

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

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO. <u>14-</u></b>
<b>v.</b>	<b>:</b>	<b>DATE FILED:</b>
<b>LIBERADO PERALTA</b>	<b>:</b>	<b>VIOLATIONS:</b>
	<b>:</b>	<b>18 U.S.C. § 286 (conspiracy to defraud</b>
	<b>:</b>	<b>the United States with respect to claims –</b>
	<b>:</b>	<b>1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 1028A (aggravated identity</b>
	<b>:</b>	<b>theft – 3 counts)</b>
	<b>:</b>	<b>18 U.S.C. § 2 (aiding and abetting)</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

At all times material to this information:

1. Defendant LIBERADO PERALTA was a resident of Allentown, in the Eastern District of Pennsylvania. Defendant PERALTA was the father of Jose Peralta, a/k/a “Tony Peralta,” and Florentina Peralta, a/k/a “Cindy Peralta,” who are both charged elsewhere.
2. From at least March 19, 2012, until at least May 12, 2012, Florentina Peralta owned and operated Alta Check Cashing (“Alta”), a check cashing and money service business in Emaus, Pennsylvania.
3. Fayez Antonios, charged elsewhere, was a resident of Allentown, in the Eastern District of Pennsylvania. Antonios owned and operated Ace Home Sales Solutions, LLC (“Ace Home Sales”). From at least March 6, 2012, until at least June 22, 2012, Antonios also

owned and operated Ace Home Solutions, LCC, d/b/a “Catty Check Cashing” (“Catty”), a check cashing and money service business in Catasauqua, Pennsylvania.

4. Xpress Auto Sales (“Xpress”) was a business operated by a relative of Favez Antonios.

5. Princess Rosario was a resident of Allentown, in the Eastern District of Pennsylvania. Rosario was a former business associate of Florentina Peralta and a friend of Favez Antonios. Rosario has been charged elsewhere with conspiracy to commit federal offenses, including bank fraud and wire fraud affecting financial institutions.

6. The Internal Revenue Service (“IRS”) was an agency of the United States Department of the Treasury, responsible for administering and enforcing the tax laws of the United States.

7. Federal individual income tax returns, IRS Forms 1040, 1040A, and 1040EZ, required the taxpayer to provide his/her social security number (“SSN”) on the tax return. The IRS used the SSNs provided on tax returns in order to track and record for each particular tax year who has filed an income tax return, and who has claimed or received a tax refund.

8. A Refund Anticipation Loan (“RAL”) was a type of loan that banks and other financial institutions provided to a taxpayer in exchange for an agreement by the taxpayer to pay them back with his or her tax refund. RALs are ways for taxpayers to get the benefits of expected tax refunds immediately, but they usually come with high fees

9. Puerto Rico was a territory of the United States and an independent taxation authority.

10. Natural born citizens of the Commonwealth of Puerto Rico were, upon birth, automatically granted United States citizenship.

11. Citizens of the Commonwealth of Puerto Rico were, upon application, issued Social Security numbers by the Social Security Administration. Social Security numbers issued to individuals whose mailing addresses at the time of application were in Puerto Rico began with the numbers 580, 581, 582, 583, 584, 596, 597, 598, and 599 (“the Puerto Rican SSNs”).

12. The tax laws of the United States generally did not require citizens of the Commonwealth of Puerto Rico who reside in Puerto Rico to file a U.S. individual income tax return when their income was derived entirely from employment or other sources in Puerto Rico. Accordingly, citizens of the Commonwealth of Puerto Rico who lived and worked exclusively in Puerto Rico were not obligated under federal law to file U.S. individual income tax returns.

13. From at least June 27, 2011, until at least June 22, 2012, in the Eastern District of Pennsylvania, and elsewhere, defendant

#### **LIBERADO PERALTA**

conspired and agreed, together with Florentina Peralta, a/k/a “Cindy Peralta,” Jose Peralta, a/k/a “Tony Peralta,” and Favez Antonios, all charged elsewhere, and with other persons, known and unknown to the grand jury, to knowingly defraud the United States by obtaining and aiding others to obtain undeserved federal income tax refunds by presenting and causing to be presented false, fictitious and fraudulent claims, that is, tax returns to the IRS and fraudulently obtained tax refund checks to the United States Treasury.

#### **MANNER AND MEANS**

It was part of the conspiracy that:

14. Defendant LIBERADO PERALTA, along with Florentina Peralta, Jose Peralta, and Fayez Antonios, all charged elsewhere, and others known and unknown to the grand jury, collectively known as “the conspirators,” engaged in a scheme to obtain the payment of false, fictitious and fraudulent claims through the cashing of false tax refunds.

