

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

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO. 16-___</b>
<b>v.</b>	:	<b>DATE FILED:</b>
<b>BRIAN RANDALL</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 Widows, Widowers & Other Survivor's Benefit ("BIC-D") program, pursuant to Title 42, United States Code, Sections 401-433.
2. The BIC-D 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. BIC-D payments continued until the widow or widower died.

4. The mother of defendant BRIAN RANDALL, identified in this information as "N.R.," received BIC-D benefits during her lifetime. The SSA issued N.R.'s BIC-D benefits via checks and wire deposits into various bank accounts.

5. Beginning in 1986, defendant BRIAN RANDALL served as N.R.'s representative payee, meaning he was appointed by SSA to manage N.R.'s SSA benefits. As a representative payee, defendant BRIAN RANDALL was required to submit to SSA yearly accounting forms documenting his use of N.R.'s benefits for her care.

6. N.R. died on or about February 19, 1988. Upon N.R.'s death, no other individual was entitled to receive N.R.'s benefit payments.

7. After N.R.'s death, defendant BRIAN RANDALL submitted falsified yearly accounting records which purported to document his use of N.R.'s benefits for her continued care.

8. After N.R.'s death, SSA continued to make her benefit payments via check and wire deposit into various bank accounts. Subsequent to N.R.'s death, defendant BRIAN RANDALL withdrew N.R.'s benefits from the various bank accounts and used the money for his own expenses.

9. In or about October 2015, subsequent to learning of N.R.'s death, SSA terminated her benefits.

10. Between in or about February 1988 and in or about October 2015, defendant BRIAN RANDALL improperly received and converted to his own use approximately \$295,223 in SSA benefit payments that were intended for N.R., who was deceased, which defendant RANDALL knew he was not entitled to receive.

11. Beginning in or about February 1988 and continuing through in or about October 2015, in the Eastern District of Pennsylvania and elsewhere, defendant

**BRIAN RANDALL**

knowingly converted to his own use money of the United States in excess of \$1,000, that is, approximately \$295,223 in SSA benefits that were intended for N.R., who was deceased, to which the defendant knew he was not entitled.

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

**NOTICE OF FORFEITURE**

**THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:**

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

**BRIAN RANDALL**

shall forfeit to the United States of America:

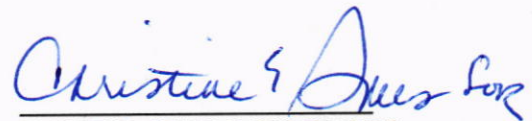
- (a) any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offense; including but not limited to the sum of \$295,223.

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**