

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon.
	:	
	:	Criminal No.
v.	:	
	:	18 U.S.C. § 2314
	:	26 U.S.C. § 7201
DOMINICK JAMES IZZO	:	18 U.S.C. § 2

**INFORMATION**

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

**COUNT ONE**  
**(Transportation of Stolen Goods)**

**Background**

1. At various times relevant to this Information:
  - a. Defendant DOMINICK JAMES IZZO ("defendant IZZO") was a resident of Port Orange, Florida, and Piscataway, New Jersey.
  - b. eBay Inc. ("eBay") was a website on which individuals sold items by auction, among other means.
  - c. PayPal was a company owned by eBay that handled payments between buyers and sellers on eBay. eBay users set up accounts on PayPal, which allowed a buyer's credit card to be charged or bank account to be debited in payment for merchandise and the proceeds to be remitted to the seller.

d. Barnes & Noble, Inc. ("BN"), which was headquartered in New York, New York, was the largest retail bookseller in the United States.

### **The Scheme**

2. Beginning at least as early as September 2007 and continuing through in or about January 2014, in Middlesex County, in the District of New Jersey, and elsewhere, the defendant,

DOMINICK JAMES IZZO,

did knowingly transport, transmit, and transfer, and cause to be transported, transmitted, and transferred, in interstate commerce stolen goods, wares, and merchandise, of the value of \$5,000 or more, knowing the same to have been stolen, converted, and taken by fraud from BN, as set forth below.

### **Object of the Scheme**

3. The object of the scheme was for defendant IZZO to enrich himself by shoplifting more than \$200,000 of merchandise from BN, selling the stolen merchandise on eBay, and shipping the stolen merchandise to buyers nationwide.

### **Methods and Means of the Scheme**

4. It was part of the scheme that defendant IZZO stole merchandise from BN stores in New Jersey, Florida, and elsewhere using a "booster bag" evade anti-theft alarms.

5. It was further part of the scheme that defendant IZZO listed the stolen merchandise on eBay using nominee seller accounts to conceal his

identity.

6. It was further part of the scheme that defendant IZZO accepted payment for the stolen merchandise from purchasers via nominee PayPal accounts.

7. It was further part of the scheme that, once defendant IZZO received funds via domestic wire transfer from the purchasers, he shipped the stolen merchandise from New Jersey and Florida to the purchasers in several different states.

In violation of Title 18, United States Code, Section 2314 and Section 2.

**COUNT TWO**  
**(Tax Evasion)**

1. The allegations set forth in paragraphs 1 through 7 of Count One of this Information are realleged and reincorporated as if set forth herein.

2. For calendar years 2009, 2010, and 2011, defendant IZZO intentionally failed to provide the Internal Revenue Service ("IRS") with true, correct, and complete information regarding income that he received in connection with the sale of stolen merchandise from BN and other businesses, and by so doing, intentionally underreported his income, in the aggregate amount of approximately \$399,485.

3. During calendar year 2009, defendant IZZO had and received taxable income from his sales of stolen merchandise from BN and other businesses in the sum of approximately \$127,959. Upon that taxable income, there was owing to the United States an income tax of approximately \$22,557. Well knowing the foregoing facts, and failing to make an income tax return on or before April 15, 2010, as required by law, to any proper officer of the IRS, and pay to the IRS the income tax, defendant IZZO did willfully attempt to evade and defeat the income tax due and owing by him to the United States for calendar year 2009 by failing to keep any business records, by creating nominee eBay seller accounts, and by having proceeds from his online sales sent to nominee PayPal accounts.

4. During calendar year 2010, defendant IZZO had and received taxable income from the sales of stolen merchandise from BN and other businesses in the sum of approximately \$127,789. Upon that taxable income, there was owing to the United States an income tax of approximately \$20,064. Well knowing the foregoing facts, and failing to make an income tax return on or before April 15, 2011, as required by law, to any proper officer of the IRS, and pay to the IRS the income tax, defendant IZZO did willfully attempt to evade and defeat the income tax due and owing by him to the United States for calendar year 2010 by failing to keep any business records, by creating nominee eBay seller accounts, and by having proceeds from his online sales sent to nominee PayPal accounts.

5. During calendar year 2011, defendant IZZO had and received taxable income from his sales of stolen merchandise from BN and other businesses in the sum of approximately \$143,737. Upon that taxable income, there was owing to the United States an income tax of approximately \$24,639. Well knowing the foregoing facts, and failing to make an income tax return on or before April 16, 2012, as required by law, to any proper officer of the IRS, and pay to the IRS the income tax, defendant IZZO did willfully attempt to evade and defeat the income tax due and owing by him to the United States for calendar year 2011 by failing to keep any business records, by creating nominee eBay seller accounts, and by having proceeds from his online sales sent to nominee PayPal accounts.

6. Defendant IZZO's intentional failure to disclose true, correct, and complete information to the IRS regarding income that he received from the sale of the stolen merchandise from BN and other businesses resulted in a tax loss to the United States of approximately \$67,260.

7. On or about April 16, 2012, in Middlesex County, in the District of New Jersey, and elsewhere, the defendant,

DOMINICK JAMES IZZO,

knowingly and willfully attempted to evade and defeat a substantial part of the income tax due and owing to the United States in that he failed to report income on a 2011 U.S. Income Tax Return, Form 1040, as described in paragraphs 2 and 5 of Count Two of this Information.

In violation of Title 26, United States Code, Section 7201, and Title 18, United States Code, Section 2.

### **FORFEITURE ALLEGATION**

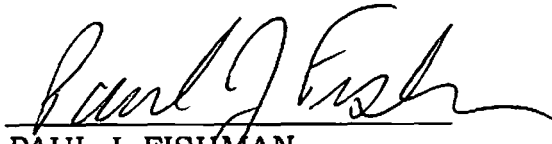
1. The allegations contained in this Information are incorporated by reference as though set forth in full herein for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461.

2. The United States hereby gives notice to defendant IZZO that, upon conviction of the offense charged in Count One of this Information, the United States will seek forfeiture, in accordance with Title 18, United States Code, Section 2461(c), and Title 18, United States Code, Section 981(a)(1)(C), of any and all property, real or personal, that constitutes or is derived from proceeds traceable to the violation of Title 18, United States Code, Section 2314, alleged in this information, including but not limited to a sum of money equal to at least \$207,676.14 in United States currency.

3. If by any act or omission of defendant IZZO any of the property subject to forfeiture described in paragraph 2 herein:

- 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 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 defendant IZZO up to the value of the property described in this forfeiture allegation.



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PAUL J. FISHMAN  
UNITED STATES ATTORNEY



**CASE NUMBER:**

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

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**UNITED STATES OF AMERICA**

**v.**

**DOMINICK JAMES IZZO**

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**INFORMATION FOR**

18 U.S.C. § 2314  
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**PAUL J. FISHMAN**

*U.S. ATTORNEY*

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