UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA

v.

JAMIE ZAMBRANO,

and

JESUS JOSE MENDEZ.

Cr. No. 1:20-CR-86 JJM LDA

In violation of:

18 U.S.C. § 371 – Conspiracy to Defraud the United States (Count 1)

26 U.S.C. § 7202 - Failure to Collect and Pay Over Taxes (Counts 2-18)

26 U.S.C. § 7201 - Tax Evasion (Count 19)

31 U.S.C. § 5324 – Structuring Financial Transactions to Avoid Reporting Requirements (Counts 20-27)

18 U.S.C. § 1343 - Wire Fraud (Count 28)

INDICTMENT

The Grand Jury charges that:

Count 1 (Conspiracy to Defraud the United States)

At all times relevant to this Indictment, unless stated herein:

- Defendant Jamie Zambrano ("ZAMBRANO") was a resident of Woonsocket Rhode Island.
- Defendant Jesus Jose Mendez ("Mendez") was a resident of Woonsocket Rhode Island.
- J&J Drywall Inc. ("J&J") was a Massachusetts corporation doing business in Massachusetts and other states. J&J acted as a subcontractor installing drywall for various construction projects.

- 4. Empire Drywall Inc. ("EMPIRE") was a Massachusetts corporation doing business in Massachusetts and other states. EMPIRE acted as a subcontractor installing drywall for various construction project contractors (collectively "the Contractors").
- 5. MENDEZ was the President and ZAMBRANO was the Vice President of J&J. ZAMBRANO was the President and MENDEZ was the Vice President of EMPIRE. ZAMBRANO and MENDEZ created EMPIRE to avoid levies being served by an IRS Revenue Officer attempting collect back taxes owed by J&J. For all intents and purposes, J&J and EMPIRE were the same business, operated jointly by ZAMBRANO and MENDEZ. Although J&J and EMPIRE used multiple business addresses in Massachusetts and Rhode Island, both entities were operated from a garage at the residence of a relative of MENDEZ in Woonsocket, Rhode Island.
- 6. Under the terms of its contracts with the Contractors, J&J and EMPIRE were prohibited from hiring independent contractors; were required to utilize employees; were required to pay employees via payroll checks with all lawful deductions and comply with applicable wage laws, including the minimum wage laws and overtime rates for hours worked in excess of 40 hours per week.
- 7. The Internal Revenue Service ("IRS") is a constituent agency of the United States Department of Treasury responsible for administering and enforcing the tax laws of the United States and collecting the taxes owed to the United States.

2

- 8. The Internal Revenue Code and associated regulations require employers to file with the IRS an Employer's Quarterly Federal Tax Return, Form 941 ("quarterly employment tax return"), reporting all wages paid to employees during each calendar quarter and the federal withholding taxes, social security taxes and Medicare taxes due thereon ("federal employment taxes") within thirty (30) days after the end of each quarter.
- 9. The Federal Insurance Contributions Act (F.I.C.A.) tax rate is 15.3% of an employee's wages, designed to pay for social security and Medicare taxes. Each employee is liable for only one half of this 15.3%, or 7.65%, and employers are liable for the other 7.65% of each employee's wages. The employers must withhold their employees' share of federal employment taxes from their employees' pay. In filing their Form 941 with the IRS, employers must also report their total payments to employees and both the employees' share and the employees' share of federal employees and deliver to the IRS both the employees' share and the employees' sha
- 10. Under Massachusetts law, all employers are required to submit Employment and Wage Detail Reports each quarter to the Massachusetts Department of Unemployment Assistance ("MA DUA") and pay over Unemployment Assistance Contributions based on the number of their employees and wages paid. The Employment and Wage Detail Reports list employee names, social security numbers, gross wages paid to employees used for Unemployment

3

Insurance ("UI") contributions, Massachusetts wages subject to withholding, and Massachusetts income tax amounts withheld. Employers are required to submit these reports online through logging into their account on the MA DUA computer portal, or by having a third party administrator do so on their behalf and deliver their UI contributions to the MA DUA.