15. Some of the conspirators recognized that they could obtain these false tax refunds by filing false income tax returns using the stolen SSNs of Puerto Rican residents. The conspirators further recognized that because Puerto Rican residents do not typically file individual tax returns, the IRS was less likely to be alerted to the scheme by the receipt of two tax returns using the same Puerto Rican SSN.

16. In order to implement the scheme, some of the conspirators obtained Puerto Rican identities, including names, dates of birth, and Puerto Rican SSNs.

17. Some of the conspirators then filed with the IRS false, fictitious and fraudulent IRS Forms 1040, 1040A, and 1040EZ using the Puerto Rican identities and claiming that the individual identified on the tax return was entitled to a tax refund.

18. The conspirators prepared the false, fictitious, and fraudulent IRS Forms 1040, 1040A, and 1040EZ in such a way to make it appear that the filer resided at an address in or around Allentown, Pennsylvania, and requested that the IRS send tax refund checks to those addresses.

19. Defendant LIBERADO PERALTA supplied some addresses that were included on these false, fictitious, and fraudulent tax returns they filed using Puerto Rican identities. The addresses supplied by Defendant LIBERADO PERALTA included the addresses for his residence and the residences of family members.

20. Florentina Peralta, Jose Peralta and Faye Antonios provided other addresses that the conspirators included on the false, fictitious, and fraudulent tax returns they filed using Puerto Rican identities.

21. By filing these false, fictitious, and fraudulent tax returns, the conspirators caused the United States Department of the Treasury to mail tax refund checks to the addresses provided by defendant LIBERADO PERALTA and other conspirators, including Florentina Peralta, Jose Peralta and Faye Antonios. The fraudulently-obtained tax refund checks were made payable to the Puerto Rican residents whose identities had been stolen by the conspirators.

22. Between on or about June 27, 2011, and on or about April 11, 2012, the conspirators submitted at least 111 claims for a total of at least \$702,583 worth of false, fictitious, and fraudulent tax refund checks using the addresses supplied by defendant LIBERADO PERALTA and other conspirators, including Florentina Peralta, Jose Peralta and Faye Antonios.

23. As a result of these filings, the IRS mailed out at least 40 tax refund checks with a total value of approximately \$255,704 to the addresses provided by defendant LIBERADO PERALTA and other conspirators, including Florentina Peralta, Jose Peralta and Faye Antonios.

24. Defendant LIBERADO PERALTA and other conspirators, including Florentina Peralta, Jose Peralta and Faye Antonios retrieved the fraudulently-obtained tax refund checks that had been mailed to the addresses they provided to other conspirators, and delivered them to other conspirators who negotiated them. Liberado Peralta, Florentina Peralta, Jose Peralta and Faye Antonios were paid approximately \$500 for every check they delivered.

It was a further part of the conspiracy that:

25. Jose Peralta and/or Florentina Peralta delivered to Faye Antonios at least nine false, fictitious, and fraudulent tax refund checks that Antonios negotiated through a bank account Ace Home Sales between November 29, 2011, and March 5, 2012. The nine checks had a total value of approximately \$59,126.

26. Jose Peralta and/or Florentina Peralta delivered to Faye Antonios at least 25 false, fictitious, and fraudulent tax refund checks and at least nine RALs that Antonios negotiated through Catty, his check cashing and money service business, between March 6, 2012, and June 22, 2012. The RALs had all been issued by financial institutions that had received false representations about tax returns from the conspirators. The 34 fraudulently-obtained refund checks and RALs Antonios cashed at Catty had a total value of approximately \$225,429.90.

27. Between March 19, 2012, and May 8, 2012, Florentina Peralta negotiated through Alta, her check cashing and money service business, at least six false, fictitious, and fraudulent tax refund checks and at least four fraudulently-obtained RALs that she had received from another conspirator. These 10 fraudulently-obtained refund checks and RALs had a total value of approximately \$57,915.03

28. Between April 18, 2012, and May 3, 2012, Faye Antonios caused to be negotiated two false, fictitious, and fraudulent tax refund checks through a bank account for Xpress. The total value of these two fraudulent-obtained refund checks was approximately \$10,759.

29. Defendant LIBERADO PERALTA received portions of the proceeds from many of the fraudulently-obtained refund check and RAL checks that were negotiated at Ace Home Sales, Catty, and Alta. The other proceeds were divided among other conspirators.

