



United States Attorney's Office District of Connecticut Press Release

September 3,
2008

ATTORNEY INDICTED FOR ALLEGED ROLE IN VA BRIBERY SCHEME

Nora R. Dannehy, Acting United States Attorney for the District of Connecticut, today announced that a federal grand jury sitting in New Haven has returned an Indictment charging SEBASTIAN S. CIARCIA, 55, of Avon, with one count of bribery, four counts of making false statements, and six counts of aiding and assisting in the preparation of a false tax return. The Indictment was returned August 27, 2008 and unsealed today during CIARCIA's arraignment before United States Magistrate Judge Thomas P. Smith in Hartford.

The Indictment alleges that CIARCIA is an attorney licensed to practice law in the State of Connecticut. According to the Indictment, *Escarnio Construction, LLC* ("Escarnio Construction") and *Fischer Supply, LLC* ("Fischer Supply") were the names of entities through which CIARCIA conducted business with the United States Department of Veterans Affairs ("VA"). The Indictment alleges that, from approximately July 2002 through approximately November 2005, CIARCIA gave things of value to Kevin Malarney, a VA employee, with the intent to influence his official acts. CIARCIA allegedly paid Kevin Malarney's personal expenses, including the personal expenses for certain of Malarney's family members, in exchange for Malarney recommending and steering VA contracts for services and supplies to *Escarnio Construction* and *Fischer Supply*.

According to the Indictment, CIARCIA also submitted false documents to the VA regarding work done by the two companies. The Indictment alleges that CIARCIA aided and assisted in the preparation of false United States Individual Income Tax Returns for Kevin Malarney and for another individual not named in the Indictment.

If convicted, CIARCIA faces a maximum term of imprisonment of 15 years and a fine of up to \$250,000 on the bribery charge, a maximum term of imprisonment of five years and a fine of up to \$250,000 on each of the false statement charges, and a maximum term of imprisonment of three years and a fine of up to \$100,000 on each of the aiding and assisting a false tax return charges.

Acting U.S. Attorney Dannehy stressed that an indictment is only a charge and is not evidence of guilt. The defendant is entitled to a fair trial at which it is the Government's burden to prove guilt beyond a reasonable doubt.

This case was investigated by the Internal Revenue Service – Criminal Investigation Division; the Department of Veterans Affairs, Office of Inspector General; the United States General Services Administration, Office of Inspector General; the Federal Bureau of Investigation, and the VA Police Service. The

case is being prosecuted by Assistant United States Attorneys Douglas P. Morabito and William M. Brown.

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