

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 12-  
 :  
 v. : 18 U.S.C. §§ 286, 641 and 2  
 :  
 PETER OMONI :  
 : I N D I C T M E N T

The Grand Jury, in and for the District of New Jersey,  
sitting in Newark, charges:

COUNT ONE  
(Conspiracy to File False Claims)

1. At all times relevant to this Indictment:

a. Defendant Peter Omoni was a resident of Hudson  
County, New Jersey.

b. The Department of the Treasury, Internal Revenue  
Service was an agency of the United States responsible for the  
processing of individual income tax returns and collecting income  
tax payable to the United States.

The Conspiracy

2. From at least as early as in or about October 2009  
through in or about July 2010, in the District of New Jersey, and  
elsewhere, defendant

PETER OMONI

did knowingly and intentionally enter into an agreement,  
combination and conspiracy with other persons to defraud the

United States and a department or agency thereof, namely the United States Department of the Treasury, Internal Revenue Service ("IRS"), by obtaining and aiding to obtain the payment and allowance of false, fictitious and fraudulent claims, namely individual income tax refunds.

Object of the Conspiracy

3. The object of the conspiracy was for defendant Peter Omoni and his co-conspirators to obtain income tax refunds that were generated through the filing of materially false and fraudulent income tax returns with the IRS, and to use the illicit cash proceeds - totaling in excess of \$117,000 - for their personal benefit.

Manner and Means of the Conspiracy

4. It was part of the conspiracy that beginning at least as early as in or about October 2009 through in or about July 2010, defendant Peter Omoni and his co-conspirators prepared at least two false United States Individual Income Tax Returns in the names of other people for tax year 2008, each of which included the following types of false information or documents:

- a. False addresses, which did not correspond with the actual addresses of the people whose names and social security numbers were used on the fraudulent returns;

- b. False statements concerning income;
- c. False W-2 Forms from employers who did not employ the people whose names were used to file the fraudulent returns;
- d. False information about income tax purportedly withheld from income; and
- e. False claims for refunds.

5. It was further part of the conspiracy that, thereafter, Omoni and his co-conspirators electronically filed or mailed these false returns and supporting documentation to various IRS service centers.

6. It was further part of the conspiracy that the false tax returns filed by Omoni and his co-conspirators claimed a total of \$116,036 due from the IRS in tax refunds. As a result of these returns and claimed refunds, the IRS processed these false returns as if they were legitimate, and the IRS issued actual refunds in the aggregate amount of approximately \$117,781.

7. It was further part of the conspiracy that defendant Peter Omoni and his co-conspirators provided the routing number and bank account information of a Bank of America bank account held solely in the name of and under the custody and control of Omoni on each false return, which caused the IRS to deposit all of the refunds into that bank account. The proceeds were thereafter withdrawn.

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

COUNT TWO

(Stealing Public Money, Property and Records)

1. Paragraphs 1 and 3 through 7 of Count One of this Indictment are realleged and incorporated as if set forth herein.

2. From at least as early as in or about October 2009 through in or about July 2010, in the District of New Jersey, and elsewhere, defendant

PETER OMONI

did knowingly embezzle, steal, purloin, and convert to his use and the use of another, money and things of value to which he was not entitled, namely income tax refunds in the approximate amount of \$117,781, of the United States and of a department or agency thereof, namely the Department of the Treasury, Internal Revenue Service, and did receive, conceal and retain the same with intent to convert them to his use or gain, knowing them to have been embezzled, stolen, purloined or converted.

In violation of Title 18, United States Code, Section 641 and Section 2.

FORFEITURE ALLEGATION

1. The allegations contained in all paragraphs of Count Two of this Indictment are hereby realleged and incorporated by reference for the purpose of noticing forfeitures pursuant to Title 28, United States Code, Section 2461(c).

2. The United States hereby gives notice to the defendant that, upon conviction of the offense charged in Count Two of this Indictment, the government will seek forfeiture, in accordance with Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 981(a)(1)(C), of any and all property, real or personal, that constitutes or is derived from proceeds traceable to the violations of Title 18, United States Code, Section 641, alleged in Count Two of this Indictment, including but not limited to:

One 2007 Gray Dodge Charger, VIN: 2B3KA43G77H602052.

3. If by any act or omission of the defendant, any of the property subject to forfeiture described in paragraph 2 herein:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party,

c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or  
e. has been commingled with other property which  
cannot be subdivided without difficulty,  
the United States of America will be entitled to forfeiture of  
substitute property up to the value of the property described  
above in paragraph 2, pursuant to Title 21, United States Code,  
Section 853(p), as incorporated by Title 28, United States Code,  
Section 2461(c).

A TRUE BILL

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FOREPERSON

  
PAUL J. FISHMAN  
United States Attorney

CASE NUMBER:

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United States District Court  
District of New Jersey

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UNITED STATES OF AMERICA

v.

PETER OMONI

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INDICTMENT FOR

18 U.S.C. §§ 286, 641, and 2

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A True Bill,

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Foreperson

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PAUL J. FISHMAN

U.S. ATTORNEY  
NEWARK, NEW JERSEY

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ASSISTANT U.S. ATTORNEY  
973-645-2716

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