

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	: CRIMINAL NO. 15 -
v.	: DATE FILED: June
CLARENCE C. NORWOOD, Jr.,	: VIOLATIONS:
a/k/a Isaiah H. Tolson	18 U.S.C. § 641 (conversion of government
	funds – 1 count)
	18 U.S.C. § 1001 (false statements - 2 counts)
	: Notice of forfeiture

INFORMATION

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

INTRODUCTION

At all times material to this information:

1. The Office of Personnel Management (“OPM”) was a federal agency that administered the Civil Service Retirement System (“CSRS”) annuity benefits program. Under this program, CSRS annuity benefits were paid to a covered federal employee, or annuitant, who met certain requirements for entitlement upon retirement from civil service. When the annuitant died, a surviving family member was not entitled to receive the annuity unless he or she applied to, and was approved by, OPM. However, prior to retirement, an annuitant had the option to choose a spousal benefit; if a spousal benefit was chosen, then upon the annuitant’s death, a lesser portion of the annuity would be transferred to the surviving spouse or family member. The maximum spousal survivor benefit could not exceed 55% of the retirement benefit paid to the retired federal employee. There were no benefits for the surviving children, except for

children under 18 years of age; 22 years of age if the child was a full-time student; or if the child had a confirmed medical illness which limited the child's ability to care properly for himself or herself. A survivor annuity was payable only upon OPM's approval of an application from the eligible family member.

2. CSRS annuity benefits were paid from the Civil Service Retirement and Disability Fund, which was funded primarily from payroll contributions paid by civil service workers, and the federal government, which made matching contributions. Benefits paid from this fund were disbursed by the United States Department of the Treasury.

3. Defendant CLARENCE C. NORWOOD, JR.'s mother, identified herein as J.N., was a federal employee who qualified for CSRS benefits prior to her death. J.N. was also approved to receive spousal survivor benefits from her husband's federal employment. J.N.'s husband, who was the father of defendant NORWOOD, will be identified herein as C.N. J.N. received CSRS benefits via wire deposit into a checking account in J.N.'s name at Citizen's Bank.

4. On or about December 3, 2007, defendant CLARENCE C. NORWOOD JR. was appointed as the representative payee for J.N. As representative payee for J.N., defendant NORWOOD had access to, and control of, J.N.'s money, including her CSRS pension and survivor benefits.

5. J.N. died on or about July 9, 2011. At that time, her entitlement to CSRS benefits ended. Defendant CLARENCE C. NORWOOD, JR. was not entitled to any CSRS benefits on the basis of his mother or his father's service as a federal employee.

DEFENDANT'S THEFT AND CONVERSION OF CSRS BENEFITS

6. OPM was not timely notified of J.N.'s death and continued to disburse CSRS benefit payments to J.N. that were wire deposited into the checking account at Citizen's Bank.

7. Defendant CLARENCE C. NORWOOD JR. accessed his deceased mother's bank account and improperly received and converted to his own use the CSRS benefit payments intended for his deceased mother.

8. In or about August 2013, OPM's Retirement Inspections mailed a letter to J.N. at her residence at 7945 Buist Avenue, Philadelphia, PA 19153.

9. On or about August 27, 2013, defendant CLARENCE C. NORWOOD JR. completed the Annuitant's Response Section, in which he falsely certified that J.N. was still alive, but could not sign the response because "the annuitant has aphase [*sic*], do [*sic*] to a stroke May 1998. She can do somethings [*sic*]. We are working on the signature and speech."

10. In or about December 2013, subsequent to learning of J.N.'s death, OPM terminated J.N.'s CSRS benefits.

11. From in or around August 2011 through in or around November 2013, defendant CLARENCE C. NORWOOD improperly received and converted to his own use approximately \$115,440.65 in CSRS benefit payments that were intended for J.N., who was deceased, which defendant NORWOOD knew that he was not entitled to receive.

12. Beginning in or about August 2011 and continuing through in or about November 2013, in the Eastern District of Pennsylvania and elsewhere, the defendant,

CLARENCE C. NORWOOD, JR.
a/k/a Isaiah H. Tolson,

knowingly stole, and converted to his own use, money of the United States in excess of \$1,000, that is, approximately \$115,440.65 in CSRS benefits that were intended for J.N., who was deceased, to which the defendant knew he was not entitled.

In violation of Title 18, United States Code, Section 641.

COUNT TWO

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 through 9 of Count One are realleged here.
2. On or about August 27, 2013, at Philadelphia, in the Eastern District of Pennsylvania, the defendant,

**CLARENCE C. NORWOOD, JR.,
a/k/a Isaiah H. Tolson,**

in a matter within the jurisdiction of the Office of Personnel Management (“OPM”), an agency of the executive branch of the United States, knowingly and willfully made a materially false, fictitious, and fraudulent statement and representation in that defendant CLARENCE C. NORWOOD, JR. certified to OPM on an Annuitant Response that his deceased mother was still alive, when, as the defendant then knew, his mother was deceased, having died on July 9, 2011.

In violation of Title 18, United States Code, Section 1001.

COUNT THREE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 through 11 of Count One are realleged here.
2. On or about January 2, 2014, at Philadelphia, in the Eastern District of

Pennsylvania, the defendant,

**CLARENCE C. NORWOOD, JR.,
a/k/a Isaiah H. Tolson,**

in a matter within the jurisdiction of the Office of Personnel Management (“OPM”), an agency of the executive branch of the United States, knowingly and willfully made a materially false, fictitious, and fraudulent statement and representation, in that defendant CLARENCE C.

NORWOOD, JR. reported to a Customer Service Specialist in the Retirement Information Office of OPM that his deceased mother was still alive, thus requiring reinstatement of her benefits, when, as the defendant then knew, his mother was deceased, having died on July 9, 2011.

In violation of Title 18, United States Code, Section 1001.

NOTICE OF FOREFEITURE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. As a result of the violation of Title 18 United States Code, Section 641 (conversion of Government Funds), set forth in Count One of this Information, the defendant,

CLARENCE C. NORWOOD, JR.

shall forfeit to the United States of America an property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offenses, including, but not limited to, the sum of \$115,440.65.

2. 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 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 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

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


ZANE DAVID MEMEGER
United States Attorney