**OVERT ACTS**

In furtherance of the conspiracy and to accomplish its objects, Defendant LIBERADO PERALTA and others, known and unknown to the grand jury, including but not limited to Florentina Peralta, Jose Peralta, and Fayez Antonios, all charged elsewhere, committed overt acts in the Eastern District of Pennsylvania and elsewhere. More specifically, the conspirators prepared and caused to be prepared, filed and caused to be filed, and aided and abetted the preparing and filing of, federal income tax returns, in the names of the individuals listed below by initials, for income tax refunds for the amounts listed below, and received by the IRS on the dates listed below, with knowledge that such claims were false, fictitious or fraudulent, each return filing being a separate overt act:

<b>Overt Act Number</b>	<b>Date Received by IRS</b>	<b>Name</b>	<b>Amount</b>
1	6/27/2011	A.C.D.	\$6,273.00
2	6/27/2011	A.C.R.	\$6,585.00
3	6/28/2011	A.G.D.	\$6,636.00
4	6/28/2011	A.G.M.	\$6,879.00
5	6/28/2011	A.K.	\$7,260.00
6	6/28/2011	A.K.	\$7,260.00
7	6/28/2011	A.L.C.	\$6,740.00
8	6/28/2011	A.M.G.P.	\$6,226.00
9	6/29/2011	A.M.L.	\$6,164.00
10	6/29/2011	A.Q.M.	\$6,355.00
11	6/29/2011	A.R.L.	\$6,177.00
12	6/29/2011	A.R.S.H.	\$6,077.00
13	6/29/2011	A.S.M.C.	\$6,409.00
14	6/30/2011	A.T.R.	\$6,266.00
15	7/21/2011	B.B.M.	\$6,132.00
16	8/5/2011	B.C.G.	\$6,370.00
17	8/5/2011	B.P.	\$6,255.00

Overt Act Number	Date Received by IRS	Name	Amount
18	8/5/2011	C.F.	\$6,321.00
19	8/25/2011	C.G.B.	\$7,995.00
20	8/25/2011	C.J.M.P.	\$8,003.00
21	8/25/2011	C.M.G.A.	\$8,077.00
22	9/6/2011	C.R.M.	\$5,242.00
23	9/6/2011	C.R.R.-1	\$6,516.00
24	9/7/2011	C.R.R.-2	\$5,415.00
25	9/7/2011	D.C.L.	\$5,396.00
26	9/7/2011	D.M.	\$5,401.00
27	9/8/2011	D.M.R.O.	\$6,079.00
28	9/8/2011	D.M.S.	\$5,975.00
29	9/8/2011	D.N.T.T.	\$5,936.00
30	9/8/2011	D.O.C.	\$5,898.00
31	9/13/2011	D.P.M.	\$5,754.00
32	9/13/2011	D.R.A.	\$5,586.00
33	9/14/2011	E.D.S.	\$6,277.00
34	9/14/2011	E.J.-1	\$6,289.00
35	9/14/2011	E.J.-2	\$6,281.00
36	9/14/2011	E.J.-2	\$6,479.00
37	9/14/2011	E.M.M.	\$6,210.00
38	9/14/2011	E.P.M.-1	\$5,578.00
39	9/14/2011	E.P.M.-2	\$5,626.00
40	9/14/2011	E.R.R.	\$5,591.00
41	9/19/2011	E.T.G.	\$6,372.00
42	9/19/2011	F.R.O.	\$6,405.00
43	9/19/2011	G.C.A.	\$6,402.00
44	9/22/2011	G.C.C.	\$6,696.00
45	9/23/2011	G.C.R.	\$8,251.00
46	9/23/2011	G.J.	\$6,187.00
47	9/23/2011	G.J.	\$6,187.00
48	9/26/2011	G.S.C.	\$5,806.00
49	9/26/2011	H.F.G.	\$5,791.00
50	9/26/2011	H.J.	\$5,843.00
51	9/27/2011	H.R.R.R.	\$6,180.00
52	9/27/2011	H.S.J.	\$6,160.00
53	9/27/2011	J.D.A.O.	\$6,167.00
54	10/11/2011	J.E.M.	\$7,616.00
55	10/11/2011	J.F.A.A.	\$7,598.00
56	10/11/2011	J.F.S.	\$7,597.00
57	10/11/2011	J.L.H.	\$7,607.00
58	10/11/2011	J.M.	\$7,306.00
59	10/11/2011	J.M.C.C.	\$7,314.00



