

08 CR 10.2.7.4 DPW

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	CRIMINAL NO.
v.)	
)	VIOLATIONS:
CARMELO ORIA,)	33 U.S.C. § 1908(a) &
)	33 C.F.R. § 151.25 (Failure
Defendant.)	to Maintain Oil Record Book)
)	18 U.S.C. § 1001(a)(2) & (a)(3)
)	

INDICTMENT

The Grand Jury charges that:

COUNT ONE

(Act to Prevent Pollution from Ships - 33 U.S.C. § 1908(a)
& 33 C.F.R. § 151.25)

1. On or about March 22, 2008, in Boston, Massachusetts, and within the internal waters of the United States within the District of Massachusetts, the defendant,

CARMELO ORIA,

did knowingly fail to maintain an Oil Record Book for the *M/T Nautilus* in which all disposals of oil residue and all disposals of bilge water that had accumulated in machinery spaces were required to be fully recorded. Specifically, in Boston, Massachusetts, the defendant knowingly maintained an Oil Record Book that failed to disclose overboard discharges of oil contaminated waste without the use of the ship's pollution prevention equipment.

All in violation of Title 33, United States Code, Section 1908(a), Title 33 Code of Federal Regulations, Section 151.25, and Title 18 United States Code, Section 2.

COUNT TWO

(False Statements - 18 U.S.C. § 1001(a)(2) & (a)(3))

2. On or about March 23, 2008, in Boston, Massachusetts, in the District of Massachusetts, the defendant,

CARMELO ORIA,

knowingly and willfully made and used a materially false statement and writing in a matter within the jurisdiction of the United States Coast Guard and the Department of Homeland Security, to wit, during a vessel inspection of the *M/T Nautilus*, defendant falsely stated in writing to a United States Coast Guard official that "I certify that during my time on board, never gives order for pumping overboard any kind of sludge or oily waters. And always trying my best to avoid any pollution over the seas[,] " knowing that such statement and writing contained materially false, fictitious, and fraudulent statements and entries.

All in violation of Title 18, United States Code, Sections 1001(a)(2) & (a)(3).

A TRUE BILL

Mary Ann Anders
Foreperson of the Grand Jury

Linda M. Ricci
Linda M. Ricci
Assistant United States Attorney

DISTRICT OF MASSACHUSETTS

September 18, 2008

Returned into the District Court by the Grand Jurors and filed.

Deputy Clerk
2:15

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: Boston Category No. II Investigating Agency CGIS

City _____ Related Case Information: CR 10-27-DPW

County _____ Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____

Defendant Information:

Defendant Name Carmelo Oria Juvenile Yes No

Alias Name _____

Address Spain

Birth date (Year only): 1956 SSN (last 4 #): -- Sex M Race: Caucasian Nationality: Spain

Defense Counsel if known: Joshua Levy, Esq. Address: Ropes & Gray LLP, One Int'l Place
Boston, MA 02110

Bar Number: _____

U.S. Attorney Information:

AUSA Linda M. Ricci Bar Number if applicable 600284

Interpreter: Yes No List language and/or dialect: Spanish

Victims: Yes No If Yes, are there multiple crime victims under 18 U.S.C. §3771(d)(2) Yes No

Matter to be SEALED: Yes No

Warrant Requested Regular Process In Custody

Location Status:

Arrest Date: _____

Already in Federal Custody as _____ in _____
 Already in State Custody _____ Serving Sentence Awaiting Trial
 On Pretrial Release: Ordered by _____ on _____

Charging Document: Complaint Information Indictment

Total # of Counts: Petty _____ Misdemeanor _____ Felony 2

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 9/18/08 Signature of AUSA: Linda M Ricci

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Carmelo Oria

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>33 U.S.C. § 1908(a)</u>	<u>Failure to Maintain Oil Record Book</u>	<u>1</u>
Set 2	<u>18 U.S.C. § 1001(a)(2)& (3)</u>	<u>False Statements</u>	<u>2</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: