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Disturbance Of Peregrine Falcon Nest Leads To Charges Against Bridge Repair Crew

FOR IMMEDIATE RELEASE

May 21, 2014

PHILADELPHIA - Nikolaos Frangos, 38, George Capuzello, 42, both of Campbell, Ohio, and Mikhail Zubialevich, a/k/a "Russian Mike," 41, of Princeton, New Jersey were charged by indictment, unsealed today, in a conspiracy related to the disturbance of protected Peregrine Falcons, announced United States Attorney Zane David Memeger. The indictment charged the three defendants with conspiring to falsify, conceal and cover up a material fact in a matter within the jurisdiction of the Fish and Wildlife Service and the US Department of Transportation, witness tampering, and harboring an alien. Capuzello was also charged with perjury and Zubialevich was also charged with making a false statement. The defendants were arrested today.

According to the indictment, the defendants were involved, to varying degrees, in the refurbishment of the Girard Point Bridge in Philadelphia, which, for many years, had been a nesting site for peregrine falcons. As a condition of the work contract, the company, The Liberty-Alpha Joint Venture, agreed to refrain from working in the areas of the falcons' nests during nesting season. On June 4, 2011, Capuzello allegedly directed Zubialevich and another worker to perform grinding or sanding in the "restricted zone" which frightened and disturbed the falcons and caused them to abandon their nest. During a subsequent investigation into the disturbance of the falcons, the three defendants allegedly conspired to cover up the identity of one of the workers, who was an illegal alien and was partly responsible for disturbing the Peregrine Falcons. It is further alleged that Frangos and Capuzello intimidated another person, J.W., in order to prevent or delay communication with a Special Agent relating to the possible commission of a federal offense.

If convicted Frangos faces a maximum possible sentence of 35 years in prison, Capuzello faces a maximum possible sentence of 40 years in prison, and Zubialevich faces a maximum possible sentence of 20 years in prison.

The case was investigated by the Federal Bureau of Investigation, the Office of Inspector General of the Department of Labor, the Office of Inspector General of the Department of Transportation, the Environmental Protection Agency Criminal Investigation Division, the Office of Inspector General of the Social Security Administration, U.S. Immigration and Customs Enforcement Homeland Security Investigations, and Amtrak Office of Inspector General. The case has been assigned to Assistant United States Attorney Paul G. Shapiro.

An Indictment, Information or Criminal Complaint is an accusation. A defendant is presumed innocent unless and until proven guilty.

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