

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

Marc Bernstein,

Defendant.

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this indictment, accuse the defendant of the crime of **GRAND LARCENY IN THE SECOND DEGREE**, in violation of Penal Law §155.40(1), committed as follows:

The defendant, in the County of New York, during the period from on or about December 10, 2006 to on or about June 29, 2009, stole property from Willie F. McKinney, and the value of the property exceeded fifty thousand dollars.

SECOND COUNT:

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the defendant of the crime of **GRAND LARCENY IN THE SECOND DEGREE**, in violation of Penal Law §155.40(1), committed as follows:

The defendant, in the County of New York, during the period from on or about November 27, 2006 to on or about June 29, 2009, stole property from Marisa Albury, and the value of the property exceeded fifty thousand dollars.

THIRD COUNT:

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the defendant of the crime of **GRAND LARCENY IN THE SECOND DEGREE**, in violation of Penal Law §155.40(1), committed as follows:

The defendant, in the County of New York, during the period from on or about November 4, 2006 to on or about June 29, 2009, stole property from Barbara Kimmel, and the value of the property exceeded fifty thousand dollars.

FOURTH COUNT:

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the defendant of the crime of **GRAND LARCENY IN THE SECOND DEGREE**, in violation of Penal Law §155.40(1), committed as follows:

The defendant, in the County of New York, during the period from on or about September 10, 2008 to on or about June 29, 2009, stole property from David King Properties II, LLC, and the value of the property exceeded fifty thousand dollars.

FIFTH COUNT:

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the defendant of the crime of **GRAND LARCENY IN THE THIRD DEGREE**, in violation of Penal Law §155.35, committed as follows:

The defendant, in the County of New York, during the period from on or about November 4, 2006 to on or about June 29, 2009, stole property from Barry Kimmel, and the value of the property exceeded three thousand dollars.

SIXTH COUNT:

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the defendant of the crime of **SCHEME TO DEFRAUD IN THE FIRST DEGREE**, in violation of Penal Law §190.65(1)(b), committed as follows:

The defendant, in the County of New York, during the period from on or about November 4, 2006 to on or about June 29, 2009, engaged in a scheme constituting a systematic ongoing course of conduct with intent to defraud more than one person and to obtain property from more than one person by false and fraudulent pretenses, representations and promises, and so obtained property with a value in excess of one thousand dollars from one or more such persons.

ROBERT M. MORGENTHAU
District Attorney

GJ #-

Filed:

NA

S2009/7266

No.

THE PEOPLE OF THE STATE OF NEW YORK

-against-

Marc Bernstein,

Defendant.

INDICTMENT

GRAND LARCENY IN THE SECOND DEGREE, P.L. §155.40(1), 4 CJS
GRAND LARCENY IN THE THIRD DEGREE, P.L. §155.35
SCHEME TO DEFRAUD IN THE FIRST DEGREE, P.L. §190.65(1)(b)

ROBERT M. MORGENTHAU, District Attorney

A True Bill

Leah Keith
Special Prosecutions Bureau

Foreman

ADJOURNED TO PART ____ ON ____