

Appeal adds to jail time in armored-car vault plot

By Denise Lavoie

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A man who originally received a 13-year sentence for his role in a plot to rob an armored car vault was resentenced yesterday by a federal judge in Boston to 30 years in the same case.

William Merlino and three others were convicted of conspiracy, attempted robbery, and other charges in a plot to rob the Loomis-Fargo Armored Car facility in Easton in 1999.

A judge later acquitted Merlino, of Quincy, of one of the four charges against him: carrying a grenade during a crime of violence, which carried a mandatory minimum term of 30 years. Merlino was sentenced on the remaining counts to 13 years and four months in prison, a term he was to wrap up last year in a halfway house in Barnstable.

In the meantime, Merlino appealed his conviction, and prosecutors appealed his acquittal on

the grenade charge. In January 2010, the federal Appeals Court in Boston upheld Merlino's conviction, and reinstated his conviction on the grenade charge, leaving him subject to the 30-year mandatory sentence.

Yesterday, prosecutors gave Merlino a break of sorts, asking US District Judge Richard Stearns to vacate Merlino's earlier sentence so he could impose a total sentence of 30 years, rather than 30 years on top of the 12 years he has already served. Stearns granted the request.

Assistant US Attorney James Lang said prosecutors have always believed Merlino was the "least culpable" of the four defendants in the plot, after being drawn into the plan by his uncle, codefendant Carmello Merlino.

Merlino's lawyer, Judith Mizner, said that with the time he has already served and credit for good behavior in prison, he will likely serve about 15 more years.