

COPY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA

INDICTMENT

- v. -

S1 13 Cr. 513 (CS)

MELANIE FERREIRA,

Defendant.

-----X

COUNT ONE

(Wire Fraud)

The Grand Jury charges:

1. From in or about early 2009, through in or about April 2010, in the Southern District of New York and elsewhere, MELANIE FERREIRA, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, a writing, sign, signal, picture, and sound for the purpose of executing such scheme and artifice, to wit, FERREIRA electronically filed two U.S. Individual Income Tax Returns, Forms 1040, which falsely represented that she had received hundreds of thousands of dollars in income and on which she had

had taxes withheld, thereby obtaining from the Internal Revenue Service ("IRS") a refund in the amount of \$440,924 for tax year 2008 and attempting to obtain an additional \$332,033 for tax year 2009, to which FERREIRA was not entitled.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT TWO

(Filing False Claims)

The Grand Jury further charges:

2. From in or about early 2009, through in or about April 2010, in the Southern District of New York and elsewhere, MELANIE FERREIRA, the defendant, made and presented to the United States Treasury Department, through the IRS, claims against the United States for payment, specifically, U.S. Individual Income Tax Returns seeking refunds of taxes purportedly paid, for tax years 2008 and 2009, knowing each such claim to be false, fictitious, and fraudulent, to wit, FERREIRA submitted Form 1040s to the IRS containing false and fraudulent claims for refunds of \$440,924 in tax year 2008 and \$332,033 in tax year 2009.

(Title 18, United States Code, Sections 287 and 2.)

COUNT THREE

(Bank Fraud)

The Grand Jury further charges:

3. From in or about 2010, through in or about June 2012, in the Southern District of New York and elsewhere, MELANIE FERREIRA, the defendant, willfully and knowingly executed and attempted to execute a scheme and artifice to defraud a financial institution and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, a financial institution, by means of false and fraudulent pretenses, representations and promises, to wit, FERREIRA sent a \$305,000 check to Bank of America ("BOA") from a separate bank account that was closed and that contained no funds, in an effort to fraudulently satisfy the mortgage on her home in Dutchess County, New York.

(Title 18, United States Code, Sections 1344 and 2.)

COUNT FOUR

(Obstructing and Impeding the Due Administration of
The Internal Revenue Laws)

The Grand Jury further charges:

4. From at least in or about 2009 through at least in or about May 2012, in the Southern District of New York and elsewhere, MELANIE FERREIRA, the defendant, corruptly obstructed and impeded, and endeavored to obstruct and impede, the due administration of the Internal Revenue Laws by various means, including: (1) filing false and fraudulent U.S. Individual Income Tax Returns, Forms 1040, for tax years 2008 and 2009; (2)

sending the IRS in or about June 2011 a packet of incomprehensible documents, including an "Affidavit of Specific Negative Averment," in response to a notice FERREIRA received from the IRS saying she owed the IRS \$702,250; and (3) sending the IRS in or about May 2012 a check drawn on a closed bank account in an attempt to fraudulently pay off the \$759,033.05 that she owed to the IRS.

(Title 26, United States Code, Section 7212(a).)

FORFEITURE ALLEGATION AS TO COUNT ONE

5. As the result of committing the wire fraud offense in violation of Title 18, United States Code, Section 1343, alleged in Count One of this Indictment, MELANIE FERREIRA, the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense, including but not limited to a sum of United States currency representing the amount of proceeds obtained as a result of the offense.

Substitute Assets Provision

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property that cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981(a)(1)(C);
Title 21, United States Code, Section 853(p);
Title 28, United States Code, Section 2461.)

FORFEITURE ALLEGATION AS TO COUNT THREE

7. As a result of committing the bank fraud offense alleged in Count Three of this Indictment, MELANIE FERREIRA, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982, any property constituting or derived from proceeds obtained directly or indirectly as a result of the bank fraud offense, including but not limited to a sum of United States currency representing the amount of proceeds obtained as a result of the offense.

Substitute Assets Provision

8. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property that cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982.)


FOREPERSON


PREET BHARARA
United States Attorney

United States District Court

SOUTHERN DISTRICT OF NEW YORK

THE UNITED STATES OF AMERICA

vs.

MELANIE FERREIRA,

Defendants.

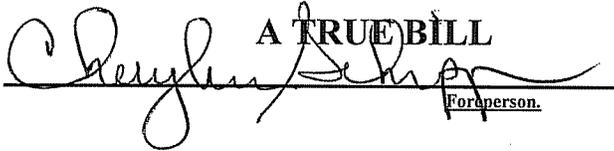
INDICTMENT

S1 13 Cr. 513 (CS)

(In Violation of Title 18, United States Code, Sections 1343 and 2)
(In Violation of Title 18, United States Code, Sections 287 and 2)
(In Violation of Title 18, United States Code, Sections 1344 and 2)
(In Violation of Title 26, United States Code, Section 7212(a))

PREET BHARARA

United States Attorney.


