



NEWS RELEASE

From New York State Inspector General Letizia Tagliafierro

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NYS DOT INVESTIGATOR PLEADS GUILTY TO ILLEGALLY ACCESSING GOVERNMENT DATABASES AND RUNNING A PRIVATE TRUCKING COMPANY WHILE COLLECTING WORKERS' COMPENSATION BENEFITS

HAUPPAUGE – New York State Inspector General Letizia Tagliafierro today announced the guilty plea of a State Department of Transportation vehicle safety employee who defrauded the workers' compensation system by claiming injury and then secretly operating his own trucking company – with a vehicle that had multiple safety violations – and using his State government position to illegally access sensitive driver identification and violation information to get an unfair competitive advantage.

Niccolo Mormile, 39, of Shirley, pled guilty today before Suffolk County District Court Judge Richard T. Dunn to Attempted False Filing of an Instrument (A Misdemeanor). As part of his plea, Mormile must pay full restitution of \$28,580 and resign from state service. His next court appearance is December 18.

"This investigator, who we trusted to ensure vehicles are safe for New Yorkers' daily use, instead engaged in multiple levels of fraud and deceit," said Inspector General Letizia Tagliafierro. "He claimed injury and began collecting workers' compensation benefits, and then abused the system by operating his own unsafe trucking company and accessing sensitive information to gain a competitive edge. New Yorkers have no tolerance for such illegal conduct and now he will pay the consequences for his repeated wrongs."

"This is a just result that ensures full restitution to the State," Suffolk County District Attorney Timothy D. Sini said. "I would like to thank the office of Inspector General Tagliafierro as well as the Department of Transportation for partnering with my office on this investigation and prosecution."

Mormile worked as a Motor Carrier Investigator for the New York State Department of Transportation (DOT). He was responsible for conducting roadside inspections of commercial vehicles and ensuring that carriers were operating in compliance with State Transportation Law.

An investigation by the Inspector General found that Mormile became involved in a series of illegal and improper practices starting in July 2016, when he claimed he fell at work and suffered an injury:

- Mormile falsely claimed twice to an independent medical examiner that he could not and was not able to work. Between July 2016 and 2017, he collected \$28,580 in workers' compensation wage replacement benefits.
- While collecting benefits, Mormile was secretly running a private trucking company, CNC Trucking, with a vehicle that repeatedly had violations during DOT inspections. He earned more than \$125,000 from this clandestine business during the year he claimed he could not work.
- During this time and through March 2018, Mormile illegally accessed Driver/Vehicle Examination Reports with sensitive information from state and federal databases and provided it to a private trucking consultant who used the information to gain a competitive advantage over other trucking companies. Mormile and the consultant later married.

Mormile was suspended from DOT in December 2018.

Inspector General Tagliafierro thanked Suffolk County District Attorney Sini and his office for their assistance with the investigation and for prosecuting this matter. She also thanked the State Department of

Transportation, the Federal Motor Carrier Safety Administration and the State Department of Motor Vehicles Division of Field Investigation for their assistance with the investigation.

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