

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	Criminal No. 3-CR-15-
	:	
-vs-	:	18 USC § 1341 (mail fraud)
	:	18 USC § 1956 (money laundering)
JASON A. MUSKEY	:	18 USC § 1028A(a) (aggravated identity
d/b/a MUSKEY FINANCIAL SERVICES	:	theft)
Defendant	:	(J.)

INFORMATION

At all times material to this Information:

1. Defendant, Jason A. MUSKEY, owned and operated MUSKEY Financial Services, a small business that provided investment advice and other financial services located in Moosic, Pennsylvania.
2. Beginning on or about January 2007 and continuing through May 2014, the defendant,

JASON A. MUSKEY

knowingly devised a material scheme and artifice to defraud and to obtain money and property from others by means of false and fraudulent pretenses, representations and promises.

3. It was part of the scheme that MUSKEY improperly diverted funds from his clients to himself without his clients' knowledge or consent. The majority of the diverted funds were from clients who intended the money to be rolled-over into different investments.

4. It was part of the scheme that MUSKEY forged client signatures on withdrawal forms which provided him with unlawful access to client funds. Upon receiving withdrawn funds intended for his clients, MUSKEY again forged client signatures, deposited the funds into his bank accounts, and used the funds for his own benefit.

5. It was part of the scheme that sometimes MUSKEY had his clients legitimately sign withdrawal forms under the false pretense that he was going to make a legitimate transaction for the betterment of their investment account. In fact, MUSKEY did not make investments but instead used the funds for his personal benefit.

6. It was part of the scheme that in the event a client requested a withdrawal of funds that he had previously stolen, MUSKEY would unlawfully take funds from an unrelated client's account in order to purchase cashier's checks to pay off the client requesting withdrawal. This way, MUSKEY was able to conceal his scheme.

7. MUSKEY fraudulently obtained approximately two million dollars from unsuspecting clients during the years 2007 through May 2014.

THE UNITED STATES ATTORNEY CHARGES:

COUNT ONE
MAIL FRAUD

8. The allegations contained in paragraphs 1 through 7 of this Information are fully incorporated herein.

9. On or about December 31, 2013, in Moosic, Pennsylvania, in the Middle District of Pennsylvania and elsewhere the defendant,

JASON A. MUSKEY

having knowingly devised a material scheme and artifice to defraud and to obtain money and property from others by means of false and fraudulent pretenses, representations and promises, did for the purpose of executing the scheme and artifice to defraud, and attempting to do so, knowingly cause to be delivered by United States mail service, and by commercial interstate carrier, a fraudulent Jackson National IRA policy statement dated December 31, 2013 and referencing policy number xxxx-xx-6131 from Moosic, Pennsylvania to Dunmore, Pennsylvania purporting it to be a statement of earnings as of December 31, 2013 for the referenced IRA policy.

In violation of Title 18, United States Code, Section 1341.

THE UNITED STATES ATTORNEY FURTHER CHARGES:

COUNT TWO
MONEY LAUNDERING

10. The allegations contained in paragraphs 1 through 9 of this Information are fully incorporated herein.

11. On or about March 15, 2013, in the Middle District of Pennsylvania, the defendant,

JASON A. MUSKEY

did knowingly conduct a financial transaction affecting interstate commerce, which financial transaction involved the proceeds of specified unlawful activity, specifically mail fraud, contrary to Title 18 United States Code, Section 1341, knowing that the property involved in the transaction represented the proceeds of some form of unlawful activity, with the intent to promote the carrying on of such specified unlawful activity, to wit, MUSKEY used funds stolen from IRA account numbers xxxx-xx-x54L and xxxx-xx-xx51L on March 12, 2013, said accounts belonging to investment clients involved in MUSKEY's mail fraud scheme, to purchase three cashier checks on March 15, 2013, to wit: check # 292528 in the amount of \$7,568.46 and payable to PM; check # 292527 in the amount of \$53,834.32 and payable to PM; and check # 292529 in the amount of \$20,597.22 and payable to MM, with the intent to promote the carrying on of the mail fraud scheme.

