

For Immediate Release  
October 11, 2011

**PERALTA MAN SENTENCED TO 26 MONTHS IN PRISON FOR FEDERAL SOCIAL SECURITY FRAUD AND AGGRAVATED IDENTITY THEFT CONVICTION**

ALBUQUERQUE – This morning, a United States District Judge sentenced **OLLIE FAYN SMITH**, 66, of Peralta, New Mexico, to a 26-month term of imprisonment to be followed by two years of supervised release. Smith also was ordered to pay \$46,543.60 in restitution to the Social Security Administration (SSA), the victim of Smith's criminal conduct.

United States Attorney Kenneth J. Gonzales said that, on May 20, 2011, Smith entered a guilty plea to a five-count information charging him with: (1) social security fraud; (2) theft of government property; (3) forging endorsements on U.S. Treasury checks; (4) making a false statement; and (5) aggravated identity theft.

In entering his plea, Smith admitted that he began using another person's identity in 1991 after obtaining the person's name and social security number from the person's ex-wife. After obtaining a duplicate of the person's birth certificate in Pennsylvania, Smith obtained a New Mexico driver's license in the person's name using the person's date of birth but his own photograph. Thereafter, Smith obtained replacement driver's licenses in the person's name, most recently in 2007. Smith also admitted that, in 1992, he used the other person's name on an application for a replacement Social Security card and thus obtained a Social Security card in the person's name and with his Social Security Number. In 2002 and 2003, Smith applied for benefits from the SSA using the person's name, date of birth and social security number. As a result of those SSA applications, Smith received SSA disability benefits in the amount of \$46,543.60 between 2004 and 2009. Smith admitted receiving SSA checks addressed to the other person in the mail; endorsing the checks in the other person's name; and negotiating the

checks.

Smith's plea agreement states that, on May 8, 2008, Smith applied for SSA retirement benefits using his own name, Social Security number and date of birth, and using an address in Pennsylvania even though he lived in New Mexico. Based on that application, Smith received \$4,760 in SSA retirement benefits from May to August 2008. Smith admitted that, in order to receive those benefits under his own name, he lied on his application by falsely stating that he had no outstanding warrants even though he knew that there were outstanding warrants for his arrest.

Finally, Smith admitted that on January 28, 2009, he met with a SSA and signed a statement in which he falsely represented that he was the person whose identity he had fraudulently used since 1991. Smith admitted that he used the other person's identity in order to evade outstanding warrants for his arrest.

The case was investigated by the SSA Office of Inspector General, and was prosecuted by Assistant United States Attorney Cynthia L. Weisman.

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