

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF RICHMOND: CRIMINAL TERM

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THE PEOPLE OF THE STATE OF NEW YORK,

-against-

JOHN J. LAFORTE,  
TRACY ALFANO,  
JOSEPH W. LAFORTE, JR.,  
JOHN PALLADINO,

DEFENDANTS.

INDICTMENT NO.

-2024

FILED:  
FILE NO.:

***SEALED AS TO ALL  
COUNTS  
OFFICE ORIGIN***

-----X  
**COUNT 1**

The Grand Jury of Richmond County, by this Indictment, accuses the defendants, **JOHN J. LAFORTE, TRACY ALFANO, JOSEPH W. LAFORTE, JR.,** and **JOHN PALLADINO** of the crime of CONSPIRACY IN THE FOURTH DEGREE, in violation of § 105.10(1) of the Penal Law of the State of New York, committed as follows:

Said defendants, on or about and between October 20, 2022 and January 13, 2023, in Richmond County and elsewhere inside and outside the State of New York, including the State of New Jersey, with intent that conduct constituting the crime of Residential Mortgage Fraud in the Second Degree, in violation of Section 187.20, said crime being a class C felony, be committed, the defendants did knowingly and intentionally agree with each other and with others, known and unknown, to engage

in and cause the performance of such conduct as would constitute the above-mentioned class C felony.

**PREAMBLE**

It was the purpose of this conspiracy to knowingly, intentionally and fraudulently apply for and obtain a mortgage for the purchase of the real property known as 814 Brook Avenue, Union Beach, New Jersey and to conduct a real estate closing for said property in Richmond County, and elsewhere inside and outside of the State of New York and the State of New Jersey.

It was the role of **JOHN PALLADINO** to provide insight, guidance, and financial assistance to **JOHN J. LAFORTE** and **TRACY ALFANO**, as well as to facilitate the fraudulent mortgage application of **JOSEPH W. LAFORTE, JR.** for the purchase of the real property known as 814 Brook Avenue, Union Beach, New Jersey.

It was the role of **JOSEPH W. LAFORTE, JR.** to act as a mortgagee applicant and purchaser of the real property known as 814 Brook Avenue, Union Beach, New Jersey on behalf of **JOHN J. LAFORTE** and **TRACY ALFANO** and to fraudulently apply for a residential mortgage for the purchase of said real property.

It was the role of **JOHN J. LAFORTE** and **TRACY ALFANO** to work with **JOHN PALLADINO** to facilitate the fraudulent mortgage application of **JOSEPH W. LAFORTE** for the purpose of purchasing the real property known as 814 Brook Avenue, Union Beach, New Jersey.

It was also part of this conspiracy for members of the conspiracy to communicate with each other and others over cellular telephones using codes and communicating in a guarded, cryptic manner.

### OVERT ACTS

In furtherance of said conspiracy and to achieve the objects thereof, and during the course thereof, the following overt acts, among others, were committed:

1. On or about October 20, 2022, **JOHN J. LAFORTE** had a telephone conversation with **JOHN PALLADINO**, during which, **JOHN J. LAFORTE** stated, in sum and substance, “No, I don’t care about that, I want the house” and **JOHN PALLADINO** replied, in sum and substance, “Oh, then you got to go with a different person for this house” and “I don’t know, whoever you have. Someone with better credit score.”

2. On or about October 21, 2022, **JOHN J. LAFORTE** sent an MMS and SMS message to **JOHN PALLADINO**, during which the MMS message was an image of a New York State Driver’s License, which stated in sum and substance, “Joseph William LaForte” and the SMS read in sum and substance, “run him” and “good credit[.]”

3. On or about October 25, 2022, **JOHN J. LAFORTE** had a telephone conversation with **JOHN PALLADINO**, during which, **JOHN J. LAFORTE** stated, in sum and substance, “Here’s my question, this is actually their question too, he has, Joe LaForte Junior, he has one hundred thousand dollars in the bank?” and **JOHN J. LAFORTE** replied, in sum and substance, “Well, we’re going to have to put it in.”

4. On or about October 25, 2022, **JOHN J. LAFORTE** had a telephone conversation with **JOSEPH W. LAFORTE, JR.**, during which, **JOSEPH W. LAFORTE, JR.** stated, in sum and substance, “How much? For what?” and **JOHN J. LAFORTE** replied, in sum and substance, “Your check for a hundred, so it’s seasoned, so they will see that you can afford your monthly mortgage payments for a year, that’s how they have to do it.”

5. On or about November 8, 2022, **TRACY ALFANO** signed a \$10,000 check to, in sum and substance, “Gale and Laughlin Attorney Trust Act” and said check provided information in the memo line, in sum and substance, “814 Brook Ave U.B. NJ[.]”

6. On or about December 23, 2022, **TRACY ALFANO** submitted a document for the loan application to Change Lending, LLC, with the header that stated, in sum and substance, “Gift Letter” and said document provided information, in sum and substance, of a personal gift in the amount of \$10,000 for the property 814 Brook Avenue, Union Beach, New Jersey.

7. On or about January 5, 2023, **JOHN J. LAFORTE** had a telephone conversation with **JOSEPH W. LAFORTE, JR.**, during which, **JOSEPH W. LAFORTE, JR.** stated, in sum and substance, “Dude you put another \$75,000 in my business account?” and **JOHN J. LAFORTE** replied “Yeah, I gotta put one hundred seventy-five.”

