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**FOR IMMEDIATE RELEASE**

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**Robbery Defendant Indicted For Soliciting Rikers Inmate To Kill Witness**

*Defendant Allegedly Tried To Hire Hit Man To Murder Witness*

*Set To Testify Against Him In Home Invasion; Offered Undercover \$10,000 For The Hit*

Kings County District Attorney Kenneth P. Thompson today announced that a Brooklyn man convicted in a 2012 home invasion has been indicted on charges of conspiracy and solicitation to commit murder for enlisting a fellow Rikers Island inmate “to take care of a witness,” in his case.

District Attorney Thompson said, “Seeking to kill a witness is outrageous conduct that must be punished to protect the integrity of our justice system.”

The District Attorney identified the defendant as Joseph Lombardo, 55, formerly of Brooklyn. Lombardo was arrested yesterday following his conviction in the underlying home invasion robbery. He was arraigned this morning before Brooklyn Supreme Court Justice Betty Williams on an indictment in which he is charged with three counts of conspiracy to commit murder and 10 counts of solicitation to commit murder. The defendant faces 25 years to life if convicted. He was ordered to return to court on October 17, 2014.

The District Attorney said that, according to trial testimony, Lombardo was arrested on February 1, 2013, for breaking into the West 2<sup>nd</sup> Street apartment of Janna Saleh on October 28, 2012. Saleh was at home with her three children, including her 11-year-old daughter, when the defendant and an unapprehended accomplice broke into her apartment at gunpoint after forcing a neighbor, Lyudmila Dushina, to knock on Saleh’s door. Once inside, the defendant and his cohort, who were both wearing ski masks, hoods and gloves, demanded money.

Meanwhile, according to trial testimony, the 11-year-old called her father, Hussein Saleh, who was at work downstairs in the family’s deli. Immediately after receiving the phone call, Hussein Saleh exited his store, which is around the corner from the Saleh residence, and saw the defendant and his accomplice running out of the building and subsequently take off their masks. Mr. Saleh recognized the defendant as “Joe,” an acquaintance who had frequented his deli several times a week for about a year.

The District Attorney said that following the defendant’s arrest in February 2013, he was indicted on charges of first-degree robbery, first-degree burglary and other charges. Earlier this year, beginning in May 2014, he allegedly repeatedly solicited a fellow Rikers Island inmate to “take care of a witness,” referring to Hussein Saleh, whom he knew could identify him at trial.

After repeatedly rebuffing the defendant's alleged solicitations, however, the inmate, who is known to the District Attorney's office, told investigators for the New York City Department of Corrections about Lombardo's alleged attempts to solicit his help in killing a witness, according to the investigation. During the defendant's alleged solicitation of his fellow inmate, the defendant allegedly stated: "I don't care how you do it, I just want him dead." The DOC investigators informed the District Attorney's office, and an undercover detective, who is assigned to the office, spoke with the defendant via telephone at Rikers and purported to be a killer for hire.

The defendant, however, insisted on seeing the "killer" in person, so they met at the Rikers Island visitor's area, on August 30, 2014, at which time the defendant allegedly proceeded to draw a map of the deli with instructions on how to access the apartment. He also allegedly suggested the undercover steal cash and cigarettes to stage the hit as a robbery gone bad, according to the investigation.

The defendant's alleged plot failed and the witness did testify against him at the trial of the underlying home invasion case. As a result he was convicted yesterday of two counts of first-degree burglary, one count of second-degree burglary and one count of first-degree robbery following a jury trial. He faces 25 years to life in prison when he is sentenced on October 17, 2014, by Brooklyn Supreme Court Justice Suzanne M. Mondo.

The investigation was conducted by Detective Investigators Robert Galvin and Kolawole Olosunde, Senior Detective Investigator Phillip O'Rourke and Deputy Chief Investigator William Pettie, under the supervision of Chief John Bilich, of the Kings County District Attorney's Detective Investigators Bureau.

The District Attorney thanked the New York City Department of Corrections, Correction Intelligence Bureau, under the leadership of Assistant Deputy Commissioner of Operations Doctor Errol Toulon, and Investigators Kevin Farley and Robert Venechanos, for their assistance in the investigation.

The District Attorney also thanked Detective Gerard O'Dwyer, of the New York City Police Department's Intelligence Division, as well as Investigator Lawrence Bond and Inspector General Jennifer Sculco, of the Office of the Inspector General of the Department of Corrections, of the New York City Department of Investigation, for their assistance.

The home invasion case was prosecuted by Assistant District Attorneys Hillary Schaeffer and Nicholas Ford of the District Attorney's Orange Zone Trial Bureau. The solicitation case is being prosecuted by Assistant District Attorneys Sarah Nadeau and Nicholas Batsidis, also of the Orange Zone. Both cases are under the supervision of Thomas Ridges, Chief of the Orange Zone Bureau.

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**An indictment is an accusatory instrument and not proof of a defendant's guilt.**

