

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No.  
 :  
 v. : 18 U.S.C. § 371  
 : 26 U.S.C. § 7201  
 JESUS RINCON :  
 : I N F O R M A T I O N

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

**COUNT ONE**  
**(Conspiracy to Commit Mail Fraud)**

- \_\_\_\_\_1. At all times relevant to this Information:
- a. Philips Accessories and Computer Peripherals, Inc. ("PACP") was a supplier of consumer electronics and personal computer-related accessories with operations in the State of New Jersey.
  - b. G.S., who is named as a co-conspirator but not as a defendant herein, was a vice president of operations at PACP.
  - c. Defendant JESUS RINCON ("defendant RINCON") was a manager of PACP's warehouse facility in Clifton, New Jersey. G.S. was defendant RINCON's supervisor.

d. Brickforce Staffing, Inc. ("Brickforce") was a staffing company with offices in Edison, New Jersey. Brickforce was in the business of providing temporary employees to businesses in New Jersey and elsewhere. Brickforce supplied PACP with temporary employees, including temporary employees assigned to work at PACP's warehouse facility in Clifton, New Jersey.

e. D.B., who is named as a co-conspirator but not as a defendant herein, was an owner of Brickforce.

\_\_\_\_\_2. From in or about January 2000 through in or about November 2005, in the District of New Jersey, and elsewhere, the defendant

JESUS RINCON

did knowingly and intentionally conspire and agree with G.S., D.B., and others to devise a scheme and artifice to defraud Philips Accessories and Computer Peripherals, Inc. and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, which scheme and artifice was in substance as set forth below, and to use the mails in furtherance thereof, contrary to Title 18, United States Code, Section 1341.

### **Object of the Conspiracy**

3. The object of the conspiracy was to cause Brickforce, using PACP funds, to issue paychecks totaling more than approximately \$1.1 million for fictitious temporary employees and employees who performed no services for PACP ("Fictitious Employees"), and to deposit those paychecks into bank accounts controlled by defendant RINCON and his co-conspirators.

### **Manner & Means of the Conspiracy**

4. It was part of the conspiracy that defendant RINCON and G.S. would create and cause to be submitted to Brickforce time sheets that falsely indicated that the Fictitious Employees had performed work for PACP. Based on these fraudulent time sheets, Brickforce calculated the payment due to each Fictitious Employee. With the approval of D.B., Brickforce would mail or deliver to PACP weekly invoices that included the salary to be paid to each Fictitious Employee as well as an agreed-upon commission or cost that PACP would pay to Brickforce for providing the service.

5. It was a further part of the conspiracy that defendant RINCON and G.S. would cause PACP to mail Brickforce lump sum checks as payment for each invoice. D.B. in turn would cause Brickforce to issue individual paychecks for each of the

temporary employees and deliver the paychecks to PACP purportedly for distribution to each Fictitious Employee.

6. It was a further part of the conspiracy that, once the paychecks for the Fictitious Employees were delivered to PACP, defendant RINCON and G.S. would take possession of these paychecks and deposit them into bank accounts controlled by them.

**Overt Acts**

7. In furtherance of the conspiracy, and to effect its unlawful object, defendant RINCON, G.S., D.B., and others committed and caused to be committed the following overt acts, among others, in the District of New Jersey and elsewhere:

a. On or about August 1, 2004, defendant RINCON signed off on a time sheet certifying that a Fictitious Employee with the initials C.G. had worked 40 hours at PACP, which was then submitted to Brickforce.

b. On or about August 6, 2004, defendant RINCON received an individual paycheck for C.G. issued and delivered by Brickforce.

c. On or about August 26, 2004, defendant RINCON deposited C.G.'s paycheck into his personal bank account.

In violation of Title 18, United States Code, Section 371.

**COUNT TWO**  
**(Income Tax Evasion)**

1. Paragraphs 1 and 3 through 7 of Count One of this Information are realleged and incorporated herein.

2. On or before April 15, 2006, defendant RINCON signed and caused to be filed with the Internal Revenue Service a 2005 U.S. Individual Income Tax Return Form 1040A. That return stated that his taxable income for that calendar year was approximately \$35,216.

3. Defendant RINCON's 2005 tax return was false in that it did not include approximately \$102,078 in taxable income in the form of the proceeds from the Brickforce checks issued to Fictitious Employees that defendant RINCON converted to his own use. Upon this income, an additional tax of approximately \$25,776 was due and owing to the United States.

4. On or before April 15, 2006, in the District of New Jersey, and elsewhere, defendant

JESUS RINCON

did knowingly and willfully attempt to evade and defeat part of the income tax due and owing to the United States in that he signed and caused to be filed with the Internal Revenue Service the 2005 U.S. Individual Income Tax Return, Form 1040A, described in Paragraph 2 of this Count, knowing it to be false and fraudulent as to a material matter, as described in Paragraph 3 of this Count.

In violation of Title 26, United States Code, Section  
7201.

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CHRISTOPHER J. CHRISTIE  
United States Attorney