A TRUE BILL
For person.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CRIMINAL

Designation form to be used by the United States Attorney to indicate the
Category of the offense for the purpose of Assignment to the Appropriate Calendar.

COPY

This section to be completed by the District Court Clerk's Office

DOCKET NO.:

51 13 cr. 513 (CS)

DATE OF
ASSIGNMENT:

DATE OF FILING:

ASSIGNED JUDGE:

Seibel

SUPERSEDING INDICTMENT? (Y/N): Y

Have you previously submitted a Notice of Intent to file an Information to the clerk's office? Yes ___ No ___

If the answer is "yes", which judge was the case assigned to?

Judge's Name _____

UNITED STATES OF AMERICA V.

If in
Custody,

Interp.
Lang.

Year of
Birth

Counsel

Melanie Ferreira

N

N

1952

Pro Se

WHEEL: B

COUNTY OF OFFENSE:
Dutchess

SPEEDY TRIAL ACT
TIME BEGINS ON:

First Appearance

Place an X next to ONE category ONLY:

- 1. Larceny and Theft
- 2. Embezzlement
- 3. Income Tax
- 4. Securities laws
- X 5. Fraud (other than 3 or 4)
- 6. Forgery and Counterfeiting

- 7. Narc. & Controlled Drugs
- 8. Bribery
- 9. Immigration Laws
- 10. Antitrust
- 11. Selective Service
- 12. All others

The United States Attorney designates the particular offense(s) charged to have been violated as follows:

Title:Section U.S.C.	No. of. Counts	Description	Maximum Penalty
18 U.S.C. §§ 1343 and 2	One	Wire Fraud	Maximum sentence of 20 years imprisonment; a maximum term of 3 years supervised release; a maximum fine of \$250,000; a mandatory \$100 special assessment; restitution
18 U.S.C. §§ 287 and 2	One	Making False Claims	Maximum sentence of 5 years imprisonment; a maximum term of 3 years supervised release; a maximum fine of \$250,000; a mandatory \$100 special assessment; restitution
18 U.S.C. §§ 1344 and 2	One	Bank Fraud	Maximum sentence of 30 years imprisonment; a maximum term of 3 years supervised release; a maximum fine of \$1,000,000; a mandatory \$100 special assessment; restitution

26 U.S.C. § 7212(a)

One

Obstructing and Impeding the Due Administration of The Internal Revenue Laws

Maximum sentence of 3 years imprisonment; a maximum term of 1 year supervised release; a maximum fine of \$250,000, a \$100 mandatory special assessment; restitution.

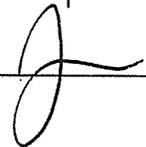
Is Judge Seibel recused from this case?

Yes

No

PREET BHARARA
UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF NEW YORK

By AUSA:



(signature)

JASON P.W. HALPERIN

AUSA TELEPHONE:
914-993-1933
AUSA E-Mail:
Jason.halperin@usdoj.gov

(print or type name)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

COMPLAINT INFORMATION INDICTMENT

Name of District Court, and/or Judge/Magistrate Location (City)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COPY

OFFENSE CHARGED:

Wire Fraud, Making False
Claims, Bank Fraud and
Obstructing and Impeding the
Due Administration of The
Internal Revenue Laws

DEFENDANT : U.S. vs. MELANIE FERREIRA

Petty
 Minor (a/k/a):
 Misdemeanor Address:
 Felony

Year of
Birth:

PLACE OF OFFENSE:
SDNY

U.S. CITATION:

Title 18 U.S.C. §§ 1343, 287, 1344
and 2; Title 26 U.S.C. §
7212(a)

Male Alien (if applicable)
 Female Alien (if applicable)

(Optional unless a juvenile.)

PROCEEDING

DEFENDANT

Name of complaint agency or person:
(Add title if any.)
Federal Bureau of Investigation

If person is awaiting trial in another federal or state court, give
name of court:

This person or proceeding is transferred from another district per
which rule of the FRCP? 20 21 40 ; Show district

IS NOT IN CUSTODY

- 1) Has not been arrested pending this proceeding. If not
detained give date any prior summons was served on
above charges. _____
- 2) Is a fugitive.
- 3) Is on bail or release from, (show
district) _____

IS IN CUSTODY

- 4) On this charge.
- 5) On another conviction: Fed State
- 6) Awaiting trial on other charges. (If 'Yes', show name of
institution.)

This is a re prosecution of charges previously dismissed which
were

dismissed on motion of:

U.S. Attny. Defendant

This prosecution relates to a pending case involving this same
defendant.

"MAG" and "CR" DOCKET NUMBER(S)

13 Mag. 986 13 Cr. 513

Has detainer Yes
been filed? No (date filed)

DATE OF ARREST (mm/dd/yy)

Or, if Arresting Agency & Warrant
were not Federal...

Name and office of person furnishing information on this form:
PREET BHARARA

U.S. ATTORNEY. OTHER U.S. AGENCY

DATE TRANSFERRED TO U.S. CUSTODY
