

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

18 U.S.C. § 641 - Theft of
Government Property

18 U.S.C. § 1028A - Aggravated
Identity Theft

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY:

18 U.S.C. § 641 - 10 years prison, \$250,000 fine, 3 years supervised release, \$100 assessment; 18 U.S.C. § 1028A - 2 years prison, consecutive to underlying felony

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

INTERNAL REVENUE SERVICE

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is 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. Att'y ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW
DOCKET NO.

MAGISTRATE
CASE NO.

Name and Office of Person

Furnishing Information on MELINDA HAAG
THIS FORM

☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S. Att'y
(if assigned)

THOMAS MOORE, AUSA, Chief Tax Division

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

DEFENDANT - U.S.

SHERRY L. HENDER

DISTRICT COURT NUMBER

CR 13 331

DEFENDANT

IS NOT IN CUSTODY

- 1) ☒ Has not been arrested, pending outcome this proceeding.
 If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution

Has detainer
been filed?

☐ Yes
☒ No

If "Yes"
give date
filed

DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED
TO U.S. CUSTODY

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☐ NO PROCESS*

☒ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: OAKLAND

FILED

MAY 21 P 2:24

CLERK OF DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

JSW

CR 13 331

SHERRY L. HENDER

SEALED
BY COURT ORDER

DEFENDANT(S).

INDICTMENT

18 U.S.C. § 641 - Theft of Government Property

18 U.S.C. § 1028A - Aggravated Identity Theft

A true bill.

J. Schum

Foreman

Filed in open court this 21 day of

May 2013

K. L. F. A.

KAREN L. F. A.

JOSEPH C. SPERO

Clerk

UNITED STATES MAGISTRