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FILED

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CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY
DEPUTY CLERK

7
8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 ALICE PIGG,
14 Defendant.

15 CASE NO. 1:15 CR 00327 LJO SKO
16 VIOLATION: 18 U.S.C. § 641 (THEFT OF
17 GOVERNMENT PROPERTY); 42 U.S.C. §
18 1383a(a)(3) (CONCEALMENT OF AN EVENT TO
19 OBTAIN SUPPLEMENTAL SECURITY INCOME
20 BENEFITS) (2 COUNTS); 18 U.S.C. § 981(a)(1)(C)
21 and 28 U.S.C. § 2461 – FORFEITURE.

22 INDICTMENT

23 COUNT ONE: [18 U.S.C. § 641 – Theft of Government Property]

24 The Grand Jury charges:

25 ALICE PIGG,

26 defendant herein, as follows:

27 I. INTRODUCTION

28 1. At all relevant times herein, defendant was a resident of Merced County, in the State and Eastern District of California.

II. SOCIAL SECURITY SYSTEM

2. The Social Security Administration (“SSA”) administers programs for the federal government dealing with survivor’s and disability benefits, among others, as part of the Social Security Act of 1935.

3. One SSA program is the Title XVI Supplemental Security Income (“SSI”) program. The

1 SSI program is a federally administered cash assistance program available to the public. The money for
2 SSI benefits comes from the general funds of the United States Treasury. SSI benefits are intended to
3 provide a floor of income for individuals who both (1) are aged, blind or disabled and (2) have little or
4 no income and resources. Specifically, an individual qualifies for SSI benefits only if his or her
5 aggregated resources, including income, are \$2,000 or less, or if married and living with his or her
6 spouse, \$3,000 or less.

7 4. The SSA periodically reviews the eligibility of SSI recipients, typically by interviewing a
8 recipient and confirming by letter the information given in the interview. During such reviews, the
9 recipient is required to be truthful with respect to any information the recipient provides regarding his
10 or her eligibility to receive SSI benefits. In addition, if there is any change affecting an individual's
11 right to receive SSI, such as a change in disability, living arrangements, marital status, cohabitation,
12 income resources or work status, the individual must report the change to SSA within ten days of the
13 end of the month in which the change occurred.

14 III. MANNER AND MEANS OF THEFT

15 5. The defendant applied for SSI benefits in or about December 2008, and received SSI
16 benefits from in or about December 2008 to in or about June 2014.

17 6. As a recipient of SSI benefits, the defendant was required to accurately report to the SSA
18 her living arrangements and economic resources. Additionally, she was required to report any change in
19 her living arrangement or economic resources. The SSA warned the defendant in written
20 communications that she had an obligation to notify the SSA if she began living with a spouse, if her
21 living situation changed, and if her economic resources changed.

22 7. During the application and re-interview processes with the SSA with regard to her SSI
23 benefits, the defendant knowingly concealed from the SSA the true status of both her living
24 arrangements and her financial resources.

25 8. The defendant and her spouse, J.P.S, lived together at all relevant times from at least
26 December 2008 to at least in or about June 2014. Notwithstanding that, the defendant knowingly and
27 falsely reported to the SSA between December 2008 and June 2014 that she did not live with J.P.S.
28 during this time period. Defendant knowingly and falsely claimed in her December 2008 application for

1 SSA benefits that she did not live with J.P.S. Thereafter, in subsequent interviews with the SSA in June
2 2010 and March 2013, which were conducted for purposes of determining the defendant's continuing
3 eligibility for SSI benefits, the defendant on each occasion falsely claimed that she did not live with
4 J.P.S. The defendant's spouse, J.P.S., with whom she resided, had an annual of income of at least
5 \$140,000 a year between 2008 and 2012, and thereafter received a pension of approximately \$60,000.

6 9. The defendant and her spouse, J.P.S., were joint account holders on bank account -3273
7 between in or about December 2007 and in or about April 2014. Bank account -3273 received direct
8 deposit payments from the defendant's spouse's employer between in or about December 2007 and in or
9 about April 2013. Paychecks from the defendant's spouse's employer were deposited into this account
10 between in or about May 2013 and March 2014. Direct deposits of the defendant's spouse's employer
11 pension benefits were deposited into this account between in or about April 2014 and at least in or about
12 November 2014.

13 10. If the defendant had accurately disclosed to the SSA the true nature and facts concerning
14 her living arrangements with her spouse and her financial resources, she would have been ineligible to
15 receive SSI benefits. As a result of the defendant's knowing conduct, she received SSI benefits to which
16 she was not entitled totaling at least \$55,000 and used them for personal expenses.

17 IV. **THEFTS**

18 11. Beginning at a date unknown but no later than December 2008, and continuing to in or
19 about June 2014, within the State and Eastern District of California, and elsewhere, the defendant
20 knowingly embezzled, stole, purloined, and converted to her own use monies and property of the United
21 States, to wit: Supplemental Security Income benefits totaling at least \$55,000.00, all in violation of
22 Title 18, United States Code, Section 641.