Overt Act Number	Date Received by IRS	Name	Amount
60	10/13/2011	J.M.L.G.	\$8,240.00
61	10/13/2011	J.M.R.	\$8,046.00
62	10/17/2011	J.R.C.V.	\$5,795.00
63	10/17/2011	J.T.A.	\$5,878.00
64	10/17/2011	J.V.D.	\$5,594.00
65	10/17/2011	K.A.R.R.	\$5,654.00
66	10/17/2011	K.D.M.	\$6,032.00
67	10/17/2011	K.M.R.	\$5,574.00
68	10/17/2011	K.R.R.	\$5,795.00
69	10/17/2011	K.W.R.	\$5,795.00
70	10/17/2011	L.A.C.R.	\$5,795.00
71	10/17/2011	L.A.M.	\$5,485.00
72	10/17/2011	L.A.V.V.	\$5,485.00
73	10/17/2011	L.D.D.	\$5,766.00
74	10/17/2011	L.M.M.Q.	\$5,627.00
75	10/17/2011	L.N.R.P.	\$5,889.00
76	10/17/2011	L.O.M.	\$5,535.00
77	10/17/2011	M.F.R.	\$5,802.00
78	10/17/2011	M.G.P.	\$5,800.00
79	10/18/2011	M.K.E.R.	\$8,810.00
80	10/18/2011	M.M.	\$8,689.00
81	10/18/2011	M.M.	\$8,679.00
82	10/18/2011	M.M.R.	\$8,641.00
83	10/18/2011	M.O.A.	\$8,501.00
84	10/18/2011	M.S.C.	\$8,342.00
85	1/23/2012	M.S.M.	\$5,399.00
86	1/23/2012	M.V.R.	\$5,399.00
87	1/24/2012	M.V.R.	\$4,864.00
88	1/24/2012	N.M.C.	\$4,864.00
89	1/30/2012	O.I.D.H.	\$7,181.00
90	1/30/2012	O.R.R.	\$8,568.00
91	2/24/2012	P.C.C.	\$5,484.00
92	2/29/2012	P.N.R.Z.	\$5,532.00
93	3/1/2012	R.A.V.M.	\$7,932.00
94	3/5/2012	R.E.V.	\$5,829.00
95	3/6/2012	R.E.V.	\$5,399.00
96	3/9/2012	R.J.	\$6,151.00
97	3/10/2012	R.J.	\$6,074.00
98	3/10/2012	S.M.N.	\$5,563.00
99	3/14/2012	S.N.M.L	\$6,409.00
100	3/14/2012	S.S.C.	\$6,308.00
101	3/15/2012	S.V.C.	\$5,399.00

Overt Act Number	Date Received by IRS	Name	Amount
102	3/15/2012	V.J.	\$5,399.00
103	3/15/2012	V.O.M.	\$5,399.00
104	3/15/2012	W.A.O.	\$5,399.00
105	3/15/2012	Y.A.Q.	\$5,399.00
106	3/28/2012	Y.J.	\$5,616.00
107	3/28/2012	Y.J.	\$5,399.00
108	3/28/2012	Y.M.A.	\$5,575.00
109	4/2/2012	Y.R.T.	\$5,988.00
110	4/2/2012	Z.C.M.	\$6,254.00
111	4/11/2012	Z.M.D.	\$5,077.00

Additionally, the conspirators negotiated and caused to be negotiated fraudulently-obtained tax refund checks and RALs on the dates listed below, in the names of the individuals listed below by initials, at the businesses listed below, for the amounts listed below, with knowledge that such refund checks and RALs had been obtained by filing false, fictitious or fraudulent tax returns, with the negotiation of each refund check and RAL being a separate overt act:

Overt Act	Date Negotiated	Name on Check	Business	Amount
112	11/29/2011	E.G.	Ace Home Sales	\$6,518.00
113	12/6/2011	M.R.	Ace Home Sales	\$6,211.00
114	12/12/2011	N.V.	Ace Home Sales	\$6,616.73
115	12/27/2011	N.R.	Ace Home Sales	\$6,225.00
116	1/3/2012	M.M.	Ace Home Sales	\$6,314.80
117	1/23/2012	J.M.	Ace Home Sales	\$7,068.00
118	2/13/2012	J.D.	Ace Home Sales	\$6,795.93
119	2/24/2012	M.P.	Ace Home Sales	\$6,563.89
120	3/5/2012	M.C.	Ace Home Sales	\$6,813.50
121	3/6/2012	K.V.	Catty	\$5,399.00
122	3/6/2012	A.R.	Catty	\$5,399.00
123	3/8/2012	M.T.P.	Catty	\$6,056.41
124	3/8/2012	V.G.	Catty	\$6,573.00
125	3/9/2012	M.S	Catty	\$5,820.00
126	3/12/2012	J.S.	Catty	\$7,412.00
127	3/12/2012	M.M.	Catty	\$6,674.00