- 11. ZAMBRANO and MENDEZ utilized a Rhode Island based accounting firm to act as a third party administrator to submit reports to the MA DUA on their behalf.
- 12. Title 31, United States Code, Section 5313, and its implementing regulations, promulgated by the Department of Treasury at 31 C.F.R. Part 103, *et seq.*, require many domestic financial institutions to file Currency Transaction Reports ("CTRs"), with the Financial Crimes Enforcement Network for all currency transactions involving in excess of \$10,000.
- 13. ZAMBRANO and MENDEZ maintained bank accounts for J&J at multiple domestic financial institutions, including Bank of America; Santander Bank; Citizens Bank, and Navigant Credit Union. Each of the above referenced financial institutions were domestic financial institutions for purposes of the above referenced reporting requirements. Pursuant to federal law, the domestic financial institutions were required to file CTRs for each transaction in currency of more than \$10,000.

The Conspiracy

14. From on or about a date unknown to the grand jury, but at least as early as June

of 2013, through in or about May 2018, in the District of Rhode Island and elsewhere, the defendants

JAMIE ZAMBRANO and JESUS JOSE MENDEZ

defendants herein, did knowingly and willfully conspire and agree together and with each other, and with other individuals known and unknown to the grand jury, to defraud the United States for the purpose of impeding, impairing, obstructing, and defeating the lawful Government functions of the Internal Revenue Service of the Treasury Department in the ascertainment, computation, assessment, and collection of the revenue, to wit, federal employment taxes.

Manner and Means of the Conspiracy

- 15. The manner and means by which the conspirators accomplished the objectives of the conspiracy included, among others, the following:
- 16. It was part of the conspiracy that ZAMBRANO and MENDEZ used a cash payroll to pay a substantial number of workers, many of whom were illegal aliens. ZAMBRANO and MENDEZ paid a small number of employees and noshow employees, such as ZAMBRANO's wife, via official payroll, to include withholdings, in order to create a venire of legitimacy over their large unreported cash payroll.

- 17. It was further part of the conspiracy that ZAMBRANO and MENDEZ used check cashing businesses to cash more than 600 business receipt checks totaling approximately \$19 million.
- 18. It was further part of the conspiracy that ZAMBRANO and MENDEZ delivered cash payroll to worksites in backpacks.
- 19. It was further part of the conspiracy that ZAMBRANO and MENDEZ deposited cash into bank accounts under their control to pay for non-payroll related business expenses.
- 20. It was further part of the conspiracy that ZAMBRANO and MENDEZ structured financial transactions in order to evade federal reporting requirements by consistently making cash deposits in amounts just under \$10,000 to bank accounts under their control. ZAMBRANO and MENDEZ conducted more than 120 cash deposits in amounts ranging between \$9,000 and \$10,000; dozens of transactions were in the exact amount of \$9,900; and cash deposits often fell on consecutive days.
- 21. It was further part of the conspiracy that ZAMBRANO and MENDEZ cause false Forms 941 to be filed with the IRS which materially understated the true number of their employees, the gross wages paid, and the amounts owed for federal employment taxes.
- 22. It was further pat of the conspiracy that ZAMBRANO and MENDEZ maintained one set of records which they provided to their accountants for the preparation

6

of federal tax returns and MA DUA Employment and Wage Detail Reports and a separate set of records to track the hours worked and wages paid in to employees receiving cash payments.

- 23. It was further part of the conspiracy that ZAMBRANO and MENDEZ failed to file corporate tax returns for J&J and EMPIRE with the IRS.
- 24. It was further part of the conspiracy that ZAMBRANO and MENDEZ avoided attempts by an IRS Revenue Officer to collect outstanding taxes owed by J&J.
- 25. It was further part of the conspiracy that ZAMBRANO and MENDEZ changed the name of their drywall business to EMPIRE in order to avoid paying outstanding taxes owed by J&J.
- 26. It was further part of the conspiracy that ZAMBRANO and MENDEZ issued fraudulent checks payable to the IRS from closed bank accounts in an effort to evade collection efforts.
- 27. It was further part of the conspiracy that ZAMBRANO and MENDEZ expended large sums of cash on upgrades to their personal residences, the purchases of luxury vehicles, transfers of money to Mexico, and gambling at casinos.
- 28. It was further part of the conspiracy that ZAMBRANO and MENDEZ caused false individual income tax returns to be filed with the IRS which materially understated the true amount of their income.

Overt Acts

- 29. The following overt acts, among others, were committed by one or more coconspirators in furtherance of the conspiracy:
- 30. On or about January 6, 2014, ZAMBRANO and MENDEZ caused a false Form 941 for the quarter ending September 30, 2013 to be filed with the IRS.
- 31. On or about March 31, 2014, ZAMBRANO and MENDEZ caused a false Form941 for the quarter ending December 31, 2013 to be filed with the IRS.
- 32. On or about June 23, 2014, ZAMBRANO and MENDEZ caused a false Form 941 for the quarter ending March 31, 2014 to be filed with the IRS.
- 33. On or about October 6, 2014, ZAMBRANO and MENDEZ caused a false Form941 for the quarter ending June 30, 2014 to be filed with the IRS.
- 34. On or about December 29, 2014, ZAMBRANO and MENDEZ caused a false Form 941 for the quarter ending September 30, 2014 to be filed with the IRS.
- 35. On or about April 27, 2015, ZAMBRANO and MENDEZ caused a false Form 941 for the quarter ending December 31, 2014 to be filed with the IRS.
- 36. On or about July 6, 2015, ZAMBRANO and MENDEZ caused a false Form 941 for the quarter ending March 31, 2015 to be filed with the IRS.
- 37. On or about September 12, 2015, ZAMBRANO and MENDEZ caused a false Form 941 for the quarter ending June 30, 2015 to be filed with the IRS.
- 38. On or about January 11, 2016, ZAMBRANO and MENDEZ caused a false Form 941 for the quarter ending September 30, 2015 to be filed with the IRS.

- 39. On or about March 28, 2016, ZAMBRANO and MENDEZ caused a false Form 941 for the quarter ending December 31, 2015 to be filed with the IRS.
- 40. On or about July 11, 2016, ZAMBRANO and MENDEZ caused a false Form 941 for the quarter ending March 31, 2016 to be filed with the IRS.
- 41. On or about October 10, 2016, ZAMBRANO and MENDEZ caused a false Form 941 for the quarter ending June 30, 2016 to be filed with the IRS.
- 42. On or about January 2, 2017, ZAMBRANO and MENDEZ caused a false Form 941 for the quarter ending September 30, 2016 to be filed with the IRS.
- 43. On or about April 24, 2017, ZAMBRANO and MENDEZ caused a false Form 941 for the quarter ending December 31, 2016 to be filed with the IRS.
- 44. On or about July 17, 2017, ZAMBRANO and MENDEZ caused a false Form 941 for the quarter ending March 31, 2017 to be filed with the IRS.
- 45. On or about November 13, 2017, ZAMBRANO and MENDEZ caused a false Form 941 for the quarter ending June 30, 2017 to be filed with the IRS.
- 46. On or about June 14, 2013, MENDEZ cashed a business check for \$19,016.50 in at a check cashing business in Pawtucket, RI in order to generate cash for payroll.
- 47. On or about May 4, 2017, MENDEZ cashed a business check for \$215,547 at a check cashing business in Pawtucket, RI in order to generate cash for payroll.
- 48. On or about March 22, 2017, ZAMBRANO cashed a business check for \$1,024 at a check cashing business in Pawtucket, RI in order to generate cash for payroll.

