

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 21-
 :
 v. : Hon.
 :
 JOSE RODRIGUEZ : 18 U.S.C. § 1341 and § 2
 :

INFORMATION

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

(Scheme to Defraud Facilitated by the Use of the Mail)

1. At all times relevant to this Information:

Background

- a. Jose Rodriguez (“defendant RODRIGUEZ”) was employed by Amtrak as a Senior Engineer based out of a facility in North Brunswick, New Jersey.
- b. The National Railroad Passenger Corporation, doing business as Amtrak (“Amtrak”), was a private, not-for-profit corporation, which was created by the United States Congress in 1970, by the passage of the Rail Passenger Service Act. Amtrak is a passenger railroad service that provides medium and long-distance inter-city rail service in 46 states, the District of Columbia, and three Canadian provinces.

The Scheme to Defraud

2. From in or about March 2012 through in or about July 2020, in the District of New Jersey, and elsewhere, defendant

JOSE RODRIGUEZ

knowingly and intentionally did devise and intend to devise a scheme and artifice to defraud Amtrak of approximately \$76,379.02 in money and property, by means of materially false and fraudulent pretenses, representations and promises.

3. The goal of this scheme and artifice to defraud was for defendant RODRIGUEZ, to take advantage of his role as a Senior Engineer at Amtrak, to requisition and sign out approximately 114 chainsaws, 122 chainsaw replacement bars, and 222 replacement chains from Amtrak based upon false pretenses, representations, and promises that this equipment was needed and would be used in connection with specific Amtrak work projects. Instead, defendant RODRIGUEZ sold the chainsaws and chainsaw accessories for personal profit, primarily through an online auction service to purchasers throughout the United States.

4. On or about the dates set forth below, in the Counties of Ocean and Somerset, in the District of New Jersey and elsewhere, for the purpose of executing and attempting to execute this scheme and artifice to defraud, defendant

JOSE RODRIGUEZ

did knowingly and intentionally place and caused to be placed in a post office and authorized depository for mail matter, and caused to be delivered to various purchasers, chainsaws and chainsaw accessories stolen from Amtrak, to be sent and

delivered by the United States Postal Service (“USPS”), as described in the table below:

APPROXIMATE DATE MAILED	PURCHASER RECEIVING MAILING	ITEMS MAILED
November 29, 2018	Purchaser in Ohio	Chainsaw, two bars, and two chains.
February 9, 2019	Purchaser in West Virginia	chainsaw
March 15, 2019	Purchaser in West Virginia	chainsaw
March 19, 2019	Purchaser in Pennsylvania	chainsaw
February 12, 2020	Purchaser in Pennsylvania	chainsaw

In violation of Title 18, United States Code, Section 1341 and Section 2.

FORFEITURE ALLEGATION

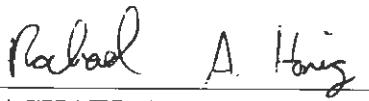
1. Upon conviction of the offense in violation of 18 U.S.C. § 1341, as charged in this Information, defendant **JOSE RODRIGUEZ** shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), all property, real and personal, which constitutes or is derived from proceeds traceable to the commission of the said offense.

Substitute Assets Provision

2. If any of the above-described forfeitable property, as a result of any act or omission of defendant RODRIGUEZ:

- 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 28 U.S.C. § 2461(c), to seek forfeiture of any other property of defendant RODRIGUEZ up to the value of the above forfeitable property.


RACHAEL A. HONIG
Acting United States Attorney

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INFORMATION FOR

18 U.S.C. § 1341 and § 2

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