

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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KIM DELANEY, INDIVIDUALLY AND AS THE  
ADMINISTRATOR OF THE ESTATE OF JOHN  
FRANKOWSKI, SR., AND JOHN FRANKOWSKI, JR.

PLAINTIFFS,

INDEX No. 2:2017-cv-1265

vs.

COMPLAINT

NASSAU COUNTY, NASSAU COUNTY POLICE  
DEPARTMENT AND NASSAU COUNTY DISTRICT  
ATTORNEY'S OFFICE, AND JOHN DOES #1 – 10,

DEFENDANTS.

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Plaintiffs, KIM DELANEY, individually and as Administrator of the Estate of John Frankowski, Sr., and JOHN FRANKOWSKI, JR., by and through their attorney, the Law Office of Brian Thomas McCarthy, PLLC, as and for their against Defendants, NASSAU COUNTY, NASSAU COUNTY POLICE DEPARTMENT, NASSAU COUNTY DISTRICT ATTORNEY'S OFFICE and JOHN and JANE DOES #1-10 (hereinafter referred to as "JOHN DOE"), whose identities are not yet known to the Plaintiffs, but who engaged in tortious conduct against the Plaintiffs, hereby brings this action under 42 U.S.C. § 1983 to redress their civil and legal rights, and alleges as follows:

**PARTIES**

1. This is a civil rights action in which the Plaintiffs seek relief for the defendants' violations of their rights secured by the Civil Rights Act of 1871, 42 U.S.C. § 1983, by the United States Constitution, including its First, Fourth, and Fourteenth Amendments, and by the laws and Constitution of the State of New York. Plaintiffs seek compensatory and punitive damages, an award of costs, interest and attorney's fees, and such other and further relief as this Court deems just and proper.

2. The Plaintiffs are KIM DELANEY, individually and as the Administrator of the Estate of John Frankowski, Sr., and JOHN FRANKOWSKI, JR.

3. KIM DELANEY is the daughter of John Frankowski, Sr., residing in San Jose, California, and on April 11, 2014 was appointed the Administrator of the Estate of John Frankowski, Sr.

4. JOHN FRANKOWSKI, JR. is the son of John Frankowski, Sr. and resides in San Jose, California.

5. John Frankowski, Sr. was appointed in September 2014, pursuant to the Last Will and Testament of Helen L. Frankowski, as the executor of Helen L. Frankowski's Estate and served pursuant to the power granted by and under the supervision of the Nassau County Surrogate's Court until he was murdered within the residence that was owned by the Estate, which is located at 114 South 2nd Street, New Hyde Park, New York, (hereinafter "the New Hyde Park residence") by members of the "Coram Cabal." The members of the "Coram Cabal" acted in concert with and/or at the direction of Sandra Roman and Annmarie Porter in the murder and disappearance (kidnapping) of John Frankowski, Sr.

6. Upon information and belief, members of the Coram Cabal include, but are not limited to Sandra Roman, Jonathan Roman, Stanley Roman, Mark Frankowski, Susan Frankowski, Annmarie Porter, George Melek and others.

7. Other than Jonathan Roman, the other members of the Coram Cabal were able to avoid criminal prosecution for the disappearance and murder of the John S. Frankowski, Sr. through the knowing and intentional acts of the Defendants to obstruct justice and tamper with the investigation into the murder and cover-up of the murder.

8. Defendant, NASSAU COUNTY, is and was at all times relevant herein a municipal entity created and authorized under the laws of the State of New York. It is authorized by law to maintain a police department, which acts as its agent in the area of law enforcement and for which it is ultimately responsible. Defendant NASSAU COUNTY assumes the risks incidental to the maintenance of a police force and the employment of police officers.

9. Defendant, the NASSAU COUNTY POLICE DEPARTMENT, is and was at all times relevant a municipal law enforcement agency herein created and authority under the laws of the State of New York. It is responsible and authorized by law to employ police officer. Defendant the NASSAU COUNTY POLICE DEPARTMENT assumes the risks incidental to the maintenance of a police force and the employment of police officers.

10. Defendant, the NASSAU COUNTY DISTRICT ATTORNEYS OFFICE, is and was at all times relevant a county District Attorney's office herein created and authority under the laws of the State of New York. It is responsible and authorized by law to employ Assistant District Attorneys. Defendant the NASSAU COUNTY DISTRICT ATTORNEY'S OFFICE assumes the risks incidental to the maintenance of Assistant District Attorneys and their employment.

11. Defendants, JOHN DOES # 1 - 10 are individuals who identities and addresses are not yet known to the Plaintiff, but who are employed by the Defendants and engaged in tortious conduct against the Plaintiff.

### **JURISDICTION AND VENUE**

12. This action is brought pursuant to 42 U.S.C. §§ 1983 and 1988, and the First, Fourth, and Fourteenth Amendments to the United States Constitution. Jurisdiction is conferred upon this Court by 28 U.S.C. §§ 1331 and 1343, this being an action seeking redress for the violation of the Plaintiffs' constitutional and civil rights.

13. Plaintiffs further invokes this Court's supplemental jurisdiction, pursuant to 28 U.S.C. § 1367, over any and all state law claims and as against all parties that are so related to claims in this action within the original jurisdiction of this court that they form part of the same case or controversy.

14. Venue in this District is proper under 28 U.S.C. § 1391(b) and (c) in that the Defendants are administratively located within the Eastern District of New York, and the overwhelming majority of events giving rise to this claim occurred within the boundaries of the Eastern District of New York.

**JURY TRIAL DEMANDED**

15. Plaintiffs demands a trial by jury on each and every one of their claims as pleaded herein.

**FACTS COMMON TO ALL CAUSES OF ACTIONS**

**I. INTRODUCTION**

16. On September 5, 2013, John Frankowski, Sr., was appointed by the Surrogate's Court of Nassau County as Executor of the Estate of Helen L. Frankowski, his mother.

17. On February 27, 2014, as will be outlined in great detail below, John Frankowski, Sr. was murdered in connection with his service as Executor, and in the course of fulfilling his duties as Executor.

18. The following facts were discovered as part of an intense and comprehensive investigation, which included a review of many documents, interviews of witnesses, multiple meetings with representatives of the Defendants, visits to multiple crime scenes, review of the medical examiner's report, review of press report's and various internet and GPS searches, which

enabled counsel to pinpoint the actions of the Coram Cabal and the Defendants at critical times during John Frankowski, Sr.'s brutal murder and disappearance.

