

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA)
)
 v.)
)
 RICHARD T. GOSSER,)
 TED MAISON alias)
 Theophilus B. Mursynski, and)
 DONALD J. PINCIOTTI,)
 Defendants)

Criminal No. CR 62 - 120

INDICTMENT
18 USC 371

The grand jury charges:

1. That at all times hereinafter mentioned the Department of the Treasury was a Department of the United States charged by law with the administration of the Internal Revenue laws.
2. That at all times hereinafter mentioned there was pending in the Internal Revenue Service, Intelligence Division, of said Department an inquiry and investigation for the purpose of determining whether income tax returns, filed with the said department, by RICHARD T. GOSSER, hereinafter named a defendant, for the years 1956, 1957, and 1958, were fraudulent.
3. That at all times hereinafter mentioned PATRICIA RUTH WIEDOMSKI, hereinafter named as a co-conspirator but not indicted, was an employee of the United States, assigned to the Intelligence Division of said Internal Revenue Service and as such employee had access to the confidential files of said Intelligence Division, Internal Revenue Service, Department of the Treasury, including the files pertaining to the aforesaid investigation of the returns of the said RICHARD T. GOSSER.

4. That beginning on or about October 5, 1962 and continuously thereafter up to and including November 12, 1962 in the Northern District of Ohio, Western Division and at other places to the grand jurors unknown, FRED MAISON also known as THEOPHILUS B. MURZYNSKI, DONALD J. PINCIGIOTTI, AND RICHARD T. JOSSER the defendants, well knowing the premises aforesaid, did willfully, knowingly, unlawfully and feloniously conspire, combine, confederate and agree together, each with the other, and with PATRICIA RUTH NIEDOMSKI and with divers other persons to the grand jury unknown, the said PATRICIA RUTH NIEDOMSKI being named as a co-conspirator and not as a defendant are indicted herein, to defraud the United States of and concerning:

(A) Its governmental function and right of administering the Internal Revenue laws of the United States, and regulations duly issued and pertaining therein free from unlawful impairment and obstruction, and free from corruption, improper influence, dishonesty and fraud;

(B) Its governmental function and right of administering the Internal Revenue Service, and more particularly the Intelligence Division thereof free from unlawful impairment and obstruction, and free from corruption, improper influence, dishonesty and fraud;

(C) Its governmental function and right to have the business and affairs of the Internal Revenue Service, Intelligence Division in the conscientious administration and disposition of matters affecting and pending in said Internal Revenue Service, Intelligence Division, conducted on its behalf free from fraud, deceit, concealment, interference, obstruction and corruption;

(D) Its right to the conscientious, faithful, disinterested and unbiased services of the said PATRICIA RUTH NIEDOMSKI, an employee of the United States, concerning matters affecting the said Internal Revenue Service, Intelligence Division and to have such services exercised free from corruption, improper influence, dishonesty and fraud;

(E) Of and concerning its right to conduct investigations in such manner as deemed appropriate into the income tax returns of the said RICHARD T. GOSSER and to maintain a record of the facts developed during the course of said investigation without disclosure of the fact of such investigation and of any particulars in connection therewith to any unauthorized person and particularly to the said RICHARD T. GOSSER.

5. It was a part of said conspiracy that the said PATRICIA RUTH NIEDOMSKI would render improper services to the said RICHARD T. GOSSER and the other defendants by surreptitiously taking from and making available to the said RICHARD T. GOSSER and the other defendants at their request documents, reports, records and other material and abstracts, copies and transcriptions thereof from the files of the said Internal Revenue Service pertaining to and resulting from the said investigation and which would also relate to the activities, intelligence, plans and intentions of the said Service in its investigation of the returns of the said RICHARD T. GOSSER as aforesaid.

6. It was a further part of said conspiracy that the said PATRICIA RUTH NIEDOMSKI would receive in return for her assistance aforesaid sums of money and other good and valuable considerations from the said defendants.

7. It was a further part of said conspiracy that the said defendants would conceal the aforesaid documents, reports, records and other material and abstracts, copies and transcriptions thereof received from the said PATRICIA RUTH NIEDOMSKI and would do such other and further acts as they might deem necessary and expedient to prevent the disclosure of their receipt of said materials.

CVERT ACTS

In pursuance of said unlawful conspiracy and for the purpose of effecting the object thereof the said defendants did commit the following acts:

(1) During the period from on or about October 12, 1962 to and including November 12, 1962 at Toledo, State of Ohio, the defendant TED MAISON requested the co-conspirator PATRICIA RUTH NIEDOMSKI to obtain information including papers, documents and records from the files of the Internal Revenue Service relating to the defendant RICHARD F. GOSSER.

(2) That during the period from on or about October 15, 1962 to and including November 2, 1962 PATRICIA RUTH NIEDOMSKI at Toledo, State of Ohio, made copies, abstracts and transcriptions of papers, documents, records and reports contained in the files of the Internal Revenue Service and relating to the said RICHARD F. GOSSER.

(3) On or about October 19, 1962 at Toledo, State of Ohio, PATRICIA RUTH NIEDOMSKI delivered a certain document to the defendant TED MAISON.

(4) On or about October 19, 1962 at Toledo, State of Ohio, PATRICIA RUTH NIEDOMSKI received the sum of fifty dollars from the defendant TED MAISON.

(5) On or about October 26, 1962 at Toledo, State of Ohio, PATRICIA RUTH NIEDOMSKI delivered a certain document to the defendant TED MAISON.

(6) That on or about October 26, 1962 at Toledo, State of Ohio, PATRICIA RUTH NIEDOMSKI accepted the sum of fifty dollars from the defendant TED MAISON.

(7) That on or about November 9, 1962 at Toledo, State of Ohio, the defendant TED MAISON received certain documents bearing information from the files of the Intelligence Division of the Internal Revenue Service from PATRICIA RUTH NIEDOMSKI.

(8) That on or about November 9, 1962 at Toledo, State of Ohio, the defendant TED MAISON paid to PATRICIA RUTH NIEDOMSKI the sum of fifty dollars.

(9) That on or about November 12, 1962 at Toledo, State of Ohio, the defendant TED MAISON met with the defendant DONALD J. FINCIOTTI.

(10) That on or about November 12, 1962 at Toledo, State of Ohio, the defendant DONALD J. FINCIOTTI met with the defendant RICHARD T. GOSSER.

All in violation of Title 18, United States Code, Section 371.

A TRUE BILL

Foreman

WESLEY M. MCCURDY
UNITED STATES ATTORNEY

by _____
ASSISTANT U. S. ATTORNEY