

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

2018 FEB 15 A 11:45

WILLIAM B. BLOVING *cc*

FELONY

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**INDICTMENT FOR THEFT OF GOVERNMENT FUNDS
AND NOTICE OF FORFEITURE**

UNITED STATES OF AMERICA

v.

OTHO SCHILLING

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*
*

CRIMINAL NO.

18 - 35

SECTION:

SECT. A MAG. 2

VIOLATION: 18 U.S.C. § 641

* * *

The Grand Jury charges that:

COUNT 1

THEFT OF GOVERNMENT FUNDS

A. AT ALL TIMES MATERIAL HEREIN:

1. The Social Security Administration (“SSA”) was a government agency responsible for the management of the Social Security program as defined in the Social Security Act.

2. Social Security was a social insurance program that provides eligible applicants with retirement, disability, and survivor benefits.

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3. The SSA operated the Retirement, Survivors, and Disability Insurance (“RSDI”) program.

4. Beginning in or about September 1994, the defendant, **OTHO SCHILLING** (“**SCHILLING**”), filed for and later became eligible for SSA RSDI benefits.

5. **SCHILLING** received monthly SSA disability benefits in the amount of approximately \$1,728, which were deposited into **SCHILLING**’s bank account.

6. From in or about 2005, to in or about 2016, **SCHILLING** was a Pastor at the New Beginning Baptist Church (“Church”) in Bush, Louisiana.

7. **SCHILLING** required the Church to pay his personal expenses such as car insurance, health insurance, car payments, and a personal land note in lieu of paying **SCHILLING** a salary directly.

8. **SCHILLING** failed to notify the SSA of his employment and earnings from the Church.

B. THE OFFENSE:

Beginning in or about 2005, and continuing until in or about 2016, in the Eastern District of Louisiana and elsewhere, the defendant, **OTHO SCHILLING**, did knowingly embezzle, steal, purloin, and convert to his use, money belonging to the United States and a department and agency thereof, namely, money of the Social Security Administration, to which he knew he was not entitled, when he concealed his employment and earnings he received as a Pastor with the New Beginning Baptist Church while, at the same time, he was paid approximately \$200,000.00 in Social Security Administration disability benefits.

All in violation of Title 18, United States Code, Section 641.

NOTICE OF FORFEITURE

1. The allegations of Count 1 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 641 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

2. As a result of the offense alleged in Count 1, defendant, **OTHO SCHILLING**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c), any and all property, real or personal, which constitutes or is derived from proceeds traceable to violations of Title 18, United States Code, Section 641.

3. If any of the property subject to forfeiture, 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 person;
- 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 subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

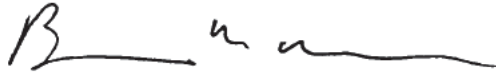
All in violation of Title 18, United States Code, Sections 641 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

A TRUE BILL:

A black rectangular redaction box covers the signature of the foreperson.

FORÉPERSON

DUANE A. EVANS
UNITED STATES ATTORNEY

A handwritten signature in cursive script, appearing to read 'B. M. Klebba', is written over a horizontal line.

BRIAN M. KLEBBA
Assistant United States Attorney

New Orleans, Louisiana
February 15, 2018

FORM OBD-34

No. _____

UNITED STATES DISTRICT COURT

_____ Eastern District of Louisiana
_____ Criminal Division

THE UNITED STATES OF AMERICA

vs.

OTHO SCHILLING

INDICTMENT

**INDICTMENT FOR THEFT OF GOVERNMENT FUNDS
AND
NOTICE OF FORFEITURE**

VIOLATION: 18 U.S.C. § 641

A true bill.



Foreperson

Filed in open court this _____ day of _____
A.D. 2018.

Clerk

Bail, \$ _____

Brian M. Klebba, Assistant United States Attorney