49. On or about March 22, 2018, ZAMBRANO cashed a business check for \$30,880 at a check cashing business in Pawtucket, RI in order to generate cash for payroll. All in violation of 18 U.S.C. § 371.

Counts 2 through 18 (Failure to Collect and Pay Over Employment Taxes)

- 50. The allegations contained in paragraphs 1 through 49 of this Indictment are realleged and incorporated by reference as if fully set forth herein.
- 51. On or about the dates listed below, in the District of Rhode Island and elsewhere, defendants JAMIE ZAMBRANO and JESUS JOSE MENDEZ did willfully fail to truthfully account for and pay over to the Internal Revenue Service all of the federal employment taxes due and owing to the United States on behalf of J&J Drywall Inc. and Empire Drywall, Inc., and their employees, for the quarter listed:

/6/2014	0.1.0 / 0010
	3 rd Quarter 2013
/31/2014	4 th Quarter 2013
/23/2014	1 st Quarter 2014
0/06/2014	2 nd Quarter 2014
2/29/2014	3 rd Quarter 2014
/27/2015	4 th Quarter 2014
/6/2015	1 st Quarter 2015
/12/2015	2 nd Quarter 2015
/11/2016	3 rd Quarter 2015
/28/2016	4 th Quarter 2015
//11/2016	1 st Quarter 2016
0/10/2016	2 nd Quarter 2016
/2/2017	3 rd Quarter 2016
/24/2017	4 th Quarter 2016
7/17/2017	1 st Quarter 2017
1/13/2017	2 nd Quarter 2017
2/12/2018	3 rd Quarter 2017
	/31/2014 /23/2014 0/06/2014 2/29/2014 /27/2015 /6/2015 /12/2015 /11/2016 /28/2016 //11/2016 0/10/2016 /2/2017 2/22017 2/24/2017 2/17/2017 1/13/2017

All in violation of Title 26, United States Code, Section 7202 and Title 18, United States Code, Section 2.

Count 19 (Tax Evasion)

- 52. The allegations in Paragraphs 1 through 49 are re-alleged and incorporated by reference as if fully set forth herein.
- 53. From in or about March 31, 2017 through in or about May 2018, in the District of Rhode Island and elsewhere, JAMIE ZAMBRANO and JESUS JOSE MENDEZ willfully attempted to evade and defeat employment taxes due and owing by J&J Drywall Inc. and Empire Drywall Inc., businesses that had their principal place of business in Woonsocket, RI to the United States of America, for the four quarters of 2017, by committing the following affirmative acts, among others: (a) preparing and causing to be prepared, and by signing and causing to be signed, a false and fraudulent Employer's Quarterly Federal Tax Returns, Form 941 which was submitted to the Internal Revenue Service; and (b) issuing fraudulent checks to the IRS from a closed bank account.

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

Counts 20-27 (Structuring Financial Transactions to Avoid Reporting Requirements)

54. The allegations in Paragraphs 1 through 49 are re-alleged and incorporated by reference as if fully set forth herein.

55. On or about the dates set forth below, in the District of Rhode Island and elsewhere, the defendants, JAMIE ZAMBRANO and JESUS JOSE MENDEZ, did knowingly and for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313 and regulations prescribed thereunder, structure and assist in structuring transactions making the following transactions with domestic financial institutions:

Count	Date	Description of transaction	
20	11/27/2015	\$4,000 cash deposit into Santander Bank	
		account ending *5406 in the name of J&J	
		Drywall Inc.:	
21	11/27/2015	\$4,000 cash deposit into Santander Bank	
		account ending *5406 in the name of J&J	
		Drywall Inc.:	
22	11/27/2015	\$1,900 cash deposit into Santander Bank	
		account ending *5406 in the name of J&J	
		Drywall Inc.:	
23	11/30/2015	\$4,000 cash deposit into Santander Bank	
		account ending *5406 in the name of J&J	
		Drywall Inc.:	
24	11/30/2015	\$4,000 cash deposit into Santander Bank	
		account ending *5406 in the name of J&J	
		Drywall Inc.:	
25	11/30/2015	\$1,900 cash deposit into Santander Bank	
		account ending *5406 in the name of J&J	
		Drywall Inc.:	

