

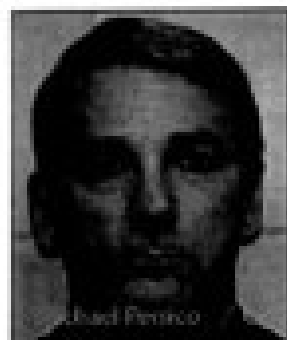
the way for Wexler, who had been a lousy student, with no ambition, to better himself.

"I grew up. I became serious. I didn't want to be a buck private anymore," he said, noting that since "everything in the Army" was ranked alphabetically, "I was always at the end. I was tired of being at the end, not knowing what's going on. I figured I have to change my way. I grew up."

He attended Indiana University, got his Law Degree at NYU in 1950, and eventually earned a distinguished position as a federal judge.

"It's amazing at how things happen without you expecting them," said Wexler. "You just got to go with the flow. I teach at law school now, and I tell them you got to go with the flow. You may be hurt at the beginning, but it's not the end. Don't quit. Life has its crazy turns. You don't know what it's going to lead to."

Mob Prince And Feds Move Into The 'Bizarro World'



It's the Mafia version of the *Seinfeld* episode in which everyone lives in *Bizarro world*: Four years into his prosecution, mob prince Michael Persico has now decided he wants to ditch a spectacular plea deal that is the envy of gangsters everywhere, and face trial for murder. And the feds, instead of jumping at the chance to rescind the deal, are insisting that

Persico take the deal, rather than take him to trial where a long prison term is a likely outcome, given the slim chances of Persico winning acquittal on all 15 counts in his racketeering indictment.

That all happened last Friday in less time than it took for *Seinfeld & Company* to shoot the "down is up" episode where Bizarro Jerry says "hello" when he leaves, "good-bye" when he arrives.

The craziness began when attorney Marc Fernich, after taking five months to file a sentencing memo for the son of imprisoned-for-life Mafia boss Carmine (Junior) Persico, instead submitted papers stating that his client wanted his guilty plea back because prosecutors had breached his plea agreement. Noting that Brooklyn Federal Judge Sandra Townes allowed *Mob Wife* "codefendant Alicia DiMichele to withdraw her guilty plea" in April, Fernich asked Townes for permission to file papers next month supporting Persico's "plea withdrawal."

As Gang Land disclosed in May, Persico, 57, believes

prosecutors breached his agreement — it recommends a 37-to-46 month sentence — by giving evidence that links Persico to three murders and a host of other crimes to probation officials who prepared and furnished a Pre-Sentence-investigation Report to Townes. Persico and the attorneys who brokered the deal, Sarita Kedia and Paul Shechtman, believe the government's actions were a not-so-subtle effort to induce Townes to ignore the guidelines and mete out a maximum five-year prison term he faces.



Alicia D'Amico

In return for pleading guilty to conspiring to make a usurious \$100,000 loan, prosecutors agreed not to prosecute Persico for any of 15 specific crimes listed in his plea agreement. They include three mob hits, a murder conspiracy, loansharking, extortion, gambling, commercial bribery, and other labor racketeering charges. Another key provision, one that is rarely included in plea agreements, is a promise not to use any of the allegations as charges in a follow-up racketeering indictment.

Assistant U.S. attorneys Nicole Argentieri and Allon Lifshitz also agreed not to push for any sentence above the recommended sentencing guidelines &C" or even seek a prison term at the 46 months high end. Prosecutors cannot appeal any sentence, but the agreement gives Persico the right to appeal any prison term greater than 46 months as excessive. He also agreed to forfeit \$325,000 &C" which he did in 2012, when he copped his guilty plea.



Judge Linda Townes

The plea agreement has become the envy of mob lawyers, who often cite it in bids to win better plea deals for their clients. In the annals of Gang Land, we know of no other mob-connected defendant who has matched the deal that Persico got back in June of 2012 on the eve of his racketeering and murder trial.

Which is why several lawyers and law enforcement officials familiar with the 10-defendant case, used words and expressions like "crazy," "nuts," "makes no sense," and "I can't figure out what he's thinking," when Gang Land asked for their thoughts. Their overall conclusion was this: Persico should worry about getting what he has asked for.

Said one source: "Even if Persico is innocent of every single crime he is charged with, there is no way he can

beat every single count in the indictment. He should tell his lawyers that he is ready to be sentenced. It's the best option he's got, no matter how much time he gets."

Which leaves the knee-jerk "we object" reaction that prosecutors Argentieri and Lifshitz filed an hour or so after Fernich notified Judge Townes that Persico wanted to withdraw his guilty plea.

As for the prosecutors, said the source: "They should tell the judge they join in the motion, and ask the judge to set the case down for trial, immediately, if not sooner."



Judge Townes, who gets the last word, has her own views on the issue. She gave Fernich until September 29 to file his papers, and ordered the government to file its response by October 13. Fernich has until October 20 to file any reply. Townes scheduled sentencing for October 30.

Bonanno Boss Looking For Plea Deal



Thomas DiFiore, G.L.

Acting Bonanno crime family boss Thomas (Tommy D) DiFiore got his first wish: He won't have to stand trial alongside a 79-year-old capo charged with the storied Lufthansa Airlines robbery and a 45-year-old murder. Now he's working on a second one: Not to stand trial at all on extortion charges involving a \$75,000 loan to a car wash worker that was the subject of a high-level sitdown between the Bonanno and Gambino families.

DiFiore and two wiseguys charged with taking part in the same extortion conspiracy between March and June of 2012 are currently involved in "active plea negotiations" with prosecutors that are designed to forego the need of the trial that was slated to take place in January, according to letters that were filed this week with Brooklyn Federal Judge Alynne Ross.

In the papers, prosecutors and defense attorneys indicated that DiFiore as well as acting capo Jack Bonventre and soldier John (Bazoo) Ragano are "engaged in an effort to come to an agreement on a partial global disposition" in their case.

As Gang Land reported last week, Judge Ross severed the trio from the racketeering trial of capo Vincent Asaro, who