

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.
 :
 v. : Crim. No. 19-
 :
 TAMMY L. MARTINEZ : 18 U.S.C. § 1344

INFORMATION

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

COUNT ONE
(Bank Fraud)

1. At all times relevant to this Information:

a. Defendant TAMMY L. MARTINEZ (“MARTINEZ”) was a bookkeeper at Company A in Newark, New Jersey. Beginning in 2014, MARTINEZ’s duties included managing Company A’s financial records and processing Company A’s invoices and payments.

b. Victim Bank 1 was a financial institution, as that term is defined in Title 18, United States Code, Section 20, and was insured by the Federal Deposit Insurance Corporation. Company A had a business checking account at Victim Bank 1.

The Scheme to Defraud

2. From in or around January 2014 through in or around March 2019, in Essex County, in the District of New Jersey, and elsewhere, defendant

TAMMY L. MARTINEZ

did knowingly and intentionally execute and attempt to execute a scheme and artifice to defraud financial institutions, as defined in Title 18, United States Code, Section 20, namely Victim Bank 1, whose deposits were insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody or control of Victim Bank 1, by means of false and fraudulent pretenses, representations, and promises, as more fully set forth below.

Goal of the Scheme to Defraud

3. The goal of the scheme to defraud was for MARTINEZ to obtain funds from Victim Bank 1 by writing fraudulent checks unlawfully taken from Company A and cashing those checks at Victim Bank 1.

Manner and Means of the Scheme to Defraud

4. It was part of the scheme to defraud that:
- a. In or around January 2014, MARTINEZ began using Company A's Victim Bank 1 checking account to write unauthorized fraudulent checks payable to cash or to MARTINEZ;
 - b. MARTINEZ cashed fraudulently issued Company A checks at Victim Bank 1 by presenting her identification to Victim Bank 1's employees and cashing checks in her name; and
 - c. MARTINEZ fraudulently caused Victim Bank 1 to release the following approximate sums of money to her from Company A's checking account:

Year	Approximate Total of Fraudulent Checks Cashed or Deposited
2014	\$ 143,895.50
2015	\$ 223,804.34
2016	\$ 250,221.45
2017	\$ 472,918.28
2018	\$ 575,369.41
2019	\$ 112,519.73
TOTAL	\$1,778,728.71

In violation of Title 18, United States Code, Section 1344.

FORFEITURE ALLEGATION

As a result of committing the offense charged in this Information, the defendant,

TAMMY L. MARTINEZ,

shall forfeit to the United States of America, pursuant to 18 U.S.C. § 982(a)(2), any and all property constituting or derived from any proceeds obtained directly or indirectly as a result of the offense.

Substitute Assets Provision

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,

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b)(1) and 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.


CRAIG CARPENITO
United States Attorney

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v.

TAMMY L. MARTINEZ

INFORMATION FOR

18 U.S.C. § 1344

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FOR THE DISTRICT OF NEW JERSEY

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