

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 15-
:
v. :
:
:
JEAN MARSHALL : 18 U.S.C. § 641

INFORMATION

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

COUNT ONE
[18 U.S.C. § 641 - Theft of Government Funds]

Background

1. At all times relevant to this Information, unless otherwise noted:
 - a. The United States Social Security Administration (“SSA”) was an agency of the Executive Branch of the United States. The SSA, among other things, maintained the Retirement Benefits under Title II of the Social Security Act, Title 42, United States Code, Section 401 *et seq.*, for eligible individuals. When a person who had worked and paid Social Security taxes died, certain members of their family may have been eligible for Survivors’ Benefits which were payable by the SSA. Such benefits were not transferrable and could not be inherited.
 - b. Defendant JEAN MARSHALL was a resident of Burlington, New Jersey.
 - c. C.H. was a resident of Burlington Township, New Jersey. C.H. was the mother of defendant JEAN MARSHALL, and was entitled to Survivors’ Benefits from the SSA. C.H.’s Survivors’ Benefits were paid by direct deposit into her account at Bank of America which was held jointly with JEAN MARSHALL. The Survivors’ Benefits were the only source of income in the account during the time relevant to this Information.

d. C.H. died on or about May 30, 2003. The SSA was not notified of C.H.'s death and continued sending electronic deposits into C.H.'s bank account at Bank of America.

The Charge

2. From in or about May 2003 through in or about May 2013, in Burlington County, the District of New Jersey and elsewhere, defendant

JEAN MARSHALL

did knowingly embezzle, steal, purloin, and convert to her own use and the use of another, money of the United States and the SSA, that is, approximately \$151,789 in SSA program benefits, namely Survivor's Benefits Payments, to which she was not entitled.

The Scheme

3. Defendant JEAN MARSHALL did not inform the SSA that C.H. had died on or about May 30, 2003, causing the SSA to continue to issue direct deposits of benefit payments to C.H.'s bank account at Bank of America until in or about May 2013.

4. At various times after the deposits, defendant JEAN MARSHALL accessed C.H.'s bank account and used the money for her own purposes.

5. The total amount of benefits that defendant JEAN MARSHALL collected to which she was not entitled was approximately \$151,789.

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

FORFEITURE ALLEGATIONS

1. The allegations contained in all paragraphs of Count One of this Information are hereby realleged and incorporated by reference for the purpose of noticing forfeitures.
2. As a result of the defendant JEAN MARSHALL's conviction of Count One of this Information, the Government will seek forfeiture in accordance with Title 18, United States Code, Sections 981, 982(a)(1), 982(a)(6)(A), and 982(b)(1); and Title 28, United States Code, Section 2461, of all property, real and personal, involved in those offenses, and all property traceable thereto, including but not limited to the following property constituting, or derived from, any proceeds obtained, directly or indirectly, from the offenses described in Count One; property used, or intended to be used, to commit or facilitate the commission of the foregoing offenses; and substitute assets:
 - a. Approximately \$151,789 in U.S. currency.
3. If any of the above-described property, as a result of any act or omission of defendant JEAN MARSHALL:
 - a. cannot be located upon the exercise of due diligence;
 - b. has been transferred to, 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 subdivided without difficulty; it is the intent of the United States, pursuant to Title 21, United States code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28,

United States Code, Section 2461(c), to seek forfeiture of any other property of defendant JEAN MARSHALL up to the value of the forfeitable property described above.



PAUL J. FISHMAN
United States Attorney

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v.

JEAN MARSHALL

INFORMATION FOR

18 U.S.C. § 641

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