

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-cr-80064-Smith/Maynard

18 U.S.C. § 875(c)

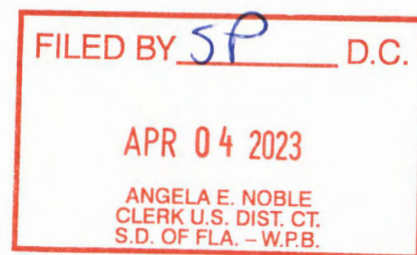
18 U.S.C. § 981(a)(1)(C)

UNITED STATES OF AMERICA

vs.

FRANK STANZIONE,

Defendant.



INDICTMENT

The Grand Jury charges that:

On or about January 29, 2023, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendant,

**FRANK STANZIONE,**

did knowingly transmit in interstate commerce a communication containing a threat to injure the person of another, that is, Victim 1, with the intent to communicate a threat and with the knowledge that it would be viewed as a threat, in that in a recorded voicemail left for Victim 1, he stated in part, “[Victim 1], you fat, [expletive] piece of [expletive]. You better watch your [expletive] back because I’m gonna bash your [expletive] head in with a bat until your brains are splattered across the [expletive] wall. You lying, disgusting, disgraceful, [expletive]. You [expletive] piece of [expletive]. You’re gonna get [expletive] murdered you goddamn lying piece of garbage. Watch your back, you fat, ugly piece of [expletive]. You and [Victim 2] are dead,” in violation of Title 18, United States Code, Section 875(c).

FORFEITURE ALLEGATIONS

1. The allegations of this Indictment are hereby re-alleged and by this reference fully

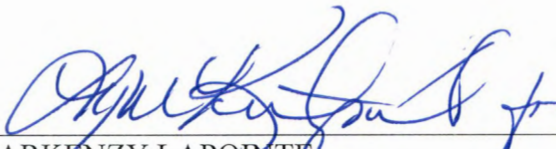
incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant, **FRANK STANZIONE**, has an interest.

2. Upon conviction of a violation of Title 18, United States Code, Section 875(c), as alleged in this Indictment, the defendant shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to such offense, pursuant to Title 18, United States Code, Section 981(a)(1)(C).

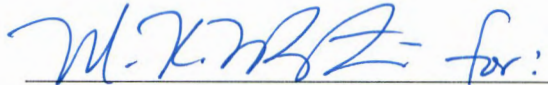
All pursuant to Title 18, United States Code, Section 981(a)(1)(C) and the procedures set forth in Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL

FOREPERSON

  
\_\_\_\_\_  
MARKENZY LAPOINTE  
UNITED STATES ATTORNEY

  
\_\_\_\_\_  
MARK DISPOTO  
ASSISTANT UNITED STATES ATTORNEY

  
\_\_\_\_\_  
JOE WHEELER III  
SPECIAL ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CASE NO.: 23-cr-80064-Smith/Maynard

v.

CERTIFICATE OF TRIAL ATTORNEY

FRANK STANZIONE,

\_\_\_\_\_/ Defendant.

Court Division (select one)

- Miami       Key West       FTP
- FTL       WPB

Superseding Case Information:

New Defendant(s) (Yes or No) \_\_\_\_\_  
 Number of New Defendants \_\_\_\_\_  
 Total number of counts \_\_\_\_\_

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. §3161.
3. Interpreter: (Yes or No) No  
List language and/or dialect: \_\_\_\_\_
4. This case will take 1-2 days for the parties to try.
5. Please check appropriate category and type of offense listed below:  
 (Check only one) (Check only one)  
 I  0 to 5 days       Petty  
 II  6 to 10 days       Minor  
 III  11 to 20 days       Misdemeanor  
 IV  21 to 60 days       Felony  
 V  61 days and over
6. Has this case been previously filed in this District Court? (Yes or No) No  
If yes, Judge \_\_\_\_\_ Case No. \_\_\_\_\_
7. Has a complaint been filed in this matter? (Yes or No) No  
If yes, Magistrate Case No. \_\_\_\_\_
8. Does this case relate to a previously filed matter in this District Court? (Yes or No) No  
If yes, Judge \_\_\_\_\_ Case No. \_\_\_\_\_
9. Defendant(s) in federal custody as of \_\_\_\_\_
10. Defendant(s) in state custody as of \_\_\_\_\_
11. Rule 20 from the \_\_\_\_\_ District of \_\_\_\_\_
12. Is this a potential death penalty case? (Yes or No) No
13. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard? (Yes or No) No
14. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss? (Yes or No) No
15. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No

By: MARK DISPOTO for:  
 MARK DISPOTO  
 Assistant United States Attorney  
 Court ID No. A5501143

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: FRANK STANZIONE

Case No: 23-cr-80064-Smith/Maynard

Count 1:

Making a Threatening Communication in Interstate Commerce

Title 18, United States Code, Section 875(c)

\* **Max. Term of Imprisonment:** 5 years

\* **Mandatory Min. Term of Imprisonment (if applicable):** N/A

\* **Max. Supervised Release:** 3 years

\* **Max. Fine:** \$250,000

\*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.