128	3/15/2012	M.A.	Catty	\$6,164.00
129	3/17/2012	C.R	Catty	\$6,434.00
130	3/19/2012	D.R.C.	Alta	\$5,399.00
131	3/20/2012	M.F.	Catty	\$7,885.00
132	3/21/2012	S.E.	Catty	\$7,735.00
133	3/23/2012	M.R.	Catty	\$5,848.00
134	3/23/2012	A.S.N.	Alta	\$5,399.00
135	3/27/2012	L.G.	Catty	\$5,089.00
136	3/27/2012	E.B.	Catty	\$3,793.00
137	3/28/2012	W.R.	Catty	\$6,992.37
138	3/28/2012	E.T.P.	Alta	\$5,795.00
139	3/28/2012	L.R.A.	Alta	\$5,795.00
140	3/30/2012	C.S.	Catty	\$5,663.00
141	3/30/2012	G.M.	Catty	\$6,332.00
142	4/3/2012	O.O.	Catty	\$7,305.00
143	4/3/2012	M.P.	Alta	\$5,631.05
144	4/4/2012	R.H.	Catty	\$6,133.00
145	4/4/2012	A.A	Catty	\$7,788.05
146	4/4/2012	J.A.	Alta	\$5,438.05
147	4/5/2012	S.L.	Catty	\$6,530.05
148	4/5/2012	C.L., J.L.	Catty	\$5,150.05
149	4/6/2012	N.M.	Catty	\$6,828.05
150	4/6/2012	J.D.	Catty	\$7,882.05
151	4/9/2012	A.A.	Catty	\$8,156.05
152	4/9/2012	N.F.	Catty	\$6,962.33
153	4/10/2012	I.L.	Catty	\$8,897.00
154	4/10/2012	P.H.	Catty	\$6,937.05
155	4/11/2012	N.M.	Catty	\$5,822.00
156	4/11/2012	E.A.	Catty	\$8,999.05
157	4/11/2012	F&C. A.	Alta	\$5,953.05
158	4/11/2012	E.O.	Alta	\$6,710.05
159	4/18/2012	R.R.G	Xpress	\$5,688.00
160	5/1/2012	A.C.	Catty	\$5,878.34
161	5/2/2012	M.M.M.	Alta	\$6,434.83
162	5/3/2012	R.A.G.	Xpress	\$5,071.00
163	5/4/2012	Z.R.	Catty	\$6,849.00
164	5/8/2012	G.C.	Alta	\$5,360.00
165	6/5/2012	Y.B.	Catty	\$7,051.05
166	6/22/2012	A.O.	Catty	\$6,993.00

**All in violation of Title 18, United States Code, Section 286.**

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

From at least September 7, 2011, until at least September 23, 2011, in Allentown, in the Eastern District of Pennsylvania, and elsewhere, defendant

**LIBERADO PERALTA**

knowingly and without lawful authority possessed and used, and aided and abetted the possession and use of, a means of identification of another person, that is, the name, date of birth, and social security number of J.R.C.V., during and in relation to a wire fraud, a mail fraud, and the theft of public money.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(1), (c)(5), and 2.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

From at least October 17, 2011, until at least April 13, 2012, in Allentown, in the Eastern District of Pennsylvania, and elsewhere, defendant

**LIBERADO PERALTA**

knowingly and without lawful authority possessed and used, and aided and abetted the possession and use of, a means of identification of another person, that is, the name, date of birth, and social security number of D.M.F.O., during and in relation to a wire fraud, a mail fraud, and the theft of public money.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(1), (c)(5), and 2.

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**


On or about April 2, 2012, in Allentown, in the Eastern District of Pennsylvania, and elsewhere, defendant

**LIBERADO PERALTA**

knowingly and without lawful authority possessed and used, and aided and abetted the possession and use of, a means of identification of another person, that is, the name, date of birth, and social security number of M.M., during and in relation to a wire fraud and attempted wire fraud.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5), and 2.

**A TRUE BILL:**

  
**ZANE DAVID MEMEGER**  
**United States Attorney**

\_\_\_\_\_  
**GRAND JURY FOREPERSON**