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Conviction Upheld for Scam Against Senior Citizen

ALBANY, NY - District Attorney P. David Soares today announced that the New York State Supreme Court, Appellate Division, Third Judicial Department upheld the 2010 conviction of ROSELYN ABBOTT. The full decision can be found [here](#).

On September 28, 2010, ROSELYN ABBOTT, of Troy, was found guilty after a jury trial of (1) Count of Grand Larceny on the Fourth Degree, a Class E Felony, and (1) Count of Fraudulent Accosting, a Class A Misdemeanor before the Honorable Thomas A. Breslin in Albany County Court.

On December 6, 2009 at the Price Chopper on Broadway in the Village of Menands, ABBOTT and her son KEVIN GERVASIO, of Troy, targeted an 89 year old shopper who pulled into a parking spot close to the store. After the victim entered the store, GERVASIO poured a dark, liquid drink under the victim's car and then waited for the victim to exit the store.

When the victim returned to the vehicle, ABBOTT approached the victim and warned her that it would not be safe to drive the vehicle due to fluid leaking under the car. ABBOTT explained to the victim that her son works on cars and could check on the damage.

GERVASIO inspected the car was told the victim that it was indeed unsafe to drive and that he would complete the repair. ABBOTT and GERVASIO then brought the victim to her residence and then returned the next day with the "repaired" vehicle. Both ABBOTT and GERVASIO collected over \$1,400 from the victim and did not complete any repairs.

Several days later the victim noticed that a check engine light was on and brought the vehicle to her usual mechanic. The mechanic informed her that no work had been done to the vehicle and that she was likely the victim of a scam. The victim then reported ABBOTT and GERVASIO to the Menands Police Department.

On November 23, 2010, GERVASIO was sentenced to 1 to 3 years in State Prison before the Honorable Thomas A. Breslin in Albany County Court. GERVASIO previously pleaded guilty to (1) Count of Grand Larceny in the Fourth Degree, a Class E Felony.

Former Assistant District Attorney Jarrod Sanford handled the prosecution of both ROSELYN ABBOTT and KEVIN GERVASIO. Assistant District Attorney Steven Sharp of the Legal Affairs Bureau argued to uphold the conviction.

For more information please contact Cecilia Logue (518) 275-4710.



S.A.L.T.
Seniors And Law Enforcement Together



If you or your loved ones may be a victim of a similar scam against an elderly citizen, please call the Seniors and Law Enforcement Together (S.A.L.T.) Hotline at 447-SALT (7258)

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