In violation of Title 18, United States Code, Section 1956(a)(1)(A)(i).

THE UNITED STATES ATTORNEY FURTHER CHARGES:

COUNT THREE
AGGRAVATED IDENTITY THEFT

12. The allegations contained in paragraphs 1 through 11 of this Information are fully incorporated herein.

13. On or about March 12, 2013, in the Middle District of Pennsylvania, the defendant,

JASON A. MUSKEY

did knowingly use, without lawful authority, the means of identification of another, knowing that the owner of the means of identification actually existed, during and in relation to the crime of mail fraud (Title 18, United States Code, Section 1341), affecting interstate commerce, to wit: the annuity account number of AM, legitimate owner of a variable annuity (IRA-SEP), account # xxxx-xx-x54L.

In violation of Title 18, United States Code, Section 1028A(a)(1).

FORFEITURE ALLEGATION

14. The allegations contained in Counts 1 through 13 of this Information are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 981(a)(1) and Title 28, United States Code, Section 2461(c).

15. Upon conviction of the offenses in violation of Title 18, United States Code, Section 1341 and 1956, the defendant,

JASON A. MUSKEY,

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1) and Title 28, United States Code, Section 2461(c), any property, real or personal, involved in such offense, and any property traceable to such property or which constitutes or is derived from proceeds traceable to the offenses. The property to be forfeited includes, but is not limited to, the following:

- a. Real property located at 12 Main Street, Nuangola, Pennsylvania, PIN 47-L8S2A -019-005-000;
- b. Proceeds from the sale of real property located at 3703 Birney Ave., Moosic, Pennsylvania, PIN 17611030027;
- c. Timeshare located at Mountain Laurel Resort and Spa, Whitehaven, Pennsylvania, Membership Number 807711;
- d. Timeshare located at Mountain Laurel Resort and Spa, Whitehaven, Pennsylvania, Membership Number 807711;
- e. Timeshare located at Grand Cayman Islands Resort,

Membership Number 23111 and 23112;

- f. Contents of Community Bank, NA Account Number 1920204748 in the name of Muskey Financial Services LLC;
- g. Contents of Community Bank, NA Account Number 2702017167 in the name of Jason A. Muskey and Tiana Valencia-Muskey;
- h. Contents of PNC Bank Account Number 9019445617 in the name of Jason A. Muskey;
- i. Contents of Peoples Security Bank and Trust Company Account Number 2702017167 in the name of Tiana Valencia-Muskey;
- j. Union Central 401(k) Plan, Account Number 359991 in the name of Jason A. Muskey;
- k. 2005 Toyota Tundra Pickup Truck, PA Tag YVP1296, VIN 5TBDT441X5S474988, Registered to Muskey Financial Service;
- l. 1992 Bayliner 26' Boat, PA Registration Number PA3188BF, Hull ID USJD93GAK192, Registered to Jason A. Muskey and Tiana Muskey;
- m. 1973 Smoker Craft 14' Boat, PA Registration Number PA939DD, Hull ID 681, Registered to Jason A. Muskey;
- n. 2010 Loadrite Boat Trailer, PA Tag XFL1358, VIN 5A4NVHV2XA2001570, Registered to Jason A. Muskey;
- o. 2007 Pace American Trailer, Model Number S612SHD, PA Tag XFS8998, VIN 40LFB12147P134361, Registered to Jason

Muskey; and

- p. 1978 Dilly Trailer, PA Tag XHF8108, VIN 410669, Registered to Jason A. Muskey.

16. If any of the property described above, 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,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c).

All pursuant to 18 U.S.C. § 981(a)(1) and 28 U.S.C. § 2461(c).

Date: _____

2/9/15


PETER J. SMITH
United States Attorney