



Public Affairs Office, District of New Jersey

06-08-05 -- DiBattista, Mark -- Guilty Plea -- News Release

Owner of Newton Auto Repair and Wash Business Admits Bilking Postal Service, Giving Favors to Postal Supervisors

NEWARK- An owner and operator of a Newton automobile repair and mobile wash service pleaded guilty today to misappropriating more than \$180,000 in United States Postal Service funds, U.S. Attorney Christopher J. Christie announced.

Mark DiBattista, 47, of Newton, Sussex County, pleaded guilty before U.S. District Judge William H. Walls to a one-count Information. DiBattista, who owned and operated MWD, Inc. - doing business as Clinton Garage and Mark's Mobil Wash in Newton - admitted that between 1998 and 2003, he excessively billed approximately \$184,356 for services to Postal Service vehicles that were either not rendered or rendered at inflated prices that exceeded the normal maintenance schedules for the vehicles, according to Assistant U.S. Attorney Joyce M. Malliet.

Judge Walls set sentencing for Sept. 21 at 10 a.m. For his guilty plea to one count of misappropriation of U.S. Postal Service funds, DiBattista faces a maximum penalty of 10 years imprisonment and a \$250,000 fine.

As a direct result of arrangements made by a Postal Service employee, DiBattista provided exclusive repair and cleaning services to Postal Service

vehicles through Clinton Garage and Mark's Mobil Wash at various New Jersey post offices, including offices located in Andover, Basking Ridge, Bernardsville, Budd Lake, Chester, Dover, Lake Hopatcong, Madison, Newton, Paterson and Rockaway.

DiBattista admitted that he had access to the Postal Service's credit card system through which he charged the misappropriated money. DiBattista also admitted to providing benefits in the form of cash, free repair services and used cars to supervisory Postal employees and to members of their families.

"It's fair to say that Mr. DiBattista did not act alone," said Christie. "The investigation is continuing."

In determining an actual sentence for DiBattista, Judge Walls will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges that take into account the severity and characteristics of the offense, the defendant's criminal history, if any, and other factors. Judge Walls, however, is not bound by those guidelines in determining a sentence.

Parole has been abolished in the federal system. Defendants who are given custodial terms must serve nearly all that time.

Christie credited Special Agents from the United States Postal Service, Office of Inspector General, under the direction of Jane Hughes, Special Agent in Charge of the New York and New Jersey Field Offices, with developing the case against DiBattista.

The Government is represented by Assistant U.S. Attorney Joyce M. Malliet of the Special Prosecutions Division of the U.S. Attorney's Office in Newark.

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Defense Counsel: E. Joseph Govlick, Esq. East Orange, New Jersey