

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 13-
:
: Hon.
v. :
: 18 U.S.C. § 371
LOURDES ORTIZ :

I N F O R M A T I O N

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

Background

1. At all times relevant to this Information:
 - a. Natural born citizens of the Commonwealth of Puerto Rico are, upon birth, automatically granted United States Citizenship.
 - b. Citizens of the Commonwealth of Puerto Rico are, upon application, issued Social Security numbers by the Social Security Administration.
 - c. Citizens of the Commonwealth of Puerto Rico who reside in Puerto Rico are not required to file tax returns with the Internal Revenue Service ("IRS") as long as all of the Puerto Rico residents' income is derived from sources in Puerto Rico.

The Conspiracy

2. From in or about September 2011 through in or about May 2012, in the District of New Jersey, and elsewhere, defendant

LOURDES ORTIZ

did knowingly and intentionally conspire and agree with others to embezzle, steal, purloin, and knowingly convert to her own use and the use of others, money of the United States, specifically United States Treasury checks in the approximate amount of \$336,647.38, contrary to Title 18, United States Code, Section 641.

Object of the Conspiracy

3. The object of the conspiracy was for defendant ORTIZ and her co-conspirators to obtain and ultimately cash income tax refund checks that were generated through the filing of materially false and fraudulent individual income tax returns with the IRS and State tax agencies, and to use the resulting illicit cash proceeds for their personal benefit.

Manner and Means of the Conspiracy

4. It was part of the conspiracy that, beginning in or about September 2011, members of the conspiracy obtained the personally identifiable information, including the names and social security numbers, of certain individuals. Among other

things, members of the conspiracy obtained the social security numbers of Puerto Rican citizens.

5. It was further part of the conspiracy that members of the conspiracy filed with the IRS false and fraudulent U.S. Individual Income Tax Returns, using the identity information of others, including Puerto Rican citizens, and seeking state and federal tax refunds (collectively, the "Tax Returns") to which the members of the conspiracy were not entitled. The objective in doing so was to generate false and fraudulent income tax refund checks issued by the United States Department of the Treasury and State tax agencies (the "Tax Refund Checks").

6. It was further part of the conspiracy that, while members of the conspiracy used the personally identifiable information of certain individuals, including Puerto Rican citizens, to generate the Tax Refund Checks, they had the Tax Refund Checks issued and sent to different addresses that were in and around the District of New Jersey and elsewhere and were controlled by members of the conspiracy, including defendant ORTIZ. Members of the conspiracy did this so that the Tax Refund Checks would be directed to addresses where they could retrieve them.

7. Upon obtaining the Tax Refund Checks, co-conspirators would sell the Tax Refund Checks to other members

of the conspiracy, and those other members of the conspiracy would cash the Tax Refund Checks in a variety of ways, including at banks and at businesses controlled by members of the conspiracy and others.

8. It was further part of the conspiracy that members of the conspiracy would deposit into a co-conspirator's bank account the proceeds from the cashed Tax Refund Checks, less his profit or share. The co-conspirator then withdrew the proceeds from the cashed Tax Refund Checks and, in some instances, provided other co-conspirators with a portion of those proceeds.

Overt Acts

9. In furtherance of the conspiracy and to effect the unlawful object thereof, defendant ORTIZ and her co-conspirators committed and caused to be committed the following overt acts in the District of New Jersey and elsewhere:

a. In or around 2011, a co-conspirator mail carrier, agreed to let another co-conspirator use addresses on that co-conspirator mail carrier's Flushing, New York Mail Route to receive Fraudulent Treasury Checks. The co-conspirator mail carrier agreed to intercept those Fraudulent Treasury Checks from the Flushing, New York Mail Route and deliver them to a co-conspirator, in exchange for a cash payment of approximately \$400 per check.

b. When the co-conspirator mail carrier was unable to work due to illness, defendant ORTIZ took over her mail route. The co-conspirator mail carrier recruited defendant ORTIZ to intercept those Fraudulent Treasury Checks from the Flushing Mail Route and deliver them to the co-conspirator mail carrier in exchange for approximately \$200 per delivery of Tax Refund Checks.

c. The co-conspirator mail carrier delivered the Fraudulent Treasury Checks - both the Fraudulent Treasury Checks the co-conspirator mail carrier stole as well as Fraudulent Treasury Checks stolen by defendant ORTIZ - to a co-conspirator.

d. From in or around September 2011 until in or around May 2012, defendant ORTIZ and her co-conspirator mail carrier intercepted at least 44 Fraudulent Treasury Checks.

e. Through other co-conspirators, the Fraudulent Treasury Checks were ultimately deposited into bank accounts controlled by co-conspirators:

i. On or about March 7, 2012, a co-conspirator deposited a Fraudulent Treasury Check in the amount of \$7,845 in a bank in Newark, New Jersey. The tax return associated with this Fraudulent Treasury Check was filed using the identity of an individual with the initials "D.A.C." who purportedly resided

along defendant ORTIZ and her co-conspirator mail carrier's mail route in Flushing, New York.

- ii. On or about February 13, 2012, a co-conspirator deposited a Fraudulent Treasury Check in the amount of \$7,419.76 in a bank in Newark, New Jersey. The tax return associated with this Fraudulent Treasury Check was filed using the identity of an individual with the initials "J.L.B." who purportedly resided in Bayonne, New Jersey.

In violation of Title 18, United States Code, Section

371.



PAUL J. FISHMAN

UNITED STATES ATTORNEY

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INFORMATION FOR

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