

TUESDAY, FEBRUARY 4, 2014

Conspiracy charge dismissed in car dealer vandalism case

WATERLOO--A Seneca County judge has dismissed the conspiracy charge in the case of a man accused of causing thousands of dollars of damage to local car dealership last year.

Jonathan Taylor had been charged, along with two other defendants, of acts constituting second-degree criminal mischief and fifth-degree conspiracy. They were indicted by a Seneca County Grand Jury in November of last year.

However, on Monday (February 3), [Judge Dennis Bender](#) granted a motion by Taylor's defense attorney, [Steven Getman](#), to dismiss the conspiracy charge. Bender found that the indictment was defective as to the alleged conspiracy.

Under [New York State law](#), a conspiracy consists of an agreement to commit an underlying crime, combined with an overt act committed by one of the conspirators in furtherance of the conspiracy. An indictment charging conspiracy is jurisdictionally defective unless it is alleged that an overt act was committed.

Getman argued that the indictment failed to set forth any overt act was committed and Bender agreed.

Bender reserved decision on whether to dismiss the remaining criminal mischief charge until he reviewed the Grand Jury minutes.

Seneca Falls police allege that Taylor, acting with Charles Covert and Andrew Graves, did over \$50,000 worth of damage to vehicles in the Bill Cram Chevrolet lot on Routes 5&20 during the overnight hours around March 23 or 24 of last year. Seneca Falls police arrested the three in June 2013.

Taylor, Covert and Graves have all pleaded "not guilty."

Auburn-area attorney Rome Canzano is representing Covert. Graves is being represented by Syracuse-area attorney Robert Baska.

The prosecution is represented by members of the [Seneca County District Attorney's office](#).

The charges against the defendants are accusations and a defendant is presumed innocent unless and until proven guilty in a court of law.

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