

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

UNITED STATES OF AMERICA : **CRIMINAL NO. 10-_____**
v. : **DATE FILED:_____**
THERESA MORRIS-FINNIMORE : **VIOLATIONS:**
: **18 U.S.C. § 1341 (mail fraud - 2 counts)**
: **Notice of forfeiture**

INFORMATION

COUNTS ONE THROUGH TWO

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to this information:

1. R.S., who resided alone in Philadelphia, was an elderly woman suffering from dementia. R.S. maintained accounts at the Vanguard Group and Citizens Bank as well as other financial institutions.
2. Defendant THERESA MORRIS-FINNIMORE, who resided immediately next door to R.S., assisted R.S. in handling financial matters. Defendant MORRIS-FINNIMORE executed a durable power of attorney in which she agreed to exercise her power for the benefit of R.S. and to keep the assets of R.S. separate from her own.

THE SCHEME

3. From at least in or about April 2007 to in or about June 2010, in the Eastern District of Pennsylvania and elsewhere, defendant

THERESA MORRIS-FINNIMORE

wilfully devised and intended to devise a scheme to defraud and to obtain from R.S. money and

real property, in the amount of \$398,249, by means of false and fraudulent pretenses and representations.

4. It was part of the scheme that defendant THERESA MORRIS-FINNIMORE took advantage of R.S.'s medical condition by fraudulently obtaining power of attorney to act on R.S.'s behalf, by stealing money from R.S.'s investment and bank accounts, and by transferring real estate owned by R.S. to defendant MORRIS-FINNIMORE.

It was a further part of the scheme that:

5. On or about August 2, 2007, defendant THERESA MORRIS-FINNIMORE mailed to the Vanguard Group a durable power of attorney form, which gave defendant MORRIS-FINNIMORE legal authority to act on R.S.'s behalf, and an IRA Beneficiary Designation form which appointed defendant MORRIS-FINNIMORE as the new beneficiary on R.S.'s Vanguard investment account. Defendant MORRIS-FINNIMORE also changed the mailing address for the account from R.S.'s address to defendant MORRIS-FINNIMORE's address.

6. Defendant THERESA MORRIS-FINNIMORE also submitted the same durable power of attorney form to Citizens Bank.

7. On or about April 2, 2009, defendant THERESA MORRIS-FINNIMORE completed and mailed to the Vanguard Group a Vanguard Agent Authorization form, which granted defendant MORRIS-FINNIMORE full authority to act on R.S.'s behalf.

8. Without the knowledge of R.S., defendant THERESA MORRIS-FINNIMORE wrote checks from R.S.'s Vanguard investment account for the benefit of defendant MORRIS-FINNIMORE and her family members. Defendant MORRIS-FINNIMORE

stole approximately \$112,664.68 from R.S.'s Vanguard account.

9. Without the knowledge of R.S., defendant THERESA MORRIS-FINNIMORE made cash withdrawals and wrote checks from two Citizen Bank accounts belonging to R.S. for the benefit of defendant MORRIS-FINNIMORE and her family members. Defendant MORRIS-FINNIMORE stole approximately \$70,142.35 from RS's two Citizens Bank accounts.

10. Without the knowledge of R.S., defendant THERESA MORRIS-FINNIMORE deposited into her TD Bank account xxxx4677, a check in the amount of \$5,116.62 payable to R.S. and used the funds for her own benefit.

11. Without the knowledge of R.S., during the period November 2007 through May 2010, defendant THERESA MORRIS-FINNIMORE cashed out U.S. Bonds - Series EE, belonging to R.S., and used the proceeds of \$13,089.80 for her own benefit.

12. Without the knowledge of R.S., defendant THERESA MORRIS-FINNIMORE transferred ownership of R.S.'s residence, valued at approximately \$197,236, from the name of R.S. alone to R.S. and defendant MORRIS-FINNIMORE, who would become the sole owner upon the death of R.S.

13. Defendant THERESA MORRIS-FINNIMORE defrauded R.S. of a total of approximately \$398,249.

THE MAILINGS

14. On or about each of the dates below, in the Eastern District of Pennsylvania, defendant

THERESA MORRIS-FINNIMORE,

for the purpose of executing the scheme described above, and attempting to do so, knowingly caused to be delivered by the United States Postal Service, packages described below, each mailing constituting a separate count:

<u>Count</u>	<u>Date</u>	<u>Description</u>
One	June 10, 2008	Package from Oberthur Technologies of America Corp., 4250 Pleasant Valley Road, Chantilly, VA 20151 to defendant THERESA MORRIS-FINNIMORE, 126 McKean Street, Philadelphia, PA 19148, which package contained a Citizens Bank debit card for R.S.'s Circle Gold Checking with Interest Account and R.S.'s Circle Gold Money Market account.
Two	April 2, 2009	Package from defendant THERESA MORRIS-FINNIMORE, located at 126 McKean Street, Philadelphia, PA 19148, to the Vanguard Group, P.O. Box 1110, Valley Forge, PA 19482, which package contained a Vanguard Agent Authorization form appointing defendant MORRIS-FINNIMORE to act as agent for R.S.

All in violation of Title 18, United States Code, Section 1341.

NOTICE OF FORFEITURE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 1341, set forth in this information, defendant

THERESA MORRIS-FINNIMORE

shall forfeit to the United States of America any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offenses, including, but not limited to, the sum of \$201,013.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (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 divided without difficulty;

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18 United

States Code, Section 981(a)(1)(C).

ZANE DAVID MEMEGER
United States Attorney