

United States District Court
District of New Jersey

SEP 07 2010

CLAIRE C. CECCHI, U.S.M.J.

UNITED STATES OF AMERICA

: HON. CLAIRE C. CECCHI

v.

:
:

ARSENIO WILLEY,
CURTIS SHEARER, and
KIMBERLY JACKSON

: **CRIMINAL COMPLAINT**

:
:

: Magistrate No. 10-4119

I, Anthony Mangarella, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. From at least on or about May 7, 2007 through at least on or about June 25, 2010, in Hudson County, in the District of New Jersey, and elsewhere, defendants, ARSENIO WILLEY AND CURTIS SHEARER and KIMBERLY JACKSON:

SEE ATTACHMENT A

I further state that I am a Special Agent with the United States Department of Education, Office of the Inspector General and that this complaint is based on the following facts:

SEE ATTACHMENT B



ANTHONY MANGARELLA
Special Agent
Office of the Inspector General
U.S. Department of Education

Sworn to before me and subscribed in my presence,

September 7, 2010
Date

at

Newark, New Jersey
City and State

HON. CLAIRE C. CECCHI
United States Magistrate Judge

Claire C. Cecchi
Signature of Judicial Officer

ATTACHMENT A

did knowingly and intentionally conspire and agree with each other and other persons to commit an offense against the United States, that is, while co-conspirator SHAUNETTE R. MOODY was an agent of the New Jersey City University ("NJCU"), to embezzle, steal, obtain by fraud, and otherwise without authority knowingly convert to the use of co-conspirators SHAUNETTE R. MOODY, ALEXANDER MOODY, CURTIS SHEARER, ARSENIO WILLEY, KIMBERLY JACKSON and other uncharged persons, and to intentionally misapply, property that is valued at \$5,000 or more, that was owned by, and was under the care, custody, or control of NJCU, and NJCU received, in each one year period from on or about May 7, 2007 through on or about June 25, 2010, annual benefits in excess of \$10,000 of Federal assistance, contrary to 18 U.S.C. § 666(a)(1)(A), in violation of 18 U.S.C. § 371.

ATTACHMENT B

I, Anthony Mangarella, am a Special Agent of the United States Department of Education, Office of the Inspector General. Based upon my investigation and my discussions with other individuals involved in this investigation, I have knowledge of the facts set forth below. Because this affidavit is being submitted for the limited purpose of establishing probable cause, I have not included every detail of the investigation. Unless specifically indicated, all conversations and statements described in this affidavit are related in substance and in part.

The Federal Programs

1. The United States Department of Education ("DOE") was an agency of the United States that provided funds to individual universities for educational objectives.

2. NJCU was a public university located in Jersey City, New Jersey, which received annual benefits in excess of \$10,000 from the DOE and other federal agencies for each calendar year from 2007 through 2010 pursuant to numerous federal assistance programs, including Federal Supplemental Education Opportunity Grants, Federal Family Education Loans, Federal Perkins Loans, Federal Pell Grants, and Student Support Services.

3. The NJCU Student Government Organization ("SGO") was an organization controlled by NJCU and comprised of elected student officers and NJCU officials. The NJCU SGO's mission was to further NJCU's educational objectives by serving as a link between the NJCU student body and administration. The NJCU SGO was entirely funded by transfer of approximately \$600,000 of NJCU funds annually into SGO financial accounts.

The Defendants and Co-Conspirators

4. Defendants ARSENIO WILLEY, CURTIS SHEARER, and KIMBERLY JACKSON resided in Hudson County, New Jersey.

5. Co-conspirator SHAUNETTE R. MOODY was an NJCU employee whose duties included acting as office manager for the SGO, with responsibility for management of the SGO financial accounts. Co-conspirator SHAUNETTE R. MOODY did not have signature authority for SGO-issued checks, however. Another NJCU employee exercised check signature authority.

6. Neither defendant ARSENIO WILLEY, defendant KIMBERLY JACKSON, nor defendant CURTIS SHEARER was ever a NJCU nor SGO employee, contractor, or vendor.

The Object of the Conspiracy

7. The principal object of the conspiracy was to steal NJCU funds, which had been deposited in SGO financial accounts.

Manner and Means of the Conspiracy

8. It was part of the conspiracy that, between May 7, 2007 and June 25, 2010, co-conspirator SHAUNETTE R. MOODY caused at least 68 unauthorized NJCU SGO checks to be issued, payable to defendant ARSENIO WILLEY. The total value of these checks was \$143,983. The signature authorizing most or all of these checks was forged.

9. It was further part of the conspiracy that, between May 7, 2007 and June 25, 2010, defendant ARSENIO WILLEY endorsed each of these unauthorized checks and negotiated it for currency. Defendant ARSENIO WILLEY provided the proceeds of these transactions to co-conspirators SHAUNETTE R. MOODY and ALEXANDER MOODY in exchange for monetary or other compensation.

10. It was further part of the conspiracy that, between May 7, 2007 and June 25, 2010, co-conspirator SHAUNETTE R. MOODY caused at least 26 unauthorized NJCU SGO checks to be issued, payable to CURTIS SHEARER. The total value of these checks was \$59,276. The signature authorizing most or all of these checks was forged.

11. It was further part of the conspiracy that, between May 7, 2007 and June 25, 2010, defendant CURTIS SHEARER endorsed each of these unauthorized checks and negotiated it for currency. Defendant CURTIS SHEARER provided the proceeds of these transactions to co-conspirators SHAUNETTE R. MOODY and ALEXANDER MOODY in exchange for monetary or other compensation.

12. It was further part of the conspiracy that, between May 7, 2007 and June 25, 2010, co-conspirator SHAUNETTE R. MOODY caused at least 17 unauthorized NJCU SGO checks to be issued, payable to KIMBERLY JACKSON. The total value of these checks was \$34,315. The signature authorizing most or all of these checks was forged.

13. It was further part of the conspiracy that, between May 7, 2007 and June 25, 2010, defendant KIMBERLY JACKSON endorsed each of these unauthorized checks and negotiated it for currency. Defendant KIMBERLY JACKSON provided the proceeds of these transactions to co-conspirators SHAUNETTE R. MOODY and ALEXANDER MOODY in exchange for monetary or other compensation.

14. It was further part of the conspiracy that, between May 7, 2007 and June 25, 2010, SHAUNETTE R. MOODY caused a total of at least 237 unauthorized NJCU SGO checks, valued at least \$465,202.18, to be issued payable to herself, ALEXANDER MOODY, CURTIS SHEARER, ARSENIO WILLEY, KIMBERLY JACKSON, and other uncharged persons.

Overt Acts

15. In furtherance of the conspiracy and in order to effect the object thereof, on or about the dates indicated below, defendants CURTIS SHEARER, ARSENIO WILLEY, KIMBERLY JACKSON and other uncharged persons committed and caused to be committed the following overt acts in the District of New Jersey and elsewhere, by issuing, endorsing, and negotiating for currency:

Overt Act	Check Number	Date Cashed	Amount	Payee
A	6706	10/14/2009	\$2,400	CURTIS SHEARER
B	7101	6/25/2010	\$3,550	ARSENIO WILLEY
C	7094	6/23/2010	\$2,100	KIMBERLY JACKSON