

**CRIMINAL COURT OF THE CITY OF NEW YORK  
PART APAR3, COUNTY OF KINGS**

|                                     |   |                   |
|-------------------------------------|---|-------------------|
| -----X                              | : |                   |
| THE PEOPLE OF THE STATE OF NEW YORK | : |                   |
|                                     | : |                   |
| -against-                           | : | STATE OF NEW YORK |
|                                     | : | COUNTY OF KINGS   |
| TARA LENICH                         | : |                   |
|                                     | : | COMPLAINT         |
|                                     | : |                   |
| Defendant.                          | : |                   |
| -----X                              | : |                   |

Detective Investigator Bernard Gifford, Deputy Chief Detective Investigator of the Kings County District Attorney's Office, states that on or about and between June 8, 2015 and November 25, 2016, at 350 Jay Street, Brooklyn, NY, in the County of Kings, State of New York, and elsewhere, the defendant committed the offenses of:

|               |                                                                             |
|---------------|-----------------------------------------------------------------------------|
| P.L. § 250.05 | EAVESDROPPING (2 COUNTS)                                                    |
| P.L. § 170.25 | CRIMINAL POSSESSION OF A FORGED INSTRUMENT IN THE SECOND DEGREE (20 COUNTS) |

IN THAT THE DEFENDANT:

DID UNLAWFULLY ENGAGE IN WIRETAPPING, MECHANICAL OVERHEARING OF A CONVERSATION, OR INTERCEPTING OR ACCESSING OF AN ELECTRONIC COMMUNICATION; AND DID WITH KNOWLEDGE THAT IT IS A FORGED INSTRUMENT WITH INTENT TO DEFRAUD, DECIEVE, OR INJURE ANTOHER, UTTER OR POSSESS ANY FORGED INSTURMENT OF A KIND DESCRIBED IN PENAL LAW SECTION 170.10.

THE SOURCE OF DEPONENT'S INFORMATION AND THE GROUNDS FOR DEPONENT'S BELIEF ARE AS FOLLOWS:

1. Deponent states that he is informed by Assistant Deputy Chief Detective Investigator Brian Donohue that he has reviewed records maintained by the Kings County District Attorney's Office which reveal that on or about or between June 8, 2015 and November 25, 2016, a series of court orders were falsely made or created and filed with the Office of the District Attorney of Kings County which authorized various forms of electronic surveillane including eavesdropping of telephonic and electronic communications and that each of the

falsely made or created court orders bears the purported signature of a New York State Supreme Court Justice or Acting Supreme Court Justice and that the identities of each of the Supreme Court Justices or Acting Supreme Court Justice are known to the deponent. Deponent states that based upon his participation in the investigation he is aware that none of the falsely made or created court orders described above was presented to, signed by, or issued by its respective issuing Supreme Court Justice or Acting Supreme Court Justice.

2. Deponent further states that he is informed by Assistant Deputy Chief Detective Investigator Donohue that the falsely made or created court orders authorized various forms of electronic surveillance including eavesdropping of telephonic and electronic communications occurring over a Verizon Wireless cellular telephone assigned telephone number A, which number is known to the deponent (hereinafter referred to as "cellular telephone A"), during the period between June 8, 2015 and January 22, 2016; and that the falsely made or created court orders authorized various forms of electronic surveillance including eavesdropping of telephonic and electronic communications occurring over an AT&T cellular telephone assigned telephone number B, which number is known to the deponent (hereinafter referred to as "cellular telephone B") during the period between August 20, 2015 and November 25, 2016. Deponent is further informed by Assistant Deputy Chief Detective Investigator Donohue that he is aware that each of the falsely made or created court orders was filed with the telephone service providers for cellular telephone A and cellular telephone B, respectively.

2. Deponent states that he is also informed by Assistant Deputy Chief Detective Investigator Brian Donohue that he has reviewed records maintained by the Kings County District Attorney's Office which reveal that the falsely made or created court orders authorizing electronic surveillance of telephonic and electronic communications pertaining to cellular telephone A were filed in the Office of the District Attorney of Kings County and with Verizon Wireless on or about June 8, 2015, July 6, 2015, August 3, 2015, September 2, 2015, October 2, 2015, October 30, 2015, November 23, 2015, and December 23, 2015, and that telephonic and electronic communications occurring over cellular telephone A were monitored on or about or between June 8, 2015 and January 22, 2016.

3. Deponent states that he is also informed by Assistant Deputy Chief Detective Investigator Brian Donohue that he has reviewed records maintained by the Kings County

District Attorney's Office which reveal that the falsely made or created court orders authorizing electronic surveillance of telephonic and electronic communications pertaining to cellular telephone B were filed in the Office of the District Attorney of Kings County and with AT&T on or about August 20, 2015, September 18, 2015, October 16, 2015, November 13, 2015, December 11, 2015, January 8, 2016, February 5, 2016, March 4, 2016, April 1, 2016, May 4, 2016, June 3, 2016, July 1, 2016, August 3, 2016, September 2, 2016, September 30, 2016, October 28, 2016, and November 1, 2016, and that telephonic and electronic communications occurring over cellular telephone B were monitored on or about or between August 20, 2015, and November 25, 2016.

4. Deponent states that he is informed by Deputy Chief Investigator Brian Donohue that each of the falsely made or created court orders described in paragraphs 2 and 3, above, was executed; that the interception and monitoring of telephonic and electronic communications occurring over cellular telephone A and cellular telephone B was conducted under the supervision of Tara Lenich. Deponent states that he is also informed by Deputy Chief Investigator Brian Donohue that Tara Lenich requested and was provided computerized access to review telephonic and electronic communications intercepted over both cellular telephone A and cellular telephone B; and that based upon his review of computerized access logs pertaining to telephonic and electronic communications intercepted over both cellular telephone A and cellular telephone B, he is aware that Tara Lenich did review the telephonic and electronic communications intercepted over cellular telephone A and cellular telephone B on numerous occasions during their respective periods of monitoring.

5. Deponent states that he is informed by William Power, Chief Information Officer of the Kings County District Attorney's Office that that on November 25, 2016 and November 26, 2016, he conducted remote searches of files on the office desktop of Lenich, and on a USB

drive attached to Lenich's office desktop computer, and that he retrieved copies of most of the documents described in paragraphs 2 and 3, above.

False statements made in this document are punishable as a class "A" misdemeanor pursuant to section 210.45 of the Penal Law.

11/28/16  
Date

*Debra R.*  
Signature