19. John Frankowski, Sr. was murdered at the direction of his sister, Sandra Roman.

20. John Frankowski, Sr.'s murder was committed and the subsequent cover-up of the murder was perpetrated by the Coram Cabal. The Defendants have engaged in independent tortious acts to prevent the prosecution of the murder and cover-up by the Suffolk County Police Department and the Suffolk County District Attorney's Office.

## **II. MOTIVE FOR MURDER AND COVERUP**

21. As evidenced by sworn statements provided to the Defendant, the NASSAU COUNTY DISTRICT ATTORNEY'S OFFICE, including affidavits completed by Sandra Roman, George Melek, and former Nassau County Detective, Ronald Dandrea, Jonathan Roman, admitted to each of them that he killed John Frankowski, Sr. over a dispute regarding his grandmother's Estate. Given that Jonathan Roman was not a beneficiary of Helen L. Frankowski's Estate, the dispute he referred to was between Sandra Roman, his mother, and John Frankowski, Sr.

22. Sandra Roman is the mother of Stanley Roman.

23. Stanley Roman is the son-in-law of Ronald Dandrea.

24. The day after John Frankowski, Sr.'s body was recovered from a hole dug behind the house of Sandra Roman, Sandra Roman stated that John Frankowski, Sr. was scheming to get all of Helen L. Frankowski's Estate.

25. Sandra Roman told the New York Daily News that John Frankowski, Sr. "thought he was entitled to everything."

26. Rather than address their concerns in the Surrogate's Court, Sandra Roman, her sister, Annmarie Porter, and the other members of the Coram Cabal, decided to engage in SELF-

HELP, of the most shocking and terrifying kind. In other words, help themselves to Helen L. Frankowski's Estate by bypassing the Court and administering their own form of justice; they conspired to kidnap and kill John Frankowski, Sr. and then hide his body so he could no longer administer the Estate.

27. The Defendants intentionally and knowingly obstructed justice to preclude the investigation and prosecution of numerous members of the Coram Cabal for their acts to hinder prosecution.

28. The Defendants also intentionally and knowingly delayed the recovery of the body of John S. Frankowski, Sr. to prevent the Suffolk County Police Department and Suffolk County District Attorney's Office from asserting jurisdiction over the murder of John S. Frankowski, Sr., in order to ensure the Defendants could make all decisions regarding the scope of the investigation and prosecution, and shield those who engaged in criminal activities related to the murder and cover-up from being prosecuted.

29. The Defendants were aware that the Suffolk County Police Department and Suffolk County District Attorney's Office had recently prosecuted a family member of a Nassau County Police Officer for hindering a murder prosecution, which involved the dismemberment and burial of victims in the vicinity of Coram, New York.

30. In an effort to prevent members of the Coram Cabal from receiving similar lengthy terms of imprisonment for their individual acts related to the murder and cover-up of the murder of John S. Frankowski, Sr., the Defendants conspired and agreed to obstruct the administration of justice and delayed the recovery of the body of John S. Frankowski, Sr. in order to assert a basis for jurisdiction through the issuance of a sham Search Warrant for a vehicle when the Defendants

knew that John S. Frankowski, Sr. had been buried in the woods behind the home of Sandra Roman and Jonathan Roman.

31. The Defendants abused the judicial process in order to delay the recovery of the body of John S. Frankowski, Sr. and conceal the criminal acts of the Coram Cabal.

### **III. THE INITIAL ASSAULTS**

32. Shortly after Helen L. Frankowski's death on June 23, 2013, Sandra Roman and Annmarie Porter, began an aggressive campaign against John Frankowski, Sr. They made several calls to his lawyer to inquire into the status of the administration of Helen L. Frankowski's Estate. Their calls greatly upset John Frankowski, Sr. for he was faithfully performing his duties and resented the fact that the Estate would have to incur unnecessary legal fees.

33. After John S. Frankowski, Sr. was murdered, this same lawyer was disqualified from representing the Estate of Helen Frankowski because of his violation of the Rules of Professional Conduct related to his subsequent representation of Annmarie Porter by the Nassau County Surrogate's Court.

34. Sandra Roman and Annmarie Porter, encouraged and directed one or more members of the Coram Cabal, particularly Jonathan Roman, to directly harass and threaten John Frankowski, Sr.

35. The threats and harassment of John Frankowski, Sr. by the Coram Cabal intensified over time, ultimately ending in the murder of John Frankowski, Sr.

36. The Defendants were aware of these threats and harassment but intentionally and knowingly disregarded this information in order to prevent the discovery of evidence involving members of the Coram Cabal in the murder and cover-up of the murder of John S. Frankowski, Sr.

37. On at least four occasions, members of the Coram Cabal appeared at John Frankowski, Sr.'s house in Wheatley Heights:

a. December 22, 2013

i. On or about December 22, 2013, Jonathan Roman, was observed prowling around John Frankowski, Sr.'s home at 59 Ridge Road, Wheatley Heights, New York (hereinafter "the Wheatley Heights residence"), while three other members of the Coram Cabal waited in a getaway car.

ii. After neighbors in the vicinity of the Wheatley Heights residence chased Jonathan Roman, away from John Frankowski, Sr.'s home, he left in a sedan with these three other individuals.

b. January 12, 2014

i. On January 12, 2014, Jonathan Roman and a yet to be identified woman, a member of the Coram Cabal, arrived by car at John Frankowski, Sr.'s home.

ii. While the female passenger remained in the car, Jonathan Roman, was observed casing John Frankowski, Sr.'s home and peering through a hole in the garage door of the Wheatley Heights residence.

iii. The Suffolk County Police Department was called by concerned neighbors who observed the suspicious conduct of Jonathan Roman.

iv. After the police were called, John Frankowski, Sr. arrived at his home, where he was confronted physically by Jonathan Roman, who screamed allegations that John Frankowski, Sr. had stolen from his family and stolen assets of the Estate of Helen L. Frankowski.

c. February 22, 2014

i. On or about February 22, 2014, Sandra Roman and Jonathan Roman, traveled from their home in Coram, New York to John Frankowski, Sr.'s home.

ii. Jonathan Roman, was observed by numerous neighbors screaming and physically threatening John Frankowski, Sr. With 20/20 hindsight, the intensity of his anger, the increased volume of his verbal threats, and the physical threats directed at John Frankowski, Sr. were all signs that his verbal threats would soon turn to physical and deadly violence.

iii. Prior to the arrival of the Suffolk County Police, Sandra Roman, approached John Frankowski, Sr., her brother, and yelled at him regarding the manner in which he was administering Helen L. Frankowski's Estate. More telling, her behavior was but another example of how she and her son empowered each other as they ganged up on John Frankowski, Sr.

iv. Sandra Roman and Jonathan Roman, screamed, "We want our fucking money," at John Frankowski, Sr. and yelled accusations that John Frankowski, Sr. was allegedly stealing from Helen L. Frankowski's Estate.

d. February 24, 2014

i. Upon information and belief, on the evening of February 24, 2014, Jonathan Roman, broke into John Frankowski, Sr.'s home and unsuccessfully searched for the death certificate for Helen L. Frankowski and other property of her Estate.

