

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Hon. Leda Dunn Wettre  
 :  
 v. : Mag. No. 21-13254 (LDW)  
 :  
 ROSS CLAYTON : **CRIMINAL COMPLAINT**

I, Bladimir Daza, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

**SEE ATTACHMENT A**

I further state that I am a Special Agent with the U.S. Department of Labor, Office of Inspector General, and that this complaint is based on the following facts:

**SEE ATTACHMENT B**

continued on the attached page and made a part hereof.



Special Agent Bladimir Daza  
U.S. Department of Labor  
Office of Inspector General

\*Special Agent Daza attested to this  
Complaint by telephone pursuant to FRCP  
4.1(b)(2)(A).

Sworn to and subscribed via telephone,  
this 30th day of August, 2021

NEW JERSEY  
State

HONORABLE LEDA DUNN WETTRE  
UNITED STATES MAGISTRATE JUDGE

Leda Dunn Wettre / BD  
Signature of Judicial Officer

**ATTACHMENT A**

**(Wire Fraud)**

From in or about July 2020 through in or about October 2020, in Essex County, in the District of New Jersey and elsewhere, defendant

**ROSS CLAYTON**

knowingly and intentionally devised and intended to devise a scheme and artifice to defraud the State of California and others, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and, for the purpose of executing and attempting to execute such scheme and artifice to defraud, did transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds, to wit, a wire transmission sent on or about August 16, 2020, from a location inside of New Jersey to a location outside.

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

## ATTACHMENT B

I, Bladimir Daza, a Special Agent with the U.S. Department of Labor, Office of Inspector General ("DOL-OIG"), having personally participated in an investigation of the conduct of defendant ROSS CLAYTON ("CLAYTON"), and having spoken with other law enforcement officers and individuals and reviewed documents, have knowledge of the following facts. Because this Complaint is submitted for the limited purpose of establishing probable cause, I have not included all facts known to me concerning this investigation. The contents of documents and the actions, statements, and conversations of individuals referenced below are provided in substance and in part, unless otherwise indicated.

1. At all times relevant to this Complaint, CLAYTON was employed as an acting supervisor for customer service at a USPS location in Newark, New Jersey (the "USPS Location").

2. On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act "CARES Act" was signed into law. The CARES Act created a new temporary federal unemployment insurance program called Pandemic Unemployment Assistance ("PUA"). PUA provides unemployment insurance benefits ("UIBs") for individuals who are not eligible for other types of unemployment (e.g., self-employed, independent contractors, gig economy workers). The CARES Act also created a new temporary federal program called Federal Pandemic Unemployment Assistance that provides an additional \$600 weekly benefit to those eligible for PUA and regular UIBs. Unemployment Insurance ("UI") is a state-federal program that provides unemployment insurance benefits ("UIBs") to eligible workers.

3. On or about July 13, 2020, an application was made for UIBs in the name of Individual 1 to the State of California. In response, the State of California caused a debit card with a number ending in 4239 (the "4239 Card") to be issued and sent by United States mail to a residence in New Jersey (the "Residence"). The State of California caused the 4239 Card to be funded with approximately \$18,000. The investigation has determined that the application was fraudulent and that Individual 1 did not make the above-referenced application.

4. Between on or about July 26, 2020, and September 22, 2020, approximately \$18,000 was debited from the 4239 Card.

5. Bank records obtained during the investigation reveal that on or about July 23, 2020, July 26, 2020, July 31, 2020, and August 1, 2020, a telephone number (the "Telephone Number") called the issuing bank concerning the 4239 Card. Records obtained during the investigation revealed

that the Telephone Number was subscribed to by defendant CLAYTON during the time of these calls.

6. On or about July 13, 2020, an application was made for UIBs in the name of Individual 2 to the State of California. In response, the State of California caused a debit card with a number ending in 5577 (the "5577 Card") to be issued and sent by United States mail to the USPS Location. The State of California caused the 5577 Card to be funded with approximately \$18,000. The investigation has determined that the application was fraudulent and that Individual 2 did not make the above-referenced application.

7. Between on or about July 26, 2020, and September 22, 2020, approximately \$11,000 was debited from the 5577 Card.

8. Bank records obtained during the investigation reveal that on or about August 8, 2020, and on or about October 9, 2020, the Telephone Number called the issuing bank concerning the 5577 Card.

9. The investigation has revealed that the Telephone Number called the issuing bank concerning three additional debit cards. The investigation has further revealed that all three of these debit cards: (a) were issued as a result of a fraudulent application; (b) were each funded with approximately \$18,000; and (c) were not used to withdraw or otherwise access any funds.

10. On or about February 26, 2021, defendant CLAYTON was interviewed by law enforcement officers (the "February 26, 2021 Interview"). During the February 26, 2021 Interview, CLAYTON identified himself as the individual depicted in a photograph at an ATM in New Jersey. Bank records reveal that in or around the time the picture was taken, withdrawals were made from that ATM using the 4239 Card and the 5577 Card. The investigation has revealed that these ATM withdrawals, which occurred on August 16, 2020, each caused a wire communication from a location inside of New Jersey to a location outside of New Jersey.

11. In addition, during the February 26, 2021 Interview, defendant CLAYTON stated, in substance and in part, that: (i) the Telephone Number was his telephone number; and (ii) he took mail addressed to the Residence from the USPS Location.