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Man Cashes Forged Check From Elderly Woman's Account While Out on Bail for a Cohoes Home Break-In



ALBANY, NY – District Attorney P. David Soares announced today that ROBERT F. WAGNER, 37, of Cohoes, was sentenced to 7 years in State Prison before the Honorable Roger D. McDonough in Albany County Supreme Court this morning.

WAGNER previously pleaded guilty to (1) Count of Attempted Burglary in the Second Degree, a Class D Felony, for a June 2016 home break-in on Vliet Avenue in the City of Cohoes. During that incident WAGNER was caught in the residence by police officers after a neighbor observed him breaking in through a window and called 911 to report the crime.

While released on bail pending sentencing for the attempted burglary charge, on September 16, 2016, WAGNER illegally possessed a check from the account of an 81 year old woman that he

previously did handyman work for. WAGNER cashed the forged check at a Trustco Bank in the Town of Colonie. The victim reported the suspicious activity to authorities and police were able to use video surveillance at the bank to show WAGNER completing the illegal transaction. On November 2, 2016, WAGNER pleaded guilty to (1) Count of Attempted Criminal Possession of a Forged Instrument in the Second Degree, a Class E Felony, before Judge Thomas A. Breslin in Albany County Supreme Court, to be sentenced to 1 1/3 to 4 years in State Prison.

Because WAGNER committed check fraud while out on bail, Judge McDonough enhanced the previously agreed upon sentence for the attempted burglary, and ultimately sentenced WAGNER to 7 years in State Prison today. The time for the check fraud conviction will run concurrent (at the same time) to the sentence for the Cohoes break-in.`

Assistant District Attorney Linda Griggs prosecuted this case.

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