

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury
Number SGJ751-21-6
Superior Court
Docket Number 21-3-20-S

STATE OF NEW JERSEY)
)
v.)
SHELIM KHALIQUE)
HENRY RHODES)
and)
A-1 ELEGANT TOURS, INC.)
d/b/a EASTERN STAR)
TRANSPORTATION, LLC)

INDICTMENT

The Grand Jurors of and for the State of New Jersey, upon their oaths, present that:

COUNT ONE

(Conspiracy - Second Degree)

SHELIM KHALIQUE

HENRY RHODES

and

A-1 ELEGANT TOURS, INC. d/b/a/ EASTERN STAR TRANSPORTATION, LLC and one or more other persons whose identities are both known and unknown to the Grand Jurors, who are co-conspirators but not named as defendants herein, between in or about August 2016 and in or

about May 2019, in the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this court, with the purpose of promoting or facilitating the commission of the crimes of False Representation for a Government Contract, Theft by Deception, Misconduct by a Corporate Official, and Tampering With Public Records, did agree that:

A. One or more of them knowingly would engage in conduct which would constitute the aforesaid crime(s), or

B. One or more of them knowingly would aid in the planning, solicitation or commission of said crime(s), that is:

1. False Representation for a Government Contract, in that one or more of them would knowingly make one or more false, material representation(s) in connection with the negotiation, award or performance of one or more contract(s) with one or more public school districts, the amount of each contract being \$25,000.00 or more, specifically by falsifying and providing false documents in support of the contract(s), or by misrepresenting the qualifications of the company and its drivers and aides to transport students, contrary to the provisions of N.J.S.A. 2C:21-34(b);

2. Theft by Deception, in that one or more of them would purposely obtain funds in the amount of \$75,000 or more from one or more public school districts within the State of New Jersey by deception, that is by creating or reinforcing a false impression, including false impressions as to law, value, intention or other state of mind, specifically by misrepresenting the qualifications of the company and its drivers and aides for the purpose of obtaining contract(s) with one or more public school districts to transport students and by falsifying and providing false documents in support of securing said contracts, contrary to the provisions of N.J.S.A. 2C:20-4;

3. Misconduct by Corporate Official, in that one or more of them would purposely or knowingly use, control, or operate a corporation for the furtherance or promotion of any criminal object, specifically False Representation for a Government Contract, Theft by Deception, and Tampering with Public Records, contrary to the provisions of N.J.S.A. 2C:21-9(c);

4. Tampering with Public Records or Information, in that

one or more of them would knowingly make a false entry in, or false alteration of, or would make, present, offer for filing or use, any record, document or thing belonging to, or received or kept by, the government for information or record, or required by law to be kept by others for information of the government, specifically documents in support of one or more contracts with public school districts to transport students, including documents certifying the qualifications and fitness of the company and its drivers and aides, which documents were provided in support of one or more contracts with public school districts to transport students, contrary to the provisions of N.J.S.A. 2C:28-7; and

5. Falsifying Records, in that one or more of them would, with purpose to deceive or injure another or to conceal a wrongdoing, falsify a writing or record or utter a writing or record knowing that it contains a false statement or information, specifically one or more public school busing contracts or supporting documentation, including documents which certify to the qualifications and

fitness of the company and its drivers and aides to
transport students, contrary to the provisions of N.J.S.A.
2C:21-4a.

All in violation of N.J.S.A. 2C:5-2, and against the peace of
this State, the government and dignity of same.

COUNT TWO

(False Representation for a Government Contract - Second Degree)

SHELIM KHALIQUE

HENRY RHODES

and

A-1 ELEGANT TOURS, INC. d/b/a/ EASTERN STAR TRANSPORTATION, LLC and one or more other persons whose identities are both known and unknown to the Grand Jurors, who are co-conspirators but not named as defendants herein, between in or about August 2016 and in or about May 2019, in the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this court, did knowingly make one or more false, material representation(s) in connection with the negotiation, award or performance of one or more contracts with one or more public school districts, the amount of each contract being \$25,000.00 or more, specifically by falsifying and providing false documents in support of the said contracts, or by misrepresenting the qualifications of the company and its drivers and aides to transport students, in violation of N.J.S.A. 2C:21-34(b), and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT THREE

(THEFT BY DECEPTION - SECOND DEGREE)

SHELIM KHALIQUE

HENRY RHODES

and

A-1 ELEGANT TOURS, INC. d/b/a/ EASTERN STAR TRANSPORTATION, LLC and one or more other persons whose identities are both known and unknown to the Grand Jurors, who are co-conspirators but not named as defendants herein, between in or about August 2016 and in or about May 2019, in the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this court, did purposely obtain funds in excess of \$75,000 from one or more public school districts within the State of New Jersey by deception, that is by creating or reinforcing a false impression, including false impressions as to law, value, intention or other state of mind, specifically by misrepresenting the qualifications of the company and its drivers and aides to enter into contract(s) with one or more public school districts to transport students and by falsifying and providing false documents in support of same in order to obtain said contracts, in violation of N.J.S.A. 2C:20-4, and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT FOUR

(MISCONDUCT BY A CORPORATE OFFICIAL - SECOND DEGREE)

SHELIM KHALIQUE

and

HENRY RHODES

and one or more other persons whose identities are both known and unknown to the Grand Jurors, who are co-conspirators but not named as defendants herein, between in or about August 2016 and in or about May 2019, in the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this court, did purposely or knowingly use, control, or operate a corporation for the furtherance or promotion of any criminal object, specifically False Representation for a Government Contract, Theft By Deception, and Tampering With Public Records, in violation of N.J.S.A. 2C:21-9(c), and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.

COUNT FIVE

(TAMPERING WITH PUBLIC RECORDS OR INFORMATION - THIRD DEGREE)

SHELIM KHALIQUE

HENRY RHODES

and

A-1 ELEGANT TOURS, INC. d/b/a/ EASTERN STAR TRANSPORTATION, LLC and one or more other persons whose identities are both known and unknown to the Grand Jurors, who are co-conspirators but not named as defendants herein, between in or about August 2016 and in or about May 2019, in the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this court, did knowingly make a false entry in, or false alteration of, or did knowingly make, present, offer for filing or use, any record, document or thing belonging to, or received or kept by, the government for information or record, or required by law to be kept by others for information of the government, specifically documents in support of one or more contracts with public school districts to transport students, including documents which certify to the qualifications and fitness of the company and its drivers and aides to transport students, in violation of N.J.S.A. 2C:28-7(a), and N.J.S.A. 2C:2-

6, and against the peace of this State, the government and dignity
of same.

COUNT SIX

(FALSIFYING RECORDS - FOURTH DEGREE)

SHELIM KHALIQUE

HENRY RHODES

and

A-1 ELEGANT TOURS, INC. d/b/a/ EASTERN STAR TRANSPORTATION, LLC and one or more other persons whose identities are both known and unknown to the Grand Jurors, who are co-conspirators but not named as defendants herein, between in or about August 2016 and in or about May 2019, in the City of Newark, in the County of Essex, elsewhere, and within the jurisdiction of this court, with purpose to deceive or injure another or to conceal a wrongdoing, did falsify a writing or record or did utter a writing or record knowing that it contains a false statement or information, namely one or more public school busing contracts or supporting documentation, including documents which certify to the qualifications and fitness of the company and its drivers and aides to transport students, contrary to the provisions of

