

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 21-
v. :
EUGENE YOUNG : 18 U.S.C. § 1343
: 18 U.S.C. § 2

INFORMATION

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

Background

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

A. Defendant EUGENE YOUNG was a resident of Burlington County, New Jersey.

B. Victim-1 was a disabled adult who resided at an institution in Morris County, New Jersey.

C. The Special Needs Trust was an irrevocable trust established to provide for the maintenance, living expenses, and other needs of Victim-1. The terms of the Special Needs Trust obligated the trustee of the Special Needs Trust to hold, manage, invest and reinvest the trust share for the benefit of Victim-1.

D. Trustee-1 was the trustee of the Special Needs Trust until Trustee-1's death in March 2019.

E. Financial Institution-1 was a financial institution headquartered in Pittsburgh, Pennsylvania.

F. Funds in the Special Needs Trust were held primarily in two bank accounts:

- i. Financial Institution-1 checking account ending in 3527 (the “Checking Account”).
- ii. Financial Institution-1 savings account ending in 2777 (the “Savings Account”).

The Scheme to Defraud

2. From in or around December 2017 through in or around June 2019, in Burlington County, in the District of New Jersey and elsewhere, defendant

EUGENE YOUNG

knowingly and intentionally devised and intended to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, which scheme and artifice was in substance as set forth below.

Object of the Scheme

3. The object of this scheme and artifice to defraud was for defendant EUGENE YOUNG, facilitated by the use of interstate wire transmissions, to misappropriate money belonging to the Special Needs Trust.

Manner and Means of the Scheme

4. It was part of the scheme to defraud that:
A. Defendant EUGENE YOUNG caused Trustee-1 to execute a Power of Attorney appointing defendant EUGENE YOUNG as Trustee-1’s agent.

The Power of Attorney was notarized by a notary who did not witness the signatures of Trustee-1 or defendant EUGENE YOUNG. Defendant EUGENE YOUNG presented the Power of Attorney at a branch of Financial Institution-1 located in Burlington County, New Jersey, and was granted access to the Checking Account and the Savings Account.

B. Defendant EUGENE YOUNG used a debit card linked to the Checking Account to make purchases and to withdraw cash from automated teller machines (“ATMs”).

C. Defendant EUGENE YOUNG wrote checks from the Checking Account payable to himself by signing Trustee-1’s name to the checks.

D. Defendant EUGENE YOUNG made withdrawals from the Checking Account and Savings Account in the form of cash and cashier’s checks.

5. The withdrawals, purchases, and other transactions described in Paragraph 4 were not done for the benefit of Victim-1, as required by the terms of the Special Needs Trust, but rather for defendant EUGENE YOUNG’s personal use, and included furniture, movie tickets, hotel rooms, restaurant meals, vehicle purchases, vehicle repairs, and groceries.

6. By way of the scheme, defendant EUGENE YOUNG misappropriated money and property from the Special Needs Trust in the approximate amount of \$359,590.32.

Execution of the Scheme

7. On or about December 30, 2018, in Burlington County in the District of New Jersey and elsewhere, for the purpose of executing and attempting to execute this scheme and artifice to defraud, defendant

EUGENE YOUNG

knowingly and intentionally transmitted and caused to be transmitted by means of wire, radio and television communications in interstate commerce certain writings, signs, signals, pictures, and sounds, namely, defendant EUGENE YOUNG used a debit card linked to the Checking Account to make a purchase at a furniture store located in Lumberton, New Jersey, which was processed through an out-of-state server.

In violation of Title 18, United States Code, Section 1343 and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATION

1. As a result of committing the offense charged in this Information, defendant EUGENE YOUNG shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, constituting or derived from proceeds traceable to this offense.

Substitute Assets Provision

2. If any of the property described above, as a result of any act or omission of defendant EUGENE YOUNG:

- 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 21, United States Code, Section 853(p), to seek forfeiture of any other property of defendant EUGENE YOUNG up to the value of the above-described forfeitable property.



RACHAEL A. HONIG
Acting United States Attorney

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