38. Although concerns were expressed by John Frankowski, Sr., including instructions to his neighbors to call the police if they saw Jonathan Roman or other members of the Coram Cabal on his property, John Frankowski, Sr. continued to administer Helen L. Frankowski's estate in an efficient and appropriate manner.

#### **IV. THE MURDER**

39. Having failed to secure control over Helen L. Frankowski's Estate through their threats of violence, the Coram Cabal, with the agreement, participation, and leadership of Sandra Roman and Annmarie Porter, decided that they needed to take the law into their own hands by permanently eliminating John Frankowski, Sr.

40. On Thursday, February 27, 2014, Sandra and Jonathan Roman drove from their house in Coram to the New Hyde Park house of Helen L. Frankowski in Sandra Roman's white Crown Victoria and ambushed and killed John Frankowski, Sr.

41. For reasons which will be asserted below, Sandra Roman, George Melek, former Nassau County Detective, Ronald Dandrea, and Stephanie Roman, Sandra Roman's daughter and brother of Jonathan Roman, all submitted sworn written statements to the police stating that Jonathan Roman told them he brutally beat and killed John Frankowski, Sr.

42. Jonathan Roman has since pled guilty to Murder in the Second Degree for murdering John Frankowski, Sr.

43. Jonathan Roman's lack of a financial interest in Helen L. Frankowski's estate, the lies, omissions, and misrepresentations made to the police by members of the Coram Cabal, combined with the failure of Sandra Roman to offer a plausible alibi as to where she was in the afternoon and evening of February 27, 2014, all support the contention that Sandra Roman was present when John Frankowski, Sr. was murdered. As she was on Saturday, February 22, 2014 and on multiple occasions after the murder but before John Frankowski, Sr.'s dead body was found on Friday, March 7, 2014, in a hole behind her Coram house, Sandra Roman was with Jonathan Roman on the night of John Frankowski, Sr.'s murder and played a pivotal role in his murder and the subsequent concealment and disposal of the body.

44. The Defendants have never conducted any investigation of the criminal conduct of Sandra Roman.

45. This includes a failure to obtain available surveillance footage that would show who traveled to the scene of the murder on the night of the murder took place and who subsequently entered this murder scene to clean up evidence of the murder and conceal the body of John S. Frankowski, Sr., which was hidden in this same building for several days.

46. The surveillance footage would have confirmed eye witness accounts that the following members of the Coram Cabal, Sandra Roman, Jonathan Roman, Stanley Roman, Mark Frankowski and Susan Frankowski, and two children of Stanley Roman (the grandchildren of retired Nassau County Detective, Ronald Dandrea), spent several hours in the home where John S. Frankowski, Sr. was murdered and where his body remained to decay.

47. The Defendants failed to even interview Stanley Roman, Mark Frankowski, Susan Frankowski, and Ronald Dandrea's grandchildren regarding their knowledge of the condition of the home and the actions they took to cover up the murder.

48. The Defendants actions not only delayed in the recovery of the body of John S. Frankowski, Sr., but also obstructed justice by preventing law enforcement from prosecuting individuals who were involved in the murder of John S. Frankowski, Sr., tampered with evidence related to the murder and cover-up, and hindered the criminal prosecution of these crimes.

49. This is despite the fact that Sandra Roman's involvement in the murder of John S. Frankowski, Sr. is supported by the following:

a. According to the aforementioned written sworn statement and other evidence, on February 27, 2014, Jonathan Roman (and his mother, Sandra Roman) drove to New Hyde Park and then back to Coram in Sandra Roman's white Crown Victoria.

b. The keys used to enter the New Hyde Park house by Jonathan Roman (and his mother, Sandra Roman) were the keys that theretofore were in the possession and control of Sandra Roman.

c. Sandra and Jonathan Roman, mother and son, had established a pattern of behavior in which prior and subsequent to John Frankowski, Sr.'s murder, attacked John Frankowski, Sr. together.

d. According to various sources, including the Medical Examiner's report and photos of John Frankowski, Sr. after he was discovered approximately 8 days after his murder, John Frankowski, Sr. was struck from behind by Jonathan Roman and then savagely beaten for several minutes. Upon information and belief, Sandra Roman distracted John Frankowski, Sr. when she arrived at the New Hyde Park home on February 27, 2014, which enabled Jonathan Roman to attack John Frankowski, Sr. from behind and prevented John Frankowski, Sr. from protecting himself.

e. In order to conceal the fact that John Frankowski, Sr. was attacked by Jonathan Roman and Sandra Roman, defendants who are members of the Coram Cabal gave written sworn statements to the police that falsely asserted that there was a struggle and fight between Jonathan Roman and John Frankowski, Sr., however John Frankowski, Sr. had no defensive wounds consistent with being in a struggle or fight with Jonathan Roman or anyone.

50. As documented by the Medical Examiner's report, it appears that John Frankowski, Sr. was somehow prevented from defending himself as the Jonathan and Sandra Roman attacked him.

51. After they had completed their brutal attack, Jonathan and Sandra Roman dragged John Frankowski, Sr.'s barely living body to the basement. They then placed him under the stairs

and concealed his body so that in the unlikely event that someone other than a member of the Coram Cabal entered Helen L. Frankowski's house, John Frankowski, Sr.'s body would not be detected.

52. Upon information and belief, at around 6:30 pm on February 27, 2014, Sandra and Jonathan Roman began to clean up the mess that resulted from the blood and fluids that spilled out from John Frankowski, Sr.'s defenseless body. Before they left the house, Jonathan Roman and Sandra Roman, locked the interior doors to the basement to ensure that if anyone else looking for John Frankowski, Sr. entered the house, they would not be able to enter the basement.

53. According to cell phone tower data, it appears that Jonathan Roman (and his mother, Sandra Roman), left the New Hyde Park area at around 10:00 pm, when they were satisfied that the house was clean and that their departure would be undetected.

#### **IV. DEFENDANTS INVOLVMENT THE COVER-UP**

54. For the two days immediately following the vicious attack on John Frankowski, Sr., Sandra Roman, Jonathan Roman, and the rest of the Coram Cabal appeared to believe that no one, including the Plaintiffs, Kim Delaney and John Frankowski, Jr., would notice that John Frankowski, Sr. was missing.

55. The members of the Coram Cabal engaged in multiple phone calls and meetings with each other and were in contact with one or more individuals who possessed "burner" phones – phones that were difficult to trace.

56. Jonathan Roman also spoke with a person named Bashir Sloan on 17 occasions between the night of the murder and Monday, March 3, 2014. After a period of 1 day when they did not speak, Jonathan Roman and Bashir Sloan spoke by phone multiple times between 11:10 pm and 11:52 pm on March 5, 2014, before a call he placed to George Melek's cell phone, which

was the last telephone call Jonathan Roman had prior to being “secured and arrested” by the police for the murder of John Frankowski, Sr.

57. The Defendants never contacted Bashir Sloan regarding these telephone call and his knowledge of the actions of Jonathan Roman and the other members of the Coram Cabal, as they did not want to discover any evidence that would further confirm that individuals the Defendants were shielding from criminal prosecution were involved in the murder and cover-up of the murder.

58. The Coram Cabal appeared to believe that they had committed the perfect murder. At one point, Stanley Roman, the son-in-law of the retired Nassau County Detective, Ronald Dandrea, actually bragged to Plaintiff, Kim Delaney that his father-in-law, the former Nassau County Detective, Ronald Dandrea, told him that the police would not look for John Frankowski, Sr. because he was “old and white.”

59. Stanley Roman clearly implied that his father-in-law had been in contact with one or more former Nassau County Police Department Detective colleagues.

60. More disturbing, Kim Delaney was subsequently told by law enforcement officials that during the period John Frankowski, Sr. was missing, the police had a source who told them “negative things” about John Frankowski, Sr., John Frankowski, Jr. and Kim Delaney. That source was retired Detective Ronald Dandrea.

61. The jubilation of the Coram Cabal turned to concern when the Suffolk County Police Department, in response to a call from Plaintiff, John S. Frankowski, Jr., made a “wellness” visit to the home of Jonathan Roman and Sandra Roman in Coram, New York on Sunday, March 2, 2014 at 12:37 pm.

62. The Suffolk County Police Department told Sandra Roman that they were looking for John S. Frankowski, Sr.

63. The police spoke to Sandra Roman who lied when she told police she did not know where John Frankowski, Sr. was. The police did not speak to Jonathan Roman. The visit lasted only 5 minutes.

64. Put on notice that the children of John Frankowski, Sr. were in contact with the police, that they were looking for John Frankowski, Sr. and that they planned to come to New York, Sandra Roman and the Coram Cabal members exchanged several frantic communications to formulate a contingency plan and, most importantly, to begin the process of removing John Frankowski, Sr.'s now dead body from the basement of the Estate's property.

65. Despite being in possession of this evidence, the Defendants intentionally and knowingly refused to interview the members of the Coram Cabal regarding their communications and subsequent actions to conceal the evidence that John S. Frankowski, Sr. had been murdered. These acts of the Defendants delayed the recovery of the body of John S. Frankowski, Sr. and obstructed justice by preventing law enforcement officials in Suffolk County from investigating the criminal acts of each member of the Coram Cabal.

66. During these telephone calls, during which Sandra Roman, Annmarie Porter, and the other members plotted the cover-up, Jonathan Roman, with shovel in hand, and upon information and belief, with other members of the Coram Cabal, walked into the woods behind the Coram house. He walked approximately 400 yards, almost directly behind his and his mother's house, and dug a hole about 6 feet in depth, 6 feet in length and 3 feet wide.

67. While Jonathan Roman dug the hole, Sandra Roman issued the following directives:

a. Mark Frankowski was ordered to immediately get in his car and ensure that the police were not in the New Hyde Park house and that John Frankowski's body was not removed.

b. She directed her son, Stanley Roman to be available to accompany her to New Hyde Park if Mark Frankowski called to let them know that the police were not in the vicinity of the New Hyde Park home to prepare her brother's body for removal and to search and loot the New Hyde Park home for any Estate property and/or personal property belonging to John Frankowski, Sr.. She further directed her daughter, Stephanie Roman to monitor her Coram home while she was in New Hyde Park.

c. Sandra Roman and Annmarie Porter had several conversations as they finalized their plans to permanently discard John Frankowski, Sr.'s body and to seize control of Helen L. Frankowski's Estate. They also discussed their need to monitor when Plaintiffs would arrive in New York to look for their father. It appears that Annmarie Porter, without any authority from the Surrogate's Court, authorized Sandra Roman, Sandra Roman's children, and Mark and Susan Frankowski, to enter the Estate property and remove personal property belonging to the Estate. It further appears that Annmarie Porter had no intention of properly accounting for such property, or seeing to its distribution pursuant to the terms of Helen L. Frankowski's Last Will and Testament.

68. At approximately 2:07 pm, Mark Frankowski informed Sandra Roman that it was safe for the Coram Cabal to meet at the New Hyde Park house.

69. According to eyewitnesses, at approximately 3 pm, Sandra Roman, Mark Frankowski, Susan Frankowski, Stanley Roman, Jonathan Roman. and the two grandchildren of retired Nassau County Detective, Ronald Dandrea, using the same keys Sandra Roman and

Jonathan Roman used when they entered the house three days earlier to kill John Frankowski, Sr., re-entered the New Hyde Park house to destroy evidence, illegally take both Estate and personal property of John Frankowski, Sr. and to prepare for the removal of John Frankowski, Sr.'s body by wrapping his entire body in a black plastic wrapper.

70. The Defendants were informed that the grandchildren of Ronald Dandrea were there to allegedly search John Frankowski, Sr.'s computer for clues regarding his disappearance.

