

**UNITED STATES OF AMERICA
NATIONAL CREDIT UNION ADMINISTRATION
Alexandria, Virginia**

In the Matter of

JOHN J. ERCOLINO

)
)
) Docket No.: 12-0034-R3
)
)

NOTICE OF PROHIBITION

WHEREAS on or about September 19, 2011, John Ercolino was convicted of Grand Theft Greater than \$20,000 under Sections 812.014(1) and (2)(a) of the Florida Criminal Code in connection with his employment at South Atlantic Federal Credit Union, in Boca Raton, Florida.

WHEREAS a violation of Sections 812.014(1) and (2)(a) of the Florida Criminal Code is a criminal offense involving dishonesty and breach of trust;

NOW, THEREFORE, YOU ARE HEREBY NOTIFIED THAT:

1. Pursuant to 12 U.S. C. § 1785(d)(1)(A) and 12 U.S.C. § 1829(a)(1)(A), John Ercolino is prohibited from becoming an "institution affiliated party" of any insured depository institution, as defined in 12 U.S.C. § 1786(r); otherwise participating, directly or indirectly, in the conduct of the affairs of any insured depository institution; and owning or controlling, directly or indirectly, any insured depository institution;

2. Pursuant to 12 U.S. C. § 1785(d)(1)(B) and 12 U.S.C. § 1829(a)(1)(B), no insured depository institution may permit John Ercolino to engage in any conduct or continue in any relationship prohibited in paragraph 1 above;

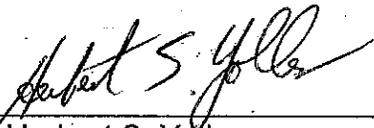
3. Pursuant to 12 U.S.C. § 1785(d)(3) and 12 U.S.C. § 1829(b), whoever knowingly violates paragraph 1 or 2 above is subject to a fine of not more than \$1 million for each day such prohibition is violated, or imprisonment for not more than five (5) years, or both;

4. The Judgment filed September 19, 2011, CASE NO. 10CF009044, is made a part hereof and is incorporated herein by reference; and

5. This Notice of Prohibition shall be effective and enforceable on the date of set forth below.

IT IS SO ORDERED this 12 day of June 2012.

NATIONAL CREDIT UNION ADMINISTRATION BOARD

By: 
Herbert S. Yolles
Regional Director
NCUA Region III

4050

IN THE CRIMINAL DIVISION OF THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT OF FLORIDA, IN AND FOR PALM BEACH COUNTY

CASE NO. 10CF009044 AKX DIV. U

OBTS NUMBER _____

STATE OF FLORIDA COMMUNITY CONTROL VIOLATOR

v. Ercolino PROBATION VIOLATOR
John J. Ercolino

09/14/59 W M XXX - XX -
DATE OF BIRTH RACE GENDER SOCIAL SECURITY NUMBER

FILED
Circuit Criminal Department
SEP 19 2011
SHARON R. BOCK
Clerk & Comptroller
Palm Beach County

JUDGMENT

The above Defendant, being personally before this Court represented by R. Berman (attorney)

Having been tried and found guilty of the following crime(s) Having entered a plea of guilty to the following crime(s): Having entered a plea of nolo contendere to the following crime(s):

COUNT	CRIME	OFFENSE STATUTE NUMBER(S)	DEGREE
<u>1</u>	<u>Grand Theft 20 ²⁰</u>	<u>812.014(1) & (2)(a)</u>	<u>2nd</u>

and no cause having been shown why the Defendant should not be adjudicated guilty, IT IS ORDERED THAT the Defendant is hereby ADJUDICATED GUILTY of the above crime(s).

and having been convicted or found guilty of, or having entered a plea of nolo contendere or guilty, regardless of adjudication, to attempts or offenses relating to sexual battery (ch. 794), lewd and lascivious conduct (ch. 800), or murder (s. 782.04), aggravated battery (s. 784.045), burglary (s. 810.02), carjacking (s. 812.133), or home invasion robbery (s. 812.135), or any other offense specified in section 943.325, the defendant shall be required to submit blood specimens.

and good cause being shown: IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD.