26	9/02/2016	\$9,900 cash deposit into Navigant Credit
		Union account ending *3835 in the name of
		J&J Drywall Inc., Payroll
27	9/03/2016	\$9,000 cash deposit into Navigant Credit
		Union account ending *3835 in the name of
		J&J Drywall Inc., Payroll

All in violation of Title 31, United States Code, Section 5324(a)(3) and Title 18 United States Code, Section 2.

Count 28 (Wire Fraud)

- 56. The allegations contained in paragraphs 1 through 49 of this Indictment are realleged and incorporated by reference as if fully set forth herein.
- 57. Beginning by at least June 2013, and continuing through at least May of 2018, in

the District of Rhode Island and elsewhere, the defendants, JAMIE ZAMBRANO and JESUS JOSE MENDEZ, knowingly devised and intended to devise a scheme and artifice to defraud, and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

Object of the Scheme To Defraud

58. The object of the scheme to defraud was for the defendants to unlawfully enrich themselves by evading the payment of unemployment contributions to the Massachusetts Department of Unemployment Insurance (MA DUA), owed by J&J Drywall, Inc. and Empire Drywall, Inc.

Manner and Means of the Fraud Scheme

- 59. The manner and means by which the fraud scheme was accomplished included the same conduct alleged above as the manner and means of the conspiracy charged in Count One.
- 60. It was further part of the scheme that the Defendants caused false Employment and Wage Detail Reports to be filed with the MA DUA which materially misrepresented the number of individuals employed by J&J and Empire, the gross wages paid by J&J and Empire, and the amounts of unemployment insurance compensation owed by J&J and Empire to the MA DUA.

Execution of the Scheme

61. On or about November 4, 2015, in the District of Rhode Island and elsewhere, for the purpose of executing the aforementioned scheme and artifice to defraud, and attempting to do so, the defendants, JAMIE ZAMBRANO and JESUS JOSE MENDEZ, did knowingly transmit and cause to be transmitted in interstate commerce by wire communication signals and sounds, namely an ACH debit in the amount of \$9,917.08 on behalf of J&J, in payment toward a false Employment and Wage Detail Report filed on January 29, 2015, which materially under reported the number of employees, and the UA contributions owed. All in violation of 18 U.S.C. § 1343.

FORFEITURE ALLEGATION

(18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c))

- 1. Upon conviction of Count 28 (Wire Fraud), JAMIE ZAMBRAND and JESUS JOSE MENDEZ, defendants herein, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1) and 28 U.S.C. § 2461(c), all right, title, and interest in any and all property, real or personal, which constitutes or is derived from proceeds traceable to each defendant's violations of 18 U.S.C. § 1343, and a sum of money equal to the total amount of proceeds obtained as a result of the offenses.
- 2. If any of the property described above, as a result of any act or omission of the defendants:
 - 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 intention 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 the defendants up to the value of the forfeitable property described in paragraph above.

Case 1:20-cr-00086-JJM-LDA Document 1 Filed 10/09/20 Page 17 of 17 PageID #: 17

All pursuant to 18 U.S.C. § 981(a)(1), as incorporated by 28 U.S.C. § 2461(c), and Rule 32.2(a), Federal Rules of Criminal Procedure.

