

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.
 :
 v. : Crim. No. 16-
 :
 KAHER ABDELLAH : 18 U.S.C. §§ 641, 982 and 2
 Defendant :

INFORMATION

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

COUNT 1

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

Background

1. At all times relevant to this Information, unless otherwise noted:

The Defendant

- a. Defendant KAHER ABDELLAH was a resident of Philadelphia, Pennsylvania.
- b. Defendant KAHER ABDELLAH was the president of K&A Food Corp., d/b/a “Express Food Mart,” a for-profit, Single Stockholder Corporation established on June 1, 2011. Express Food Mart was a retail food store located on Broadway in Camden, New Jersey.

Government Entities

- c. The United States Department of Agriculture (“USDA”) was an agency of the executive branch of the United States. The USDA, among

other things, administered the Supplemental Nutrition Assistance Program (“SNAP”), formerly known as the Federal Food Stamp Program. Retail food stores that have been approved for participation in the SNAP may sell food in exchange for food stamp benefits. Food stamp benefits may not lawfully be exchanged for cash. 7 U.S.C. § 2024(b); 7 C.F.R. §§ 271.2, 278.2.

The Supplemental Nutrition Assistance Program

d. Every food stamp recipient received an Electronic Benefits Transfer (“EBT”) card, similar to a debit card, with which to make purchases. Every retailer authorized to accept food stamp benefits had an EBT terminal.

e. Affiliated Computer Services, a division of Xerox, processed SNAP payments for the state of New Jersey. The processing included the electronic debiting of a SNAP holder’s account and the crediting of the SNAP merchant’s bank account.

f. When purchasing food, the beneficiary provided the EBT card to the retailer, who then swiped the card through the EBT terminal. After the customer entered a secret Personal Identification Number (“PIN”), the EBT terminal verified the PIN, determines whether the customer’s account balance was sufficient to cover the proposed transaction and informed the retailer whether the transaction should be authorized or denied. If the transaction was authorized, the amount of the purchase was then deducted electronically from the food stamp benefits reserved for the customer, and the amount was credited to the retailer’s designated bank account.

The Charge

2. From in or about November 1, 2011 through in or about October 2014, in Camden County, the District of New Jersey and elsewhere, defendant

KAHER ABDELLAH

did knowingly and intentionally embezzle, steal, purloin, and convert to his own use and the use of another, money of the United States and the USDA, that is, approximately \$1,264,006.07 in SNAP benefits, to which he was not entitled.

The Scheme

3. On October 4, 2011, defendant KAHER ABDELLAH filed an application with the USDA, Food and Nutrition Service to become a SNAP-eligible food merchant at his business, EXPRESS FOOD MART located in Camden, New Jersey.

4. On November 1, 2011, USDA approved EXPRESS FOOD MART to participate in the SNAP program.

5. Between in or about November 2011 continuing to in or about October 2014, defendant KAHER ABDELLAH, or employees acting on his behalf, exchanged SNAP benefits for cash.

6. On April 7, 2014, defendant KAHER ABDELLAH was present in Express Food Mart when a customer approached the counter and asked to exchange \$99.99 in SNAP benefits for \$50 in cash. Defendant ABDELLAH took money from his pocket to complete the exchange.

7. On October 8, 2014, defendant KAHER ABDELLAH was present in Express Food Mart when a customer approached the counter and asked to exchange \$299.99 in SNAP benefits for \$150 in cash. Defendant ABDELLAH took money from his pocket to complete the exchange.

8. The total amount of SNAP benefits that defendant KAHER ABDELLAH collected to which he was not entitled was approximately \$1,264,006.07.

In violation of Title 18, United States Code, Section 641 and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATION

1. The allegations contained in Count 1 of this Information are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 982(a)(1).

2. Pursuant to Title 18, United States Code, Section 982(a)(1), upon conviction of the offense in violation of Title 18, United States Code, Section 641 set forth in Count 1 of this Information, the defendant, KAHER ABDELLAH, shall forfeit to the United States of America any property, real or personal, involved in such offense, and any property traceable to such property. The property to be forfeited includes, but is not limited to, a sum of money equal to \$1,264,006.07 in United States currency, representing the amount of proceeds obtained as a result of the offense.

3. If any of the property described above, 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,

the United States of America shall be entitled to forfeiture of substitute property 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).

Pursuant to Title 18, United States Code, Section 982(a)(1).

A handwritten signature in blue ink that reads "Paul J. Fishman". The signature is written in a cursive style with a horizontal line underneath the name.

PAUL J. FISHMAN
United States Attorney

CASE NUMBER: 16-

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

KAHER ABDELLAH

INFORMATION FOR

18 U.S.C. § 641

18 U.S.C. § 982

18 U.S.C. § 2

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