

PHILLIP A. TALBERT
Acting United States Attorney
CHRISTOPHER S. HALES
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

FILED

OCT 13 2016

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

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KIONI M. DOGAN, and
ANTONIA L. BRASLEY,

Defendants.

CASE NO. 2:16 - CR - 0198 JAM

VIOLATIONS: 18 U.S.C. § 286 – Conspiracy to
Submit False Claims; 18 U.S.C. § 287 – False Claims
(4 counts)

INDICTMENT

COUNT ONE: [18 U.S.C. § 286 – Conspiracy to Submit False Claims]

The Grand Jury charges:

KIONI M. DOGAN, and
ANTONIA L. BRASLEY,

defendants herein, as follows:

I. OBJECT OF THE CONSPIRACY

1. Beginning in or about May 2011, and continuing until in or about April 2012, in San Joaquin County, State and Eastern District of California and elsewhere, defendants KIONI M. DOGAN, ANTONIA L. BRASLEY, and others known and unknown to the grand jury, did agree, combine, and conspire to defraud the United States by obtaining and aiding to obtain the payment and allowance of

1 false, fictitious and fraudulent claims on behalf of themselves and others by submitting false claims for
2 income tax refunds with the United States Department of Treasury through the Internal Revenue
3 Service.

4 II. MANNER AND MEANS

5 The conspiracy was accomplished, in part, by the following acts:

6 2. Defendants KIONI M. DOGAN, ANTONIA L. BRASLEY, and others known and unknown
7 to the grand jury obtained the names, social security numbers, and other personal identifying
8 information (collectively, "PII") of other persons, including but not limited to family and friends.

9 3. Defendants KIONI M. DOGAN, ANTONIA L. BRASLEY, and others known and unknown
10 to the grand jury, used the PII of other persons to complete federal tax returns in the names of these
11 other persons.

12 4. The federal tax returns contained false and fraudulent representations, including but not
13 limited to: false statements regarding income, false statements regarding withholdings from income,
14 false statements regarding gambling losses, and false and fraudulent forms W2-G purporting to be from
15 Company 1 that in truth and in fact had not been issued by Company 1.

16 5. Defendants KIONI M. DOGAN, ANTONIA L. BRASLEY, and others known and unknown
17 to the grand jury, filed and caused to be filed the federal tax returns that contained false and fraudulent
18 representations with the Internal Revenue Service electronically via transmission over the internet.

19 6. Defendants KIONI M. DOGAN, ANTONIA L. BRASLEY, and others known and unknown
20 to the grand jury, typically requested that the Internal Revenue Service issue the false and fraudulent
21 income tax refunds in the form of pre-paid debit cards, United States Treasury checks, or by direct
22 deposit.

23 7. Some of the pre-paid debit cards were mailed to defendant ANTONIA L. BRASLEY's
24 address, and some others were mailed to the address of defendant KIONI M. DOGAN's relative. Person
25 1, an associate of defendant KIONI M. DOGAN, presented at least two fraudulently obtained United
26 States Treasury checks in the names of others for deposit into bank accounts in Person 1's name.
27 Several other fraudulently obtained tax refunds were directly deposited into bank accounts in Person 1's
28 name, after which Person 1 sometimes made large cash withdrawals.

8. Defendants KIONI M. DOGAN, ANTONIA L. BRASLEY, and others known and unknown to the grand jury, received some of the proceeds from fraudulently obtained income tax refunds.

In violation of Title 18, United States Code, Section 286.

COUNTS TWO THROUGH FIVE: [18 U.S.C. § 287 – False Claims]

The Grand Jury further charges: T H A T

KIONI M. DOGAN,
defendant herein, on or about the dates listed below, in San Joaquin County, State and Eastern District of California, made and presented to the Internal Revenue Service, an agency of the United States Department of the Treasury, claims against the United States for payments of tax refunds in the amounts set forth below, which she then and there knew to be false, fictitious, and fraudulent. KIONI M. DOGAN made the claims by preparing and causing to be prepared, and presenting and causing to be presented to said agency, U.S. Individual Income Tax Return Forms 1040 for the years specified below, which requested refunds to which defendant KIONI M. DOGAN knew the persons listed on the tax returns were not entitled to receive in the amounts requested:


| COUNT | DATE | TAXPAYER | YEAR | AMOUNT OF REFUND SOUGHT |
|-------|-----------|----------|------|-------------------------|
| TWO | 1/18/2012 | Person 2 | 2011 | \$8,150 |
| THREE | 1/20/2012 | Person 3 | 2011 | \$8,400 |
| FOUR | 1/21/2012 | Person 4 | 2011 | \$8,100 |
| FIVE | 1/22/2012 | Person 5 | 2011 | \$7,151 |

In violation of Title 18, United States Code, Sections 2 and 287.

A TRUE BILL.

/s/ Signature on file w/AUSA

FOREPERSON


PHILLIP A. TALBERT
Acting United States Attorney

No. _____

UNITED STATES DISTRICT COURT

Eastern District of California

Criminal Division

THE UNITED STATES OF AMERICA

vs.

KIONI M. DOGAN,
ANTONIA L. BRASLEY

NO BAIL WARRANT PENDING HEARING

INDICTMENT

VIOLATIONS: 18 U.S.C. § 286 – Conspiracy to Submit False Claims;
18 U.S.C. § 287 – False Claims

A true bill,

/s/ Signature on file w/AUSA

Foreman.

Filed in open court this 13 day

of OCTOBER, A.D. 20 16

Clerk.

NO BAIL WARRANT PENDING HEARING

Carolyn K. Delaney
U.S. Magistrate Judge

GPO 863 525

United States v. Kioni M. Dogan et al.
Penalties for Indictment

Defendants

KIONI M. DOGAN
ANTONIA L. BRASLEY

COUNT 1: **BOTH DEFENDANTS**

VIOLATION: 18 U.S.C. §§ 286 - Conspiracy to Submit False Claims

PENALTIES: Up to 10 years in prison;
Fine of up to \$250,000; or both fine and imprisonment;
Supervised Release of up to 3 years.

SPECIAL ASSESSMENT: \$100 (mandatory)

COUNTS 2, 3, 4, AND 5: **KIONI M. DOGAN**

VIOLATION: 18 U.S.C. § 287 – False Claims

PENALTIES FOR
EACH COUNT: Up to 5 years in prison;
Fine of up to \$250,000; or both fine and imprisonment;
Supervised Release of up to 3 years.

SPECIAL ASSESSMENT: \$100 (mandatory on each count)