71. Before leaving New Hyde Park, the Coram Cabal attempted to thoroughly clean the basement area of the body fluids that dripped out of John Frankowski, Sr.'s dead body as they wrapped him up with plastic. The police subsequently discovered these cleaning items, which included a deodorizer used to neutralize the smell that emanated from John Frankowski, Sr.'s decomposing body.

72. The Coram Cabal was in Helen L. Frankowski's house for approximately 2 ½ hours, from approximately 3 pm to approximately 5:30 pm. It is unclear whether they took Estate property and John Frankowski, Sr.'s wallet, cell phone, cash, and other personal possessions during this illegal entry or if they stole that property three days earlier.

73. The Coram Cabal left the New Hyde Park house from the basement door and made sure to leave the exterior cellar doors open in an effort to dissipate the stench of death. As the house had previously been searched by a neighbor, as a favor to John Frankowski, Sr.'s children (Plaintiffs), it is known that the basement and exterior cellar doors were locked prior to the Coram Cabal's "search."

74. Aware of the above, the Defendants intentionally and knowingly refused to investigate or prosecute the members of the Coram Cabal for these criminal acts and the Defendants further obstructed justice, by delaying the recovery of the body of John S. Frankowski,

Sr. and preventing the Suffolk County Police Department and District Attorney's Office from investigating and prosecuting the members of the Coram Cabal for their criminal conduct.

**V. THE SLOPPY CABAL AND THE DEFENDANTS COVER-UP**

75. Not wanting to risk being seen by potential witnesses, the members of the Coram Cabal decided to leave John Frankowski, Sr.'s dead and decomposing body in New Hyde Park and come back for him after midnight when it was dark and the neighbors would be sleeping.

76. Sometime beginning around 6:30 pm, Sandra Roman and her two sons, Stanley Roman, and Jonathan Roman, placed calls to both Plaintiffs in an effort to confirm when the Plaintiffs would be in New York so as to avoid having them either find their father's body in the basement or run into her sons while they attempted to extract John Frankowski, Sr.'s body from the house. On the call placed to KIM DELANEY by Sandra Roman, Sandra Roman left a voicemail and Stanley Roman is heard in the background reminding Sandra Roman to include the area code when she left a call back number.

77. In a call from Sandra Roman to JOHN FRANKOWSKI, JR. which also went to voicemail, Jonathan Roman is heard in the audio background at both the beginning and end of the call. At the start of the message, Jonathan Roman is heard screaming the following:

“The eyes were fucking.....the jaw was.....”

78. Unaware that his voice was being picked up in the voice message, Jonathan Roman can be heard bragging about the damage they did to John Frankowski, Sr.'s face. At the end of the call, Jonathan Roman yelled at his mother, Sandra Roman, not to call JOHN FRANKOWSKI, Jr. again.

79. The above-referenced audio evidence is further buttressed by video of Jonathan Roman removing John Frankowski, Sr.'s wrapped body from the New Hyde Park residence and

placing John Frankowski, Sr. in the trunk of Sandra Roman's white Crown Victoria at approximately 2:30 am on Monday, March 3, 2014. The video, which is now in the possession of law enforcement officials, was taken from security cameras kept at a neighbor's house, on South 1<sup>st</sup> Street, to the northwest of Helen L. Frankowski's house.

80. There were other videos, beginning as early as February 27, 2014, which would have expose the involvement of other members of the Coram Cabal. Such evidence would be critical to any investigation of criminal activity committed by the Coram Cabal, including by individuals related to retired Nassau County Detective Ronald Dandrea.

81. However, the Defendants decided not to secure this evidence in order to prevent the preservation of evidence that would expose the criminal acts of each member of the Coram Cabal.

82. It is unclear if Jonathan Roman and other members of the Coram Cabal dumped John Frankowski, Sr.'s dead body in the hole they dug behind the Coram home of Jonathan and Sandra Roman immediately upon their return to Coram on early Monday morning, March 3, 2014, or sometime later.

## **VI. MARCH 3, 2014**

83. Although John Frankowski, Sr.'s body was now buried in a hole in Coram behind Sandra Roman's house, the Coram Cabal knew they needed a better plan to conceal their crimes.

84. Sandra Roman, who is approximately 74 years old, and her sister Annmarie Porter, who is about 72 years old, felt they needed further guidance and direct assistance to ensure that they were not caught.

85. They decided to call George Melek, the brother of Helen L. Frankowski, uncle to John Frankowski, Sr. and his sisters.

86. According to family lore, Uncle George Melek had knowledge and experience in criminal matters and could therefore be of help.

87. Uncle George Melek did not disappoint his nieces. Subsequent to a lengthy phone call with Sandra Roman on Monday, March 3, 2014, that began at 11:13 am and ended at 11:44 am, George Melek had a lengthy call with his financial representative.

88. Neither Uncle George Melek nor Sandra Roman disclosed these calls to the Defendants either in their sworn written statements to the police or their subsequent interviews by the District Attorney's office. However, even after becoming aware that George Melek and Sandra Roman had lied regarding these material and relevant facts, that this was further evidence of an ongoing criminal conspiracy to murder and cover-up the murder of John S. Frankowski, Sr., the Defendants decided not to conduct any further investigation or prosecution for hindering prosecution.

89. In fact, in an effort to conceal the actions of the Coram Cabal, of which he was a member, George Melek repeatedly lied to law enforcement and claimed that he did not speak to Sandra Roman until the morning of March 6, 2014, the day that Jonathan Roman was arrested. These lies were in furtherance of the conspiracy to prevent the discovery of the agreement between the members of the Coram Cabal, which included George Melek providing cash and other assistance to members of the Coram Cabal that would be repaid after Sandra Roman collected on a US Life annuity now that John Frankowski, Sr. was dead.

90. Prior to John Frankowski, Sr.'s murder, in a letter dated February 20, 2014, US Life had notified Sandra Roman, Annmarie Porter and John Frankowski, Sr. that there was an annuity, worth approximately \$209,000, which was owned by Helen L. Frankowski, and which would be

distributed equally to each of her three living children once a death certificate was provided to US Life.

91. Sandra Roman became obsessed with receiving these annuity funds and believed that John Frankowski, Sr. was scheming to keep the funds for himself, cutting out his sisters. For this reason, before the dirt on John Frankowski, Sr.'s grave behind her home had a chance to settle, on March 3, 2014, Sandra Roman called John Frankowski, Sr.'s attorney to make inquiries regarding when she would receive a death certificate for Helen L. Frankowski.

