

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. 11-_____
	:	
v.	:	DATE FILED:
	:	
ARTHUR STARKS	:	VIOLATION:
a/k/a "Leroy Jackson"	:	18 U.S.C. § 641 (conversion of government funds – 1 count)
	:	42 U.S.C. § 408(a)(7)(A) (social security fraud)
	:	18 U.S.C. § 981 (forfeiture)

INFORMATION

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to this information:

Background

1. The Social Security Administration ("SSA"), an agency of the United States, administered certain government benefit programs, including the Disability Insurance Benefit ("DIB") program, pursuant to Title 42, United States Code, Sections 401-433.
2. The DIB program was an earned-right program funded through Social Security wage taxes. When an individual worked, that individual paid taxes on his or her wages into the Social Security trust fund. If that individual became "disabled" and paid sufficient Social Security taxes to become "insured," as those terms were defined for purposes of the Social Security Act, he or she was eligible to receive disability insurance benefits, which were designed to replace part of the individual's earnings lost due to disability.
3. DIB payments continued unless the disabled individual's "disability"

improved, or until the disabled individual returned to work or died.

4. The child of a person who received DIB benefits could receive child insurance benefits (“CIB”) if the child is the beneficiary’s biological child, adopted child, or dependent stepchild, the child has a parent who is disabled or retired and entitled to Social Security benefits, or a parent who died after having worked long enough in a job where he or she paid Social Security taxes. To be eligible, the child was required to be unmarried, under 18 years of age, or age 18-19 if a full-time student (no higher than grade 12), or over 18 and disabled.

5. The “SSA” also administered the Retirement and Survivor Insurance (“RSI”) benefits program, pursuant to Title 42, United States Code, Sections 401-433.

6. The RSI program paid a retirement benefit to qualified individuals who were covered under Social Security. The benefit amount was based on the amount an individual earned during his or her working career.

7. The spouse of a person who received RSI benefits could receive benefits if the spouse was age 62 or older, or, if the spouse was younger than 62, he or she cared for a child under age 16 or who was disabled, and who was entitled on the beneficiary’s record. An RSI beneficiary’s child, up to age 18, or age 19 if he or she had not graduated high school, could receive child’s insurance benefits (“CIB”) on the RSI beneficiary’s record.

Defendant’s Scheme to Fraudulently Receive Government Funds

8. In or about October 1942, the SSA issued SSN xxx-xx-9130 to defendant ARTHUR STARKS, a/k/a “Leroy Jackson.”

9. Through in or about May 1964, defendant ARTHUR STARKS used this number, earning enough income, as defined by the SSA, to qualify for RSI when he reached full retirement age, or disability insurance benefits (“DIB”) if he became disabled.

10. In or about May 1964, defendant ARTHUR STARKS, utilizing the alias “Leroy Jackson,” applied for a second SSN. The SSA issued SSN xxx-xx-5079 to “Leroy Jackson.” Defendant STARKS used this number for all future employment purposes under the alias “Leroy Jackson,” earning enough income to qualify for RSI or DIB.

11. In or about August 1988, defendant ARTHUR STARKS applied for DIB under the alias “Leroy Jackson ” and SSN xxx-xx-5079. He was awarded DIB, as were his wife and four children. This record was converted to RSI benefits when defendant STARKS reached full retirement age. Defendant STARKS, under the alias “Leroy Jackson,” received approximately \$170,000 in benefits. His wife received approximately \$13,000 in benefits, and his four children received approximately \$114,000 in benefits.

12. In or about April 1999, defendant ARTHUR STARKS applied for RSI benefits under his true name and SSN xxx-xx-9130. He was awarded RSI benefits with an entitlement date of October 1998. He received approximately \$82,000 in RSI benefits. In addition to RSI benefits, defendant STARKS qualified for Supplemental Security Income (“SSI”) benefits as a supplement to his RSI benefit. He received approximately \$18,000 in SSI benefits.

13. Beginning in or about 1988 and continuing through 2010, in the Eastern District of Pennsylvania and elsewhere, defendant

ARTHUR STARKS
a/k/a “Leroy Jackson”

knowingly converted to his own use money of the United States in excess of \$1,000, that is, approximately \$298,705.70 in RSI, DIB, CIB, and SSI benefits to which he knew he was not entitled.

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

COUNT TWO

(Social Security Fraud)

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 through 12 of this information are realleged here.
2. From in or about 1988 and continuing through in or about 2010, in the

Eastern District of Pennsylvania and elsewhere, defendant

**ARTHUR STARKS
a/k/a “Leroy Jackson”**

in a matter within the jurisdiction of the Social Security Administration (“SSA”), willfully, knowingly, and with the intent to deceive, represented a particular social security number, specifically, xxx-xx-5079, was issued to him by the Commissioner of Social Security, when he knew this number was provided to him after he furnished false information to the Commissioner of Social Security. Specifically, in order to accrue benefits under two separate social security numbers, Arthur Starks applied for a second social security number under the alias “Leroy Jackson,” and used this number for employment purposes, earning enough income to qualify for and receive approximately \$298,705.70 in RSI or DIB benefits, despite that he was originally assigned a social security number under his true identity.

In violation of Title 42, United States Code, Section 408(a)(7)(A).

NOTICE OF FORFEITURE

THE UNITED STATES ATTORNEY CHARGES THAT:

1. As a result of the violation of Title 18, United States Code, Section 641, set forth in this information, defendant

**ARTHUR STARKS
a/k/a “Leroy Jackson”**

shall forfeit to the United States of America:

(a) any property constituting, or derived from, any proceeds obtained directly or indirectly from the commission of such offense.

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(s) 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).

Peter FS check for
ZANE DAVID MEMEGER
United States Attorney