

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

**UNITED STATES OF AMERICA** : **CRIMINAL NO. 10-**  
 :  
**v.** : **DATE FILED: May 6, 2010**  
 :  
**HAROLD PALMER** : **VIOLATIONS:**  
 : **18 U.S.C. § 1028(a)(1), (f) (conspiracy to**  
 : **produce identification documents without**  
 : **lawful authority - 1 count)**  
 : **18 U.S.C. § 1951(a), (b)(2) (extortion**  
 : **under color of official right - 1 count)**  
 : **18 U.S.C. § 1001(a) (false statement to a**  
 : **federal agent – 1 count)**  
 : **18 U.S.C. § 2 (aiding and abetting)**  
 : **Notice of forfeiture**  
 :

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

**BACKGROUND**

At all times material to this indictment:

1. Saman H. Salem, a/k/a “Simon,” charged elsewhere, operated an illegal business in which he assisted individuals in obtaining fraudulent driver’s licenses and other identification documents from the Pennsylvania Department of Transportation (“PennDOT”). His business went by the name of Professional Driving School (“PDS”). As part of his business, Salem paid and sought to make cash payments to PennDOT officials, including defendant HAROLD PALMER in exchange for the officials issuing driver’s licenses and identification cards without regard to the applicants’ qualifications. Salem employed up to five individuals in his illegal business.

2. Defendant HAROLD PALMER was employed by PennDOT as a driver's license examiner. Part of his duties included honestly and, without regard to personal gain, administering tests to applicants for driver's licenses to determine if the applicant was eligible to obtain a driver's license. Defendant PALMER took cash payments from Saman H. Salem, Michel Lominy, charged elsewhere, and others, to permit individuals to obtain driver's licenses without first having them take the required tests.

### **THE CONSPIRACY**

3. From at least in or about early 2004 to on or about the date of this indictment, in the Eastern District of Pennsylvania, and elsewhere, defendant

### **HAROLD PALMER**

conspired and agreed, together and with others known and unknown to the grand jury, including Saman H. Salem and Michel Lominy, both charged elsewhere, to produce identification documents without lawful authority, in violation of Title 18, United States Code, Sections 1028(a)(1).

### **MANNER AND MEANS**

It was part of the conspiracy that:

4. Saman H. Salem assisted individuals in obtaining driver's licenses and other identification documents from PennDOT without these individuals having taken the required tests or who were otherwise not eligible in exchange for cash payments to PennDOT employees, including defendant HAROLD PALMER. Together, the defendant and others caused the production of more than 200 fraudulent identification documents in this manner.

5. Saman H. Salem posed as an interpreter who assisted applicants for Pennsylvania driver's licenses in taking a written administered by PennDOT. In fact, Salem assisted the applicants in cheating on the test by providing the correct answers.

6. Saman H. Salem improperly obtained all or virtually all of the appointments for driving tests with driver's license examiners at the PennDOT Columbus Boulevard driver's license center by filling the appointments with names and identifying information that he stole from the customers of his driving school. As a result, Salem controlled who was permitted to take a driver's license examination and other driving instructors were unable to obtain appointments. Salem also manipulated PennDOT procedures so that defendant HAROLD PALMER conducted driving test for Salem's customers.

#### **OVERT ACTS**

In furtherance of the conspiracy and to accomplish its objects, defendant HAROLD PALMER and others committed the following overt acts, among others, in the Eastern District of Pennsylvania, and elsewhere:

1. At various times in 2008 and 2009, defendant HAROLD PALMER accepted cash payments from Saman H. Salem in amounts of between \$40 and \$100 exchange for defendant PALMER issuing driver's licenses and other identification documents to the customers of Salem's illegal business without regard to the customers' eligibility. Each cash payment is alleged as a separate overt act in furtherance of the conspiracy.

2. In or about early 2008, defendant HAROLD PALMER agreed with Saman H. Salem not to tell authorities that defendant PALMER was receiving cash payments from Salem.

3. In or about March 2009, Saman H. Salem made a cash payment to defendant HAROLD PALMER in exchange for defendant PALMER issuing a driver's license to a customer of Salem's business.

4. In approximately July 2009, defendant HAROLD PALMER agreed to accept a \$400 cash payment from Michel Lominy.

5. At various times between approximately January 2009 and March 15, 2010, Saman H. Salem signed up for appointments for driving tests at PennDOT's Columbus Boulevard driver's license center using names and identifying information that he had stolen from the customers of Salem's driving school business. The obtaining of each appointment is alleged as a separate overt act in furtherance of the conspiracy.

6. At various times between approximately January 2009 and March 15, 2010, Saman H. Salem assisted customers in cheating on written driving examinations administered by PennDOT by posing as an interpreter and providing the correct answers to the examination.

7. On or about March 15, 2010, Saman H. Salem possessed approximately \$58,718 in cash in his residence at \$250,000 in cash in a safety deposit box which was proceeds of the conspiracy.

All in violation of Title 18, United States Code, Section 1028(a)(1) and (f).

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

Between in or about early 2008 and on or about March 15, 2010, in the Eastern District of Pennsylvania, and elsewhere, defendant

**HAROLD PALMER**

obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, aided and abetted, and attempted to do so, by extortion, in that defendant PALMER, an official of PennDOT, obtained and attempted to obtain property, that is cash payments from individuals seeking Pennsylvania driver's licenses, with the consent of the individuals, under color of official right, which were not due defendant PALMER.

All in violation of Title 18, United States Code, Sections 1951(a), (b)(2) and 2.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about March 8, 2010, in the Eastern District of Pennsylvania, defendant

**HAROLD PALMER,**

in a matter within the jurisdiction of the United States Department of Homeland Security, Immigration and Customs Enforcement, an agency of the executive branch of the United States, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations, and concealed and covered up by trick, scheme, and device a material fact, in that defendant PALMER falsely claimed that he had not received any cash payments from Saman H. Salem, and concealed and covered up the fact that he had received such payments, when, as defendant PALMER knew, he had received cash payments from Salem from approximately January 2008 through approximately March 2010.

In violation of Title 18, United States Code, Section 1001.

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 18, United States Code, Section 1028(f) set forth in this indictment defendant

**HAROLD PALMER**

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.

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

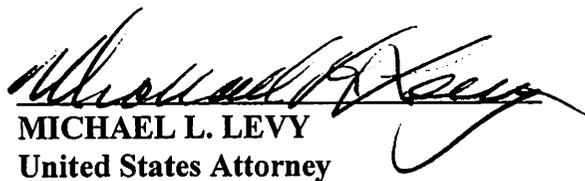
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot 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 defendants 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).

**A TRUE BILL:**

**GRAND JURY FOREPERSON**

  
**MICHAEL L. LEVY**  
**United States Attorney**