92. Sandra Roman made follow up inquiries to the same attorney's office on March 4, 2014 and March 5, 2014, in an effort to get herself and Annmarie Porter their money.

93. Having killed her brother, she was anxious to receive these funds. However, with the Suffolk County Police actively investigating John Frankowski, Sr.'s disappearance, Sandra Roman needed a loan from her Uncle George Melek to ensure she could conceal her criminal acts and the actions taken by the Coram Cabal to cover-up and conceal John Frankowski, Sr.'s murder.

94. With Uncle George Melek engaged, the Coram Cabal turned their attention to the Plaintiffs. They wanted to keep the Plaintiffs out of the New Hyde Park house and discourage them from searching for John Frankowski, Sr.

## **VII. TUESDAY, MARCH 4, 2014**

95. On Tuesday, March 4, 2014, KIM DELANEY arrived in New York and went immediately to the New Hyde Park house, the last place John Frankowski, Sr. was believed to be seen alive. When she arrived at the house, she received a call from Sandra Roman and Stanley Roman who ordered her to leave. Sandra Roman warned KIM DELANEY if she did not leave, she would come there and make her leave.

96. KIM DELANEY informed the Defendants of Sandra Roman's threats through a call to a Nassau County Police Detective, but was told this threat was not to be taken seriously, despite the fact that the Defendants were aware that John S. Frankowski, Sr. was still missing and Sandra Roman and Jonathan Roman had threatened John S. Frankowski, Sr. immediately prior to his murder and these threats were reported to the Suffolk County Police Department.

97. Prior to this phone call, at approximately 2:00 pm, Kim Delaney received a text from Stanley Roman, who it is believed was in the vicinity of the New Hyde Park home.

98. At approximately 2:15 pm, there was a call between Sandra Roman and Annmarie Porter.

99. At approximately 2:21 pm, there was a call from Sandra Roman to a neighbor who lived across the street from the New Hyde Park home.

100. At approximately 2:26 pm, there is a call from Mark Frankowski to Sandra Roman.

101. Following these numerous phone calls made between members of the Coram Cabal and based on cell phone tower data, which will be made available for the Court's *in camera* review, that Sandra Roman and Jonathan Roman did indeed immediately leave Coram in Sandra Roman's white Crown Victoria, with the intent to do to KIM DELANEY what they did to John Frankowski, Sr. just a few days earlier. Fortunately, KIM DELANEY left the New Hyde Park house to hang missing persons posters and meet her brother, JOHN FRANKOWSKI, JR., at a local restaurant just minutes before Sandra and Jonathan Roman arrived in New Hyde Park.

#### **VIII. WEDNESDAY, MARCH 5, 2014**

102. According to cell phone tower data, Jonathan Roman traveled to New York City in his mother's white Crown Victoria on Wednesday, March 5, 2014. He left Coram at about 9 am.

103. Jonathan Roman arrived at George Melek's NYC apartment, which is located on East 9<sup>th</sup> Street, between University Place and Broadway, at approximately 11:15 am. They were together for approximately 2 hours and 30 minutes. During their meeting, they were in phone contact with Stanley Roman, Sandra Roman and Mark Frankowski.

104. During this meeting, George Melek provided Jonathan Roman with several thousand dollars in cash pursuant to the instructions received from Sandra Roman.

105. Counsel for the Plaintiffs repeatedly informed the Defendants that these telephone calls between George Melek, Jonathan Roman, Sandra Roman, Stanley Roman and Mark Frankowski were in furtherance of the conspiracy of the Coram Cabal and the Defendants refused to investigate these calls. This was intentionally and knowingly done to prevent the discovery of evidence that would further establish that each member of the Coram Cabal had engaged in criminal acts related to the murder and/or cover-up of the murder of John S. Frankowski, Sr.

106. In his sworn written statement, George Melek told police that Jonathan Roman told him at this Wednesday meeting that he killed John Frankowski, Sr. and buried him behind his mother's house in Coram.

107. During the afternoon of Wednesday, March 5, 2014, there were numerous telephone calls between Jonathan Roman, and criminal defense attorney Cornell Bouse. Pursuant to these calls, Cornell Bouse was retained to represent Jonathan Roman, in any criminal investigation and prosecution related to the murder of John Frankowski, Sr. The funds received from George Melek funded this retainer.

108. After retaining Cornell Bouse, there were several telephone calls between and among Defendants, Jonathan Roman, Sandra Roman, Stanley Roman, and Mark Frankowski.

109. The Defendants are aware that Cornell Bouse currently represents Mark Frankowski to defend a civil lawsuit brought by the Plaintiffs against the members of the Coram Cabal.

110. Upon information and belief, during the above referenced telephone calls, it was confirmed that Jonathan Roman had retained counsel, that the police had left the New Hyde Park residence and that the Coram Cabal should hide or dispose of the vehicle that was utilized the night of the murder, that was also used to transport the body of John Frankowski, Sr. from the New Hyde Park residence to the home of Sandra Roman and Jonathan Roman, and to transport Jonathan Roman to Manhattan to pick up a substantial amount of money from George Melek.

111. On his way back home to Coram, Jonathan Roman was apparently alerted by members of the Coram Cabal that the Defendants had video that connected his mother car with John Frankowski, Sr.'s disappearance.

112. Upon information and belief, this information came from the Defendants and was given to Ronald Dandrea to assist him in delaying the recovery of the body of John S. Frankowski, Sr. and to prepare him to plan to have Jonathan Roman arrested by the Nassau County Police Department and ensuring the other members of the Coram Cabal would not be investigated or prosecuted for their individual criminal acts.

113. Jonathan Roman was directed by the Coram Cabal members to bring the car to the Dano's Auto Clinic in Port Jefferson Station, New York where it would be hidden from plain sight.

114. Jonathan Roman did as he was told and was picked up by a member of the Coram Cabal at around 5 pm and taken back to his Coram home.

**IX. THURSDAY MARCH 6, 2014**

115. At around 12:37 pm, the Suffolk County police, at the request of the Nassau County Homicide Division, entered the house of Sandra Roman and Jonathan Roman, to secure and then arrest Jonathan Roman for the murder of John Frankowski, Sr.

116. What happened the hour before the arrival of the police exposes a multitude of questionable behaviors by the Coram Cabal and the Defendants.

