

**UNITED STATES DISTRICT COURT**

FILED 17 MAY 17 2012 U.S. DC ORE

**DISTRICT OF OREGON**

**EUGENE DIVISION**

Case No: 6:12-cr-260-AA

**INDICTMENT**

**UNITED STATES OF AMERICA,**

**v.**

**CAREL JUNE CODY, and  
ERNEST COOK,**

**Defendants.**

**18 U.S.C. § 641  
(Theft of Government Funds)**

**18 U.S.C. § 1001  
(False Statement to Government  
Agency)**

**18 U.S.C. § 1028A  
(Aggravated Identity Theft)**

**Title 18 U.S.C. § 981(a)(1)(C)  
Title 28 U.S.C. § 2461(c)  
(Forfeiture Allegation)**

**THE GRAND JURY CHARGES:**

**COUNT 1**

**[Theft of Government Funds]**

Beginning in or before January 1996, and continuing through April 2012, within the District of Oregon, **CAREL JUNE CODY**, defendant herein, did knowingly and willfully steal and convert to her own use, money of the Social Security Administration, a department and

agency of the United States, to wit: by receiving Social Security benefits in an amount greater than \$1,000.00, based on fraudulent representations and concealments; all in violation of Title 18, United States Code, Section 641.

**COUNT 2**  
[Aggravated Identity Theft]

On or between February, 3, 2012, and March 28, 2012, in the District of Oregon, **CAREL JUNE CODY**, defendant herein, did knowingly possess and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation of Title 18, United States Code, Section 641, to wit: on or about March 28, 2012, in the District of Oregon, **CAREL JUNE CODY** did knowingly and willfully steal and convert to her own use, money of the Social Security Administration, a department and agency of the United States, to wit: by receiving Social Security benefits in an amount greater than \$1,000.00, based on fraudulent representations and concealments; all in violation of Title 18, United States Code, Section 1028A.

**COUNT 3**  
[False Statement to Government Agency]

On or about April 17, 2012, within the District of Oregon, **CAREL JUNE CODY**, defendant herein, in a matter within the jurisdiction of the Social Security Administration, knowingly and willfully made a statement, knowing that the statement was untrue and material to the agency's determination of J.A.'s eligibility for Social Security benefits. Specifically, defendant **CODY** falsely asserted that J.A. was alive; all in violation of Title 18, United States Code, Section 1001.

**COUNT 4**

[False Statement to Government Agency]

On or about April 17, 2012, within the District of Oregon, **ERNEST COOK**, defendant herein, in a matter within the jurisdiction of the Social Security Administration, knowingly and willfully made a statement, knowing that the statement was untrue and material to the agency's determination of J.A.'s eligibility for Social Security benefits. Specifically, defendant **COOK** falsely asserted that J.A. was alive; all in violation of Title 18, United States Code, Section 1001.

**FORFEITURE ALLEGATION**

Upon conviction of the offense alleged in Count 1 of this indictment, **CAREL JUNE CODY**, defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the violation.

If any of the above-described forfeitable property, 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 21, United States Code, Section 853(p) as incorporated by Title 18, United States Code, Section

982(b), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property described above.

Dated this 16 day of May, 2012.

A TRUE BILL.

/s/ Grand Jury Foreperson  
OFFICIATING FOREPERSON

Presented by:  
**S. AMANDA MARSHALL**, OSB #953473  
Acting United States Attorney

/s/ Helen L. Cooper  
**HELEN L. COOPER**, OSB# 87195  
Special Assistant United States Attorney