELYN KEO were present with VICTIM 3 at Scores New York.

31. On or about November 26, 2013, at Scores New York, a member of the conspiracy obtained one or more credit cards belonging to VICTIM 3.

32. On or about November 26, 2013, at Scores New York, a member of the conspiracy caused one or more charges to be made to one or more credit cards belonging to VICTIM 3.

33. On or about November 27, 2013, a member of the conspiracy sent a text message to VICTIM 3.

34. On or about November 14, 2013, a member of the conspiracy met an individual known to the Grand Jury ("VICTIM 4") at a location in New York County.

35. On or about November 14, 2013, a member of the conspiracy transported VICTIM 4 to Scores New York at 536 West 28th Street in New York County.

36. On or about November 15, 2013, at Scores New York, a member of the conspiracy obtained one or more credit cards belonging to VICTIM 4.

37. On or about November 15, 2013, at Scores New York, a member of the conspiracy caused one or more charges to be made to

one or more credit cards belonging to VICTIM 4.

38. On or about November 15, 2013, a member of the conspiracy sent a text message to VICTIM 4.

39. On or about November 16, 2013, a member of the conspiracy sent a text message to VICTIM 4.

40. On or about November 17, 2013, a member of the conspiracy sent a text message to VICTIM 4.

41. On or about December 3, 2013, a member of the conspiracy sent a text message to VICTIM 4.

42. On or about December 9, 2013, a member of the conspiracy sent a text message to VICTIM 4.

43. On or about December 19, 2013, CARMINE VITOLO provided a disc containing video recordings to a law enforcement officer.

THIRD COUNT

AND THE GRAND JURY AFORESAID, by this indictment, accuses the defendants SAMANTHA BARBASH and ROSELYN KEO of the crime of ASSAULT IN THE SECOND DEGREE, P.L. §120.05(5), committed as follows:

The defendants, in the County of Nassau, on or about September 4, 2013, for a purpose other than lawful medical or therapeutic treatment, intentionally caused stupor, unconsciousness and other physical impairment and injury to VICTIM 1 by administering to VICTIM 1, without VICTIM 1's consent, a drug, substance and preparation capable of producing the same.

FOURTH COUNT

AND THE GRAND JURY AFORESAID, by this indictment, accuses the defendants SAMANTHA BARBASH and ROSELYN KEO of the crime of FORGERY IN THE SECOND DEGREE, P.L. §170.10(1), committed as follows:

Said defendants, in the County of Queens, City of New York, on or about September 5, 2013, with intent to defraud, deceive and injure another, falsely made, completed and altered a written instrument, the same being and purporting to be, and calculated to become and to represent if completed, a contract, commercial instrument, and other instrument which did and may have evidenced, created, transferred, terminated and otherwise affected a legal right, interest, obligation and status.

FIFTH COUNT

AND THE GRAND JURY AFORESAID, by this indictment, accuses the defendants SAMANTHA BARBASH, ROSELYN KEO and CARMINE VITOLO of the crime of GRAND LARCENY IN THE THIRD DEGREE, P.L. §155.35(1), committed as follows:

Said defendants, in the County of Queens, City of New York, on or about September 5, 2013, stole property from VICTIM 1 and the value of the property exceeded three thousand dollars.

SIXTH COUNT

AND THE GRAND JURY AFORESAID, by this indictment, accuses the defendants SAMANTHA BARBASH, MARSI ROSEN and ROSELYN KEO of the

crime of ASSAULT IN THE SECOND DEGREE, P.L. §120.05(5), committed as follows:

The defendants, in the County of Queens, City of New York, on or about October 18, 2013, for a purpose other than lawful medical or therapeutic treatment, intentionally caused stupor, unconsciousness and other physical impairment and injury to VICTIM 2 by administering to VICTIM 2, without VICTIM 2's consent, a drug, substance and preparation capable of producing the same.

SEVENTH COUNT

AND THE GRAND JURY AFORESAID, by this indictment, accuses the defendants SAMANTHA BARBASH, MARSI ROSEN and ROSELYN KEO of the crime of FORGERY IN THE SECOND DEGREE, P.L. §170.10(1), committed as follows:

Said defendants, in the County of Queens, City of New York, on or about October 18, 2013, with intent to defraud, deceive and injure another, falsely made, completed and altered a written instrument, the same being and purporting to be, and calculated to become and to represent if completed, a contract, commercial instrument, and other instrument which did and may have evidenced, created, transferred, terminated and otherwise affected a legal right, interest, obligation and status.

EIGHTH COUNT

AND THE GRAND JURY AFORESAID, by this indictment, accuses the defendants SAMANTHA BARBASH, ROSELYN KEO, MARSI ROSEN and

CARMINE VITOLO of the crime of GRAND LARCENY IN THE THIRD DEGREE, P.L. §155.35(1), committed as follows:

Said defendants, in the County of Queens, City of New York, on or about October 18, 2013, stole property from VICTIM 2 and the value of the property exceeded three thousand dollars.

