

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. 15-__
v.	:	DATE FILED:
ROMA GARDNER-KUNKLE	:	VIOLATION:
	:	18 U.S.C. § 641 (conversion of government funds – 1 count)
		Notice of Forfeiture

INFORMATION

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to this information:

1. The Social Security Administration ("SSA"), an agency of the United States, administered certain government benefit programs, including the Supplemental Security Income ("SSI") program, pursuant to Title 42, United States Code, Sections 1381-1383f.
2. The SSI program, which was funded through general tax revenues of the United States, provided monthly cash benefits to individuals who were age sixty-five or over, or who were "disabled" and who demonstrated financial need, as determined by his or her "income" and "resources," as those terms were defined for purposes of the Social Security Act. Because SSI is a needs-based program, beneficiaries were required to inform SSA of any changes to household composition, household income, and the marital status of beneficiaries.
3. Subsequent to her application for SSI benefits in or about February 1987, defendant ROMA GARDNER-KUNKLE was approved by the SSA for SSI benefit payments.

4. On or about November 14, 1995, defendant ROMA GARDNER-KUNKLE married Larry Kunkle in Lancaster County, Pennsylvania. Defendant GARDNER-KUNKLE and Kunkle remain legally married.

5. Defendant ROMA GARDNER-KUNKLE did not report this marriage to SSA. On or about December 30, 2005, during a redetermination interview with SSA, the defendant GARDNER-KUNKLE falsely stated that she had never been married, and that she lived alone.

6. In or about March 2014, the Social Security Administration learned of defendant ROMA GARDNER-KUNKLE's November 1995 marriage to Larry Kunkle. When confronted by an SSA employee with this information, defendant GARDNER-KUNKLE admitted she had married on November 14, 1995, and that she had concealed her marriage and her cohabitation with Mr. Kunkle from SSA because she knew that information could affect the amount of her SSI benefits.

7. If SSA had been aware of defendant ROMA GARDNER-KUNKLE's marriage and cohabitation with Mr. Kunkle, she would have received approximately \$48,071.70 less in SSI benefits between December 1995 and April 2014 than what she was paid by SSA during that time period.

8. Beginning in or about December 1995 through in or about April 2014, in the Eastern District of Pennsylvania and elsewhere, defendant

ROMA GARDNER-KUNKLE

knowingly converted to her own use money of the United States in excess of \$1,000, that is, approximately \$48,071.70 in SSI benefits payments, which she was ineligible to receive.

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

NOTICE OF FORFEITURE

THE UNITED STATES ATTORNEY CHARGES THAT:

1. As a result of the violation of Title 18, United States Code, Section 641, set forth in this information, defendant

ROMA GARDNER-KUNKLE

shall forfeit to the United States of America:

(a) any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offense; including but not limited to the sum of \$48,071.70.

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(s) 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