23
24 **COUNTS TWO AND THREE:**

[42 U.S.C. § 1383a(a)(3) – Concealment of an Event to
Obtain Supplemental Security Income Benefits]

25 The Grand Jury further charges:

26 ALICE PIGG,

27 defendant herein, as follows:

28 12. Paragraphs 1 through 10, inclusive of Count One, are fully incorporated by reference as

1 though fully set forth herein.

2 13. On or about the dates listed below, in Merced County, within the State and Eastern
 3 District of California and elsewhere, in a matter within the jurisdiction of the Social Security
 4 Administration (“SSA”), having knowledge of the occurrence of an event affecting her initial and
 5 continued right to payment of Title XVI Supplemental Security Income benefits, defendant concealed
 6 and failed to disclose such event with the intent to fraudulently secure benefits in an amount greater than
 7 was due her, and also when no payment was authorized. Specifically, defendant concealed from the
 8 SSA the true nature of her living arrangements and economic resources, as further specified below, in
 9 order to deceive the SSA into making benefit payments that she was ineligible to receive.

Count	Concealed Event	Date and Manner of Concealment
TWO	Defendant resided with her husband between in and around December 2008 and in and around March 2013.	March 5, 2013; Interview with SSA for purposes of determining her eligibility to receive SSI benefits
THREE	Defendant jointly held bank account –3273 with her husband between in and around December 2007 and in or around March 2013	March 5, 2013; Interview with SSA for purposes of determining her eligibility to receive SSI benefits

20 All in violation of Title 42, United States Code, Section 1383a(a)(3).

21 **FORFEITURE ALLEGATION:** [18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461 Forfeiture]

22 14. The allegation contained above in this Indictment is re-alleged and incorporated herein
 23 for the purpose of alleging forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461.

24 15. Pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United
 25 States Code, Section 2461, upon conviction of the offense set forth in this Indictment, defendant ALICE
 26 PIGG shall forfeit to the United States any property, real or personal, which constitutes or is derived
 27 from proceeds traceable to such violation.

28 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.

17. 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 28, United States Code, Section 2461(c), all pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

A TRUE BILL.

/s/ Signature on file w/AUSA

FOREPERSON

BENJAMIN B. WAGNER
United States Attorney

Mark E. Cullers

By: _____

MARK E. CULLERS
Assistant U.S. Attorney
Chief, Fresno Office

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION -- IN U.S. DISTRICT COURT

BY COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING: Case

OFFENSE CHARGED

18 U.S.C. § 641 (THEFT OF GOVERNMENT PROPERTY); 42 U.S.C. § 1383a(a)(3) (CONCEALMENT OF AN EVENT TO OBTAIN SUPPLEMENTAL SECURITY INCOME BENEFITS) (2 COUNTS); 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461 - FORFEITURE.

- Pettv.
 Minor
 Misdemeanor
 Felony

Place of offense
 Merced County

Name of District Court, and/or Judge/Magistrate Judge
 EASTERN DISTRICT OF CALIFORNIA

DEFENDANT -- U.S. vs.
ALICE PIGG

Address { 1:15 CR 00327 LJO SKO
 Birth Date Male Alien
 Female (if

(Optional unless a juvenile)

Name of Complainant Agency or Person (& Title, if any)

Eric Owan/SSA

- person is awaiting trial in another Federal or State Court, give of court
 this person/proceeding is transferred from another district per FRCr 20 21 40. Show District
 this is a reprosecution of previously dismissed which were dismissed on motion of:
 U.S. Att'y Defense SHOW DOCKET NO.
 this prosecution relates to a case involving this same
 prior proceedings or before U.S. Magistrate Judge regarding this defendant were recorded under
 MAGISTRATE JUDGE CASE NO.

Name and Office of Person
 Furnishing Information ON
 THIS FORM

Susan K. Sok

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned) | PATRICK R. DELAHUNTY

DEFENDANT

IS NOT IN CUSTODY

- 1) Has not been arrested, pending outcome of this
 If not detained, give date any prior summons was served on above
 2) Is a Fugitive
 3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
 5) On another conviction
 6) Awaiting trial on other } Fed'l State
 If answer to (6) is "Yes," show name of institution

Has Yes If "Yes,"
 detainer No } give date
 been filed? No } filed
 Mo. Day Year

DATE OF
 Or ... if Arresting Agency & Warrant were not Federal

DATE TRANSFERRED
 Mo. Day

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR

ADD FORFEITURE UNIT (Check if Forfeiture Allegation)

PENALTIES: Please see Penalty Slip
 STATUS: Please Issue No Bail Warrant

PENALTY SLIP

1:15CR 00327 LJO SKO

pd
AUSA (initials)

DEFENDANT:	NAME	COUNT(S)
	Alice Pigg	3

COUNT ONE
VIOLATION

18 U.S.C. § 641 – Theft of Public Money

PENALTY

10 years maximum imprisonment
\$250,000 fine,
3 years supervised release.

COUNTS TWO - THREE
VIOLATION

42 U.S.C. § 1383a(a)(3) – Concealment of an Event to Obtain Supplemental Security Income Benefits

PENALTY

5 years maximum imprisonment
\$250,000 fine,
3 years supervised release.