A TRUE BILL:

Grand Jury Foreperson

AARON WEISMAN United States Attorney

OHN P. McADAMS Assistant U.S. Attorney

2020 Date: 10/9

SANDRA R. HEBERT Assistant U.S. Attorney Criminal Division Deputy Chief

PER 18 U.S.C. 3170

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT			
	INT CASE NO. 1:20-CR-86 JJM LDA		
Matter Sealed: Juvenile Other than Juvenile	USA vs.		
Pre-Indictment Plea Superseding Defendant Added Indictment Indictment Charges/Counts Added	Defendant: Jamie Zambrano		
Name of District Court, and/or Judge/Magistrate Location (City)	Address:		
UNITED STATES DISTRICT COURT DISTRICT OF RHODE ISLAND Divisional Office	_		
Name and Office of Person Furnishing Information on THIS FORMAARON WEISMANName of Asst.Image: Constraint of the state of the st	Interpreter Required Dialect:Spanish		
U.S. Attorney (if assigned)	 Birth □ Male □ Alien Date □ 985 Date □ Female (if applicable) 		
PROCEEDING			
Name of Complainant Agency, or Person (& Title, if any) IRS ~ Mathew Amsden, Special Agent	Social Security Number		
person is awaiting trial in another Federal or State Court			
(give name of court)	DEFENDANT		
	DEFENDANT Issue: Warrant Summons Location Status:		
(give name of court) this person/proceeding transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District	Issue: 🖌 Warrant 🔲 Summons		
 (give name of court) this person/proceeding transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District this is a reprosecution of charges previously dismissed which were dismissed on motion of: U.S. Atty Defense DocKET NO. 	Issue: 🖌 Warrant 🔲 Summons Location Status:		
 (give name of court) this person/proceeding transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District this is a reprosecution of charges previously dismissed which were dismissed on motion of: U.S. Atty Defense SHOW DOCKET NO. 	Issue: ✓ Warrant Summons Location Status:		
Image: give name of court) Image: give name of court, give name of court	Issue: ✓ Warrant Summons Location Status:		

OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts 28

Set	Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Felony/Misd.
	_		Felony Misdemeanor
			Felony Misdemeanor
			Felony Misdemeanor
			☐Felony ☐Misdemeanor
		Estimated Trial Days: 1 week	☐Felony ☐Misdemeanor

Case 1:20-cr-00086-JJM-LDA Document 1-1 Filed 10/09/20 Page 2 of 2 PageID #: 19

OFFENSE CHARGED – U.S.C. CITATION – STATUTORY MAXIMUM PENALTIES – ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts: 28

Count Breakdown	Title & Section/Offense Level (Petty = 1/ Misdemeanor = 3/ Felony = 4)	Description of Offense Charged	Felony/Misd.
1	18 U.S.C. § 371	Conspiracy to defraud the USA	FELONY
	Imprisonment: 5 years	Fine: \$250,000.00	
	Supervised Release: 3 years	Special Assessment: \$100.00	
2-18	26 U.S.C. § 7202	Failure to pay employment tax	FELONY
	Imprisonment: 5 years	Fine: \$250,000.00	
	Supervised Release: 3 years	Special Assessment: \$100.00	
19	26 U.S.C. § 7202	Tax evasion	FELONY
	Imprisonment: 5 years	Fine: \$250,000.00	
	Supervised Release: 3 years	Special Assessment: \$100.00	
20-27	31 U.S.C. § 5324	Structuring financial transactions	FELONY
	Imprisonment: 5 years	Fine: \$250,000.00	
	Supervised Release: 3 years	Special Assessment: \$100.00	
28	18 U.S.C. § 1343	Wire fraud	FELONY
	Imprisonment: 20 years	Fine: \$250,000.00	
	Supervised Release: 3 years	Special Assessment: \$100.00	

