

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

	:	CRIMINAL NO. 14-_____
UNITED STATES OF AMERICA	:	DATE FILED: February , 2014
v.	:	VIOLATIONS:
NANCY GONZALEZ	:	18 U.S.C. § 641 (conversion of government funds – 1 count)
	:	42 U.S.C. § 408 (social security fraud - 1 count)

INFORMATION

COUNT ONE

(Conversion of Government Funds)

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to this information:

1. The Social Security Administration (“SSA”), an agency of the United States, administered certain government benefit programs, including the Survivor’s Insurance Benefit (“SIB”), pursuant to Title 42, United States Code, Sections 401-434.
2. The SIB program was an earned-right program funded through Social Security wage taxes. When an individual worked, that individual paid taxes on his or her wages into the Social Security trust fund. If that individual paid sufficient Social Security taxes to earn sufficient “credits,” as that term was defined for purposes of the Social Security Act, his or her surviving spouse was eligible to receive survivor’s insurance benefits after the worker died.
3. SIB payments continued until the worker’s spouse died.
4. The mother of defendant NANCY GONZALEZ, identified in this information as “E.H.,” received SIB benefits during her lifetime. The SSA directly deposited

E.H.'s benefits checks into an account at Citizens Bank (last four digits 2613), that was jointly held by E.H. and defendant NANCY GONZALEZ.

5. E.H. died on December 29, 1994.

6. SSA was not timely notified of E.H.'s death and continued to directly deposit her benefits checks into the account. From on or about December 29, 1994 through in or about September 2012, defendant NANCY GONZALEZ fraudulently obtained and converted E.H.'s SIB funds.

7. From in or about December 1994 through in or about September, 2012, defendant NANCY GONZALEZ continuously accessed the account and converted the SIB funds deposited into the account, and never notified SSA that E.H. had died.

8. In or about September 2012, almost eighteen years after E.H.'s death, SSA learned that E.H. had died, and terminated her SIB payments.

9. Defendant NANCY GONZALEZ improperly received and converted to her own use, approximately \$155,400.33 in SIB payments that were intended for E.H., who was deceased, which defendant NANCY GONZALEZ knew she was not entitled to receive.

10. Beginning on or about December 29, 1994, and continuing through in or about September 2012, in the Eastern District of Pennsylvania and elsewhere, defendant

NANCY GONZALEZ,

knowingly received and converted money of the United States in excess of \$1,000, that is, approximately \$154,400.33 in SIB payments that was intended for E.H., who was deceased.

In violation of Title 18, United States Code, Section 641.

COUNT TWO

(Social Security Fraud - Concealment of an Event Affecting Right to Payment)

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 9 of Count One of this indictment are incorporated here.

2. Beginning on or about December 29, 1994 and continuing through in or about September 2012, in the Eastern District of Pennsylvania and elsewhere, defendant

NANCY GONZALEZ,

having knowledge of the occurrence of an event affecting E.H.'s continued right to receive Social Security SIB payments, knowingly concealed and failed to disclose such event to SSA with the intent to fraudulently secure such benefits in an amount greater than was due and when no such benefits were authorized. Specifically, in order to continue to receive E.H.'s SIB payments for herself, defendant NANCY GONZALEZ concealed from and failed to disclose to SSA that E.H. had died on or about December 29, 1994.

In violation of Title 42, United States Code, Section 408(a)(4).

s/ Zane D. Memeger
ZANE D. MEMEGER
UNITED STATES ATTORNEY