NINTH COUNT

AND THE GRAND JURY AFORESAID, by this indictment, accuses the defendant KARINA PASCUCCI of the crime of GRAND LARCENY IN THE THIRD DEGREE, P.L. §155.35(1), committed as follows:

Said defendant, in the County of New York, City of New York, on or about November 17, 2013, stole property from VICTIM 3 and the value of the property exceeded three thousand dollars.

TENTH COUNT

AND THE GRAND JURY AFORESAID, by this indictment, accuses the defendant KARINA PASCUCCI of the crime of GRAND LARCENY IN THE SECOND DEGREE, P.L. §155.40(1), committed as follows:

Said defendant, in the County of New York, City of New York, on or about November 23, 2013, stole property from VICTIM 3 and the value of the property exceeded fifty thousand dollars.

ELEVENTH COUNT

AND THE GRAND JURY AFORESAID, by this indictment, accuses the defendants SAMANTHA BARBASH, KARINA PASCUCCI, MARSI ROSEN and ROSELYN KEO of the crime of FORGERY IN THE SECOND DEGREE, P.L. §170.10(1), committed as follows:

Said defendants, in the County of New York, City of New York, on or about November 26, 2013, with intent to defraud, deceive and injure another, falsely made, completed and altered a written instrument, the same being and purporting to be, and calculated to become and to represent if completed, a contract, commercial instrument, and other instrument which did and may have evidenced, created, transferred, terminated and otherwise affected a legal right, interest, obligation and status.

TWELFTH COUNT

AND THE GRAND JURY AFORESAID, by this indictment, accuses the defendants SAMANTHA BARBASH, KARINA PASCUCCI, MARSI ROSEN and ROSELYN KEO of the crime of GRAND LARCENY IN THE THIRD DEGREE, P.L. §155.35(1), committed as follows:

Said defendants, in the County of New York, City of New York, on or about November 26, 2013, stole property from VICTIM 3 and the value of the property exceeded three thousand dollars.

THIRTEENTH COUNT

AND THE GRAND JURY AFORESAID, by this indictment, accuses the defendants SAMANTHA BARBASH, KARINA PASCUCCI, MARS I ROSEN and ROSELYN KEO of the crime of GRAND LARCENY IN THE SECOND DEGREE, P.L. §155.40(1), committed as follows:

Said defendants, in the County of New York, City of New York, during the period from on or about November 17, 2013, until on or about November 26, 2013, stole property from VICTIM 3 and the value of the property exceeded fifty thousand dollars.

FOURTEENTH COUNT

AND THE GRAND JURY AFORESAID, by this indictment, accuses the defendant CARMINE VITOLO of the crime of TAMPERING WITH PHYSICAL EVIDENCE, P.L. §215.40(2), committed as follows:

Said defendant, in the County of New York, City of New York, during the period from on or about November 11, 2013, until on or about December 19, 2013, believing that certain physical evidence was about to be produced and used in an official proceeding, and a prospective official proceeding, and intending to prevent such production and use, suppressed it by an act of concealment, alteration and destruction.

BRIDGET G. BRENNAN
Special Assistant District Attorney

Counsel

PM2 #3
NA

Filed day of , 2014

THE PEOPLE OF THE STATE OF NEW YORK

Pleads

-against-

SAMANTHA BARBASH, KARINA PASCUCCI, MARSI ROSEN, ROSELYN KEO, CARMINE VITOLO,

Bail

Defendants.

INDICTMENT

CONSPIRACY IN THE FOURTH DEGREE (DEF. BARBASH, PASCUCCI, ROSEN, KEO)
CONSPIRACY IN THE FIFTH DEGREE (ALL)
GRAND LARCENY IN THE SECOND DEGREE (DEF. PASCUCCI)
GRAND LARCENY IN THE SECOND DEGREE (DEF. BARBASH, PASCUCCI, ROSEN, KEO)
ASSAULT IN THE SECOND DEGREE (DEF. BARBASH, KEO)
ASSAULT IN THE SECOND DEGREE (DEF. BARBASH, ROSEN, KEO)
FORGERY IN THE SECOND DEGREE (DEF. BARBASH, KEO)
FORGERY IN THE SECOND DEGREE (DEF. BARBASH, ROSEN, KEO)
FORGERY IN THE SECOND DEGREE (DEF. BARBASH, PASCUCCI, ROSEN, KEO)
GRAND LARCENY IN THE THIRD DEGREE (DEF. BARBASH, KEO, VITOLO)
GRAND LARCENY IN THE THIRD DEGREE (DEF. BARBASH, KEO, ROSEN, VITOLO)
GRAND LARCENY IN THE THIRD DEGREE (DEF. PASCUCCI)
GRAND LARCENY IN THE THIRD DEGREE (DEF. BARBASH, PASCUCCI, ROSEN, KEO)
TAMPERING WITH PHYSICAL EVIDENCE (DEF. VITOLO)
P.L. \$105.10(1), P.L. \$105.05(1), P.L. \$155.40(1) (2 COUNTS), P.L.
\$120.05(5) (2 COUNTS), P.L. \$170.10(1) (3 COUNTS), P.L. \$155.35(1) (4
COUNTS), P.L. \$215.40(2)

BRIDGET G. BRENNAN
Special Assistant District Attorney

A TRUE BILL

Foreperson

BRIDGET G. BRENNAN