8. On or about January 5, 2023, **JOHN J. LAFORTE** had a telephone conversation with **JOSEPH W. LAFORTE, JR.** during which, **JOSEPH W.**

**LAFORTE, JR.** stated, in sum and substance, “When is this, when is this closing going down?” and **JOHN J. LAFORTE** replied, in sum and substance, “Thirteenth” and “Do you want me to like give you a spare bedroom being it’s your house?” and **JOSEPH W. LAFORTE, JR.** replied “No.”

9. On or about January 5, 2023, **JOHN J. LAFORTE** and **TRACY ALFANO** had a telephone conversation with **JOSEPH W. LAFORTE, JR.**, during which, **TRACY ALFANO** stated, in sum and substance, “He’s got to go to the bank, and he’s got to wire out the money, the hundred back to John and the seventy-five back to Danny and I will give him information on both accounts for where he has to send the hundred and where he has to send the seventy-five” whereupon during the conversation, **JOSEPH W. LAFORTE, JR.**, stated in sum and substance, “Okay, so the Chase one is seventy-five back to Danny and the other is a hundred.”

10. On or about January 6, 2023, **JOHN PALLADINO** submitted a document for the loan application to Change Lending, LLC, with the header that stated, in sum and substance, “Gift Letter” and said document provided information, in sum and substance, of a personal gift in the amount of \$100,000 for the property 814 Brook Avenue, Union Beach, New Jersey.

11. On or about January 12, 2023, **JOHN J. LAFORTE** and **JOSEPH W. LAFORTE, JR.** participated in a real estate closing for the real property known as 814 Brook Avenue, Union Beach, New Jersey at the Law Office of Andrews & Leung, in Richmond County, New York.

## COUNT 2

The Grand Jury of Richmond County, by this Indictment, accuses the defendants, **JOHN J. LAFORTE, TRACY ALFANO, JOSEPH W. LAFORTE, JR.,** and **JOHN PALLADINO**, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, of the crime of RESIDENTIAL MORTGAGE FRAUD IN THE SECOND DEGREE in violation of Penal Law § 187.20 committed as follows:

The defendants, from on or about and between October 20, 2022 and January 13, 2023, in the County of Richmond and elsewhere, inside and outside of the State of New York, each aiding the other and acting in concert, while not being authorized or permitted to do so by law, knowingly and with intent to defraud, presented, caused to be presented with knowledge and belief that it would be used in soliciting an applicant for, applying for, underwriting or closing a residential mortgage loan, or filing with a county clerk of any county in the state arising out of and related to the closing of a residential mortgage loan, a written statement which contained materially false information concerning a fact material thereto; and concealed, for the purpose of misleading, information concerning a fact material thereto, and thereby received proceeds or any other funds in the aggregate in excess of fifty thousand dollars.

## COUNT 3

The Grand Jury of Richmond County, by this Indictment, accuses the defendants, **JOHN J. LAFORTE, TRACY ALFANO, JOSEPH W. LAFORTE,**

**JR.**, and **JOHN PALLADINO**, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, of the crime of **RESIDENTIAL MORTGAGE FRAUD IN THE THIRD DEGREE** in violation of Penal Law § 187.15 committed as follows:

The defendants, from on or about and between October 20, 2022 and January 13, 2023, in the County of Richmond and elsewhere, inside and outside of the State of New York, each aiding the other and acting in concert, while not being authorized or permitted to do so by law, knowingly and with intent to defraud, presented, caused to be presented with knowledge and belief that it would be used in soliciting an applicant for, applying for, underwriting or closing a residential mortgage loan, or filing with a county clerk of any county in the state arising out of and related to the closing of a residential mortgage loan, a written statement which contained materially false information concerning a fact material thereto; and concealed, for the purpose of misleading, information concerning a fact material thereto, and thereby received proceeds or any other funds in the aggregate in excess of three thousand dollars.

**COUNT 4**

The Grand Jury of Richmond County, by this Indictment, accuses the defendants, **JOHN J. LAFORTE**, **TRACY ALFANO**, **JOSEPH W. LAFORTE**, **JR.**, and **JOHN PALLADINO**, each aiding and acting in concert with each other and others known and unknown to the Grand Jury, of the crime of **FALSIFYING**

BUSINESS RECORDS IN THE FIRST DEGREE in violation of Penal Law § 175.10(1) committed as follows:

The defendants, from on or about and between October 20, 2022 and January 13, 2023, in the County of Richmond and elsewhere, inside and outside of the State of New York, each aiding the other and acting in concert, with intent to defraud and intent to commit another crime and aid and conceal the commission thereof, made and caused a false entry in the business records of an enterprise, to wit, Change Lending, LLC.

Dated: May \_\_\_, 2024  
Richmond County, New York

NICOLE KEARY  
Deputy Attorney General  
Organized Crime Task Force

By: \_\_\_\_\_  
JOSEPH MARCIANO, ESQ.  
Assistant Deputy Attorney General  
Organized Crime Task Force

**A TRUE BILL**

\_\_\_\_\_  
GRAND JURY FOREPERSON  
Dated: May \_\_\_, 2024