SENTENCE STAYED The Court hereby stays and withholds imposition of sentence as to count(s) and places the Defendant on Probation and/or Community Control under the supervision of the Dept. of Corrections (conditions of probation set forth in separate order).

SENTENCE DEFERRED The Court hereby defers imposition of sentence until _____.

The Defendant in Open Court was advised of his right to appeal from the Judgment by filing a notice of appeal with the Clerk of Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The defendant was also advised of his right to the assistance of counsel in taking said appeal at the expense of the State upon a showing of indigency.

DONE AND ORDERED in Open Court at Palm Beach County, Florida, this 19 day of Sept, 2011.

[Signature]
CIRCUIT JUDGE

Form 16

Form Circuit 3A (rev 9/2010)

PLEA IN THE CIRCUIT COURT
THE FOLLOWING IS TO REFLECT ALL TERMS OF THE NEGOTIATED SETTLEMENT

Name: John Ercolino
Plea: Guilty Guilty/Best Interest Nolo Contendere

Case No. 10CF009044AXX Charge Grand Theft \$20,000 Count 1 Lesser Yes Degree 2nd

FILED
Circuit Criminal Department
SEP 19 2011
SHARON R. BOON
Clerk & Comptroller
Palm Beach County

State to Nolo Prose the following at sentencing: Ct. 2
PSI: Waived/Not Required Required/Requested

ADJUDICATION: Adjudicate Withhold Court's Discretion

If the Defendant is convicted of possession, sale, trafficking or conspiracy to possess, sell or traffic in any controlled substance, the Court directs the Department of Motor Vehicles and Highway Safety to revoke the Defendant's driver's license for two (2) years. If the Defendant is convicted of grand theft of a motor vehicle; theft of motor vehicle parts; or, any felony in the commission of which a motor vehicle was used, the Court directs the Department of Motor Vehicles and Highway Safety to revoke the Defendant's driver's license as mandated by law. The Clerk is directed to make the proper notifications.

SENTENCE:
\$ _____ Fine \$ _____ Court Costs \$ _____ Drug Trust Fund
\$ _____ Cost of Prosecution \$ _____ Public Defender Fees/Costs
Incarceration: _____ Days _____ Months _____ Years
with credit for time served; which is _____ days.

PROBATION: 5 Months / Years Drug Offender if checked
ALL CONDITIONS OF PROBATION MUST BE SUCCESSFULLY COMPLETED NO LESS THAN 30 DAYS BEFORE PROBATION IS SCHEDULED TO TERMINATE UNLESS STATED BELOW.
STANDARD CONDITIONS OF PROBATION HAVE BEEN EXPLAINED BY DEFENSE COUNSEL.
SPECIAL CONDITIONS OF PROBATION:

- A) Restitution as per the accompanying order. (check if ordered)
- B) Fine: \$ _____ Court Costs: \$ _____ Drug Trust Fund: \$ _____
Cost of Prosecution \$ _____ Public Defender Fees/Costs \$ _____
- C) Substance abuse evaluation and successful completion of recommended treatment (check if ordered) (enroll within 30 days) If in custody, release only to _____
- D) Random Drug Testing at Defendant's expense (check if ordered)
- E) _____ hours of community service at a rate of no less than _____ hours per month
- F) Incarceration: _____ Days _____ Months _____ Year
with credit for time served; which is _____ days.

OTHER COMMENTS OR CONDITIONS: He plans to sell more & re-arrested
- DWI Search + pay off \$110,000
- Restitution per accompanying order

SENTENCING IS DEFERRED UNTIL _____ IN COURT ROOM
THE DEFENDANT UNDERSTANDS IF SHE FAILS TO APPEAR OR IS ARRESTED ON NEW CHARGES, A CAPIAS WILL BE ISSUED AND THE COURT WILL IMPOSE ANY LAWFUL SENTENCE

[Signature]
Assistant State Attorney
09/19/11
Date of Plea
Form Circuit 2 (rev 8/2000)

[Signature]
Attorney for the Defendant
John J. Ercolino
Defendant