

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

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO. 15-__</b>
<b>v.</b>	:	<b>DATE FILED:</b>
<b>PEGGY HOLMES</b>	:	<b>VIOLATION:</b>
	:	<b>18 U.S.C. § 641 (conversion of government funds – 1 count)</b>
		<b>Notice of Forfeiture</b>

**INFORMATION**

**COUNT ONE**

**(Conversion of Government Funds)**

**THE UNITED STATES ATTORNEY CHARGES THAT:**

At all times material to this information:

1. The Social Security Administration (“SSA”), an agency of the United States, administered certain government benefit programs, including the Retirement and Survivor’s Insurance (“RSI”) benefit program, pursuant to Title 42, United States Code, Sections 401-433.
2. The RSI 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 paid sufficient Social Security taxes to earn sufficient “credits,” as that term was defined for purposes of the Social Security Act, he or she, or eligible dependents, including spouses, were eligible to receive retirement benefits upon reaching a certain age.
3. RSI payments continued until the individual died.

4. The mother of defendant PEGGY HOLMES, identified in this information as "R.H.," received RSI benefits during her lifetime. The SSA issued R.H.'s RSI benefits via wire deposit into her bank account.

5. R.H. died on or about December 18, 2010. Upon R.H.'s death, no other individual was entitled to receive R.H.'s benefit payments.

6. After R.H.'s death, SSA continued to make her benefit payments via wire deposit into her bank account. Subsequent to R.H.'s death, defendant PEGGY HOLMES used R.H.'s benefits to pay for HOLMES' personal expenses, including utility and telephone bills.

7. In or about March 2014, subsequent to learning of R.H.'s death, SSA terminated her benefits.

8. Between in or about December 2010 and in or about March 2014, defendant PEGGY HOLMES improperly received and converted to her own use approximately \$33,952 in SSA benefit payments that were intended for R.H., who was deceased, which defendant HOLMES knew she was not entitled to receive.

9. Beginning in or about December 2010 and continuing through in or about March 2014, in the Eastern District of Pennsylvania and elsewhere, defendant

**PEGGY HOLMES**

knowingly converted to her own use money of the United States in excess of \$1,000, that is, approximately \$33,952 in SSA benefits that were intended for R.H., who was deceased, to which the defendant knew she was not entitled.

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

## **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

### **PEGGY HOLMES**

shall forfeit to the United States of America:

- (a) any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offense; including but not limited to the sum of \$33,952.

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).

  
**ZANE DAVID MEMEGER**  
United States Attorney