117. At around 11:17 am, Uncle George Melek claimed to have called Sandra Roman to inform her that her son, Jonathan Roman, confessed to him that he murdered John Frankowski, Sr. George Melek claims that he also spoke to Jonathan Roman who denied that he ever made such a confession.

118. This call lasted approximately 17 ½ minutes and ended at around 11:35 am. While still on the phone with Sandra Roman, George Melek called Jonathan Roman's cell phone in a call that lasted approximately 15 seconds.

119. Sandra Roman claimed that her son, Jonathan Roman, did a complete turnaround almost as soon as she hung up with George Melek and told her that he killed John Frankowski, Sr.

120. At 11:39 am, Sandra Roman called her son Stanley Roman.

121. Stephanie Roman claimed that at 11:56 she received a call from her brother Stanley Roman that Jonathan Roman admitted to killing John Frankowski, Sr.

122. Ronald Dandrea claimed that at 12:05 pm he received a call from his son-in-law, Stanley Roman, and that during this call Stanley allegedly informed Ronald Dandrea that Jonathan Roman had confessed to Sandra Roman that he had killed John Frankowski, Sr. on February 27, 2014 and subsequently buried the body behind Sandra Roman's house. Stanley Roman allegedly stated to Ronald Dandrea that Jonathan Roman was suicidal and he feared for his mother's safety.

123. Ronald Dandrea then allegedly instructed Stanley Roman to call the Nassau County Police Department, to call his sister, Stephanie Roman, and send her to be with her mother and brother and that he would then come to the house in Coram.

124. Ronald Dandrea then called Nassau County Police Department to report the crime as he arrived at the Coram house of Sandra Roman and Jonathan Roman.

125. Despite the fact that Sandra, Stanley, and Stephanie Roman and Ronald Dandrea all claimed that they believed Jonathan was suicidal, had confessed to murdering his own Uncle and was in Coram, New York, none of these individuals called 911 to request immediate police assistance from the Suffolk County Police Department.

126. Instead, these individuals conspired and agreed to contact the Nassau County Police Department to ensure the Defendants could assert jurisdiction over the investigation and prosecution of the murder of John S. Frankowski, Sr. and conceal the involvement of these individuals and other members of the Coram Cabal in the murder and cover-up of the murder.

127. At 12:33 pm, the Suffolk County Police arrived at the Coram house, having been specifically instructed by the Defendants to secured Jonathan Roman and conduct no investigation into the murder of John S. Frankowski, Sr.

128. Giving that the Suffolk County Police had secured Jonathan Roman at approximately 12:33 pm and that once he was secured, Jonathan Roman was not permitted to talk with any of his family members or his brother's father-in-law, Ronald Dandrea, it is clear from the sworn written statements of Sandra Roman, George Melek, Stephanie Roman, and retired detective Ronald Dandrea, all of which were based on events that occurred prior to 12:33pm on March 6, 2014, that these individuals were aware of the whereabouts of John Frankowski, Sr.'s body on March 6, 2014. However, the Defendants did nothing to recover the body that day, but instead

obtained a sham search warrant to secure a basis to assert sole jurisdiction over the murder investigation and preclude the Suffolk County Police Department from investigating the members of the Coram Cabal and discovering their individual and collective criminal acts.

129. On March 6, 2014, the Plaintiffs were notified through communications with the Defendants that John S. Frankowski, Sr. had been murdered by Jonathan Roman.

130. In this regard, aware that the body of John S. Frankowski, Sr.'s body was buried in the woods behind the house of Jonathan and Sandra Roman and that a K-9 unit of the Suffolk County Police Department was on scene in the afternoon of March 6, 2014, the Defendants applied and obtained a search warrant for Sandra Roman's white Crown Victoria, which was located at Dano's Autobody.

131. At the time the Defendants obtained this search warrant for this vehicle, it had already been searched by members of the Suffolk County Police Department and no body was found. Despite this fact, the Defendants still proceeded to obtain a sham search warrant to delay the recovery of John S. Frankowski, Sr.'s body and prevent the criminal prosecution of members of the Coram Cabal by the Suffolk County District Attorney's Office.

132. However, the applying for and obtaining of a search warrant from a New York State Judge by the Defendants provided the Defendants with a legal basis to assert exclusive jurisdiction over the murder investigation.

133. This unnecessarily delay the recovery of the body of John S. Frankowski, Sr. as the Defendants knew that John S. Frankowski, Sr.'s body was in the woods and could be located through the use of the K-9 unit of the Suffolk County Police Department, which independently responded to the Coram house of Sandra and Jonathan Roman.

134. The Defendants expressly and intentionally delayed the K-9 search until they had obtained jurisdiction over the investigation in order to prevent members of the Coram Cabal from being investigated and prosecuted by the Suffolk County District Attorney's Office for their criminal acts.

135. Once the K-9 unit was permitted to search the woods behind the Coram house on March 7, 2014, the body was located in less than two hours.

136. Had the K-9 unit been permitted by the Defendants to commence the search on March 6, 2014, the body of John S. Frankowski, Sr. would have been located within two (2) hours.

137. The Defendants actions specifically delayed the recovery of the body of John S. Frankowski, Sr. by the Plaintiffs.

**AS AND FOR A FIRST CAUSE OF ACTION**  
**(RIGHT OF SEPULCHER) AGAINST ALL DEFENDANTS**

138. Plaintiffs repeat and reallege each and every allegation contained in paragraphs of the Complaint numbered "1" through "137".

139. Defendants conspired and agreed to further conceal and delay the recovery of the body of John Frankowski, Sr., after he was murdered on February 27, 2014, in order to obstruct the investigation of this murder by the Suffolk County Police Department and Suffolk County District Attorney's Office.

140. In furtherance of this conspiracy, Defendants took no action on March 6, 2014 to recover the body of John S. Frankowski, Sr., despite their knowledge that the son and daughter of John Frankowski, Sr., JOHN FRANKOWSKI, JR. and KIM DELANEY, were looking for their father, that John Frankowski, Sr. was the subject of a missing person's report filed with the Nassau County Police by his son, that John Frankowski, Sr. was actively being searched for by the Suffolk County Police Department had also conducted a search for John Frankowski, Sr.

141. Rather, these Defendants intentionally lied regarding their knowledge that John Frankowski, Sr. was already dead and buried in the woods behind the house of Jonathan Roman and Sandra Roman in order to prevent his next of kin, namely his son and daughter, from recovering his body on or before March 6, 2017.

142. In furtherance of this conspiracy, Defendants intentionally and with knowledge that the next of kin were searching for John Frankowski, Sr., did participate in and had knowledge that, after John Frankowski, Sr. was murdered, his body was first concealed in the basement of a residence that was owned by the Estate of Helen L. Frankowski, that the body was then moved to prevent its discovery by the next of kin and the police who were actively searching for John Frankowski, Sr. in a car that was owned by Sandra Roma, and was driven by Jonathan Roman, and that the body of John Frankowski, Sr. was ultimately buried by members of the Coram Cabal behind the home of Sandra Roman and Jonathan Roman, in order to prevent the discovery of the body by the son and daughter of John Frankowski, Sr. and the Suffolk County Police Department.

143. Defendants, in furtherance of the conspiracy, interfered with the next of kin's immediate possession of John Frankowski, Sr.'s body following his murder, including obtaining a sham search warrant for the car of Sandra Roman when members of law enforcement had fully searched the vehicle prior to the filing of the application for the search warrant and were aware that the body of John S. Frankowski, Sr. was not in the vehicle. This was done to create a basis for the Defendants to assert jurisdiction over the murder investigation and obstruct an investigation of the murder and cover-up by the Suffolk County Police Department and the Suffolk County District Attorney's Office, which would result in the discovery of criminal conduct by members of the Coram Cabal.

144. As a result of the foregoing, the Plaintiffs were deprived of their federal and state Constitutional and legal rights.

145. As a result of the outrageous and extreme conduct of Defendants, the next of kin of John Frankowski, Sr., JOHN FRANKOWSKI, JR. and KIM DELANEY, have suffered and continue to suffer extreme emotional distress, humiliation, mental and physical anguish, and emotional and physical injuries, as well as economic losses, all to their damage in amounts to be proven at trial.

**AS AND FOR A SECOND CAUSE OF ACTION (NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS) AS AGAINST ALL DEFENDANTS**

146. Plaintiffs repeat and reallege each and every allegation contained in paragraphs of the Complaint numbered “1” through “145”.

147. Defendants conspired and agreed to further conceal and delay the recovery of the body of John Frankowski, Sr., after he was murdered on February 27, 2014, in order to obstruct the investigation of this murder by the Suffolk County Police Department and Suffolk County District Attorney’s Office and to negligently handle the body of John S. Frankowski, Sr.

148. In furtherance of this conspiracy, Defendants took no action on March 6, 2014 to recover the body of John S. Frankowski, Sr., despite their knowledge that the son and daughter of John Frankowski, Sr., JOHN FRANKOWSKI, JR. and KIM DELANEY, were looking for their father, that John Frankowski, Sr. was the subject of a missing person’s report filed with the Nassau County Police by his son, that John Frankowski, Sr. was actively being searched for by the Suffolk County Police Department had also conducted a search for John Frankowski, Sr.

149. Rather, these Defendants intentionally lied regarding their knowledge that John Frankowski, Sr. was already dead and buried in the woods behind the house of Jonathan Roman

and Sandra Roman in order to prevent his next of kin, namely his son and daughter, from recovering his body on or before March 6, 2017.

150. In furtherance of this conspiracy, Defendants intentionally and with knowledge that the next of kin were searching for John Frankowski, Sr., did participate in and had knowledge that, after John Frankowski, Sr. was murdered, his body was first concealed in the basement of a residence that was owned by the Estate of Helen L. Frankowski, that the body was then moved to prevent its discovery by the next of kin and the police who were actively searching for John Frankowski, Sr. in a car that was owned by Sandra Roma, and was driven by Jonathan Roman, and that the body of John Frankowski, Sr. was ultimately buried by members of the Coram Cabal behind the home of Sandra Roman and Jonathan Roman, in order to prevent the discovery of the body by the son and daughter of John Frankowski, Sr. and the Suffolk County Police Department.

151. Defendants, in furtherance of the conspiracy, interfered with the next of kin's immediate possession of John Frankowski, Sr.'s body following his murder, including obtaining a sham search warrant for the car of Sandra Roman when members of law enforcement had fully searched the vehicle prior to the filing of the application for the search warrant and were aware that the body of John S. Frankowski, Sr. was not in the vehicle. This was done to create a basis for the Defendants to assert jurisdiction over the murder investigation and obstruct an investigation of the murder and cover-up by the Suffolk County Police Department and the Suffolk County District Attorney's Office, which would result in the discovery of criminal conduct by members of the Coram Cabal.

152. As a result of the foregoing, the Plaintiffs were deprived of their federal and state Constitutional and legal rights.

153. As a proximate result of the outrageous and extreme conduct of Defendants, the next of kin of John Frankowski, Sr., JOHN FRANKOWSKI, JR. and KIM DELANEY, have suffered and continue to suffer extreme emotional distress, humiliation, mental and physical anguish, and emotional and physical injuries, as well as economic losses, all to their damage in amounts to be proven at trial.

**AS AND FOR A THIRD CAUSE OF ACTION (RESPONDEAT SUPERIOR LIABILITY)  
AS AGAINST ALL DEFENDANTS**

154. Plaintiffs repeat and reallege each and every allegation contained in paragraphs of the Complaint numbered “1” through “153”.

155. The conduct of the John Doe Defendants alleged herein occurred while he was on duty and in uniform, in and during the course and scope of their duties and functions as Nassau County Police Department and the Nassau County District Attorney’s Office, while they were acting as an agent, officer, servant and employee of the named Defendants. As a result, the named Defendants are liable to the Plaintiffs pursuant to the state common law doctrine of respondeat superior.

156. As a result of the foregoing, Plaintiffs were deprived of their state and federal Constitutional rights, were subjected to great physical and emotional pain and suffering, and were otherwise damaged and injured.

**AS AND FOR A FOURTH CAUSE OF ACTION (NEGLIGENT SUPERVISION,  
RETENTION AND TRAINING) AS AGAINST ALL DEFENDANTS**

157. Plaintiffs repeat and reallege each and every allegation contained in paragraphs of the Complaint numbered “1” through “156”.

158. Defendants negligently trained, retained, and supervised the John Doe Defendants. The acts and conduct of the John Doe Defendants were the direct and proximate cause of injury

