

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

UNITED STATES OF AMERICA : **CRIMINAL NO. 14-_____**
v. : **DATE FILED: _____**
AURELIO RAFAEL MARTINEZ : **VIOLATIONS:**
: **42 U.S.C. § 408(a)(7)(B)(fraudulent use of**
: **social security number - 1 count)**
: **18 U.S.C. § 1001 (false statements -**
: **1 count)**
: **18 U.S.C. § 2 (aiding and abetting)**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

From in or about January 2010, through in or about December 2012, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

AURELIO RAFAEL MARTINEZ,

for the purpose of obtaining and retaining employment on the federally funded Girard Point Bridge reconstruction project, and with intent to deceive, falsely represented a number, specifically, a nine-digit number ending in -2376, to be the social security account number assigned by the Commissioner of Social Security to him, when in fact such number had not been assigned to him by the Commissioner of Social Security.

In violation of Title 42, United States Code, Section 408(a)(7)(B) and Title 18, United States Code, Section 2.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 28, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

AURELIO RAFAEL MARTINEZ

in a matter within the jurisdiction of the Department of Homeland Security, U.S. Citizenship and Immigration Services, an agency of the executive branch of the United States, knowingly and willfully made and used a materially false writing and document, knowing that it contained materially false, fictitious, and fraudulent statements and representations, in that defendant AURELIO RAFAEL MARTINEZ claimed to be a United States citizen with social security number xxx-xx-2376, in an "Employment Eligibility Verification," Form I-9, which he provided to his employer, when, as the defendant knew, he was not a citizen, and had not had a social security number assigned to him by the Commissioner of Social Security.

In violation of Title 18, United States Code, Section 1001(a)(3).

A TRUE BILL:

FOREPERSON

ZANE DAVID MEMEGER
United States Attorney