Case 1:20-cr-00086-JJM-LDA Document 1-2 Filed 10/09/20 Page 1 of 2 PageID #: 46

PER 18 U.S.C. 3170

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT			
	CASE NO. 1:20-CR-86-02 JJM LDA		
Matter Sealed: Juvenile Other than Juvenile	USA vs.		
Pre-Indictment Plea Superseding Defendant Added Indictment Indictment Charges/Counts Added	Defendant: Jesus Jose Mendez		
Name of District Court, and/or Judge/Magistrate Location (City)	Address:		
UNITED STATES DISTRICT COURT DISTRICT OF RHODE ISLAND Divisional Office	x		
Name and Office of Person AARON WEISMAN Furnishing Information on U.S. Atty THIS FORM Phone No.	✓ Interpreter Required Dialect: Spanish		
Name of Asst. U.S. Attorney John P. McAdams (if assigned)	Birth Alien Date (if applicable)		
PROCEEDING			
Name of Complainant Agency, or Person (& Title, if any) IRS ~ Mathew Amsden, Special Agent	Social Security Number		
person is awaiting trial in another Federal or State Court			
(give name of court)	DEFENDANT		
 (give name of court) this person/proceeding transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District 	Issue: 🔄 Warrant 🗹 Summons Location Status:		
this person/proceeding transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District	Issue: 🔲 Warrant 🖌 Summons		
 this person/proceeding transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District this is a reprosecution of charges previously dismissed which were dismissed on motion of: U.S. Atty Defense SHOW DOCKET NO. 	Issue: 🔄 Warrant 🗹 Summons Location Status:		
this person/proceeding transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District this is a reprosecution of charges previously dismissed which were dismissed on motion of: U.S. Atty Defense this prosecution relates to a pending case involving this same	Issue: Warrant ✓ Summons Location Status: Arrest Date or Date Transferred to Federal Custody □ Currently in Federal Custody □ Currently in State Custody □ Currently in State Custody □ Writ Required □ Currently on bond □ Fugitive Defense Counsel (if any): Gerard Levins, Esq./John Neary, Esq. □ FPD □ CJA ✓ RET'D		
this person/proceeding transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District this is a reprosecution of charges previously dismissed which were dismissed on motion of: U.S. Atty Defense this prosecution relates to a pending case involving this same defendant. (Notice of Related Case must still be filed with the Clerk.) SHOW DOCKET NO. prior proceedings or appearance(s) before U.S. Magistrate Judge regarding this defendant were MAG. JUDGE CASE NO.	Issue: Warrant Summons Location Status: Arrest Date or Date Transferred to Federal Custody Currently in Federal Custody Currently in State Custody Writ Required Currently on bond Fugitive Defense Counsel (if any): Gerard Levins, Esq./John Neary, Esq.		

OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts 28

Set	Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Felony/Misd.
			Felony Misdemeanor
			Felony Misdemeanor
			Felony
			Misdemeanor Felony
			Misdemeanor
		Estimated Trial Days: 1 week	Felony Misdemeanor

Case 1:20-cr-00086-JJM-LDA Document 1-2 Filed 10/09/20 Page 2 of 2 PageID #: 47

OFFENSE CHARGED – U.S.C. CITATION – STATUTORY MAXIMUM PENALTIES – ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts: 28

Count Breakdown	Title & Section/Offense Level (Petty = 1/ Misdemeanor = 3/ Felony = 4)	Description of Offense Charged	Felony/Misd.
1	18 U.S.C. § 371	Conspiracy to defraud the USA	FELONY
	Imprisonment: 5 years	Fine: \$250,000.00	
	Supervised Release: 3 years	Special Assessment: \$100.00	
2-18	26 U.S.C. § 7202	Failure to pay employment tax	FELONY
	Imprisonment: 5 years	Fine: \$250,000.00	
	Supervised Release: 3 years	Special Assessment: \$100.00	
19	26 U.S.C. § 7202	Tax evasion	FELONY
	Imprisonment: 5 years	Fine: \$250,000.00	
	Supervised Release: 3 years	Special Assessment: \$100.00	
20-27	31 U.S.C. § 5324	Structuring financial transactions	FELONY
	Imprisonment: 5 years	Fine: \$250,000.00	
	Supervised Release: 3 years	Special Assessment: \$100.00	
28	18 U.S.C. § 1343	Wire fraud	FELONY
	Imprisonment: 20 years	Fine: \$250,000.00	
	Supervised Release: 3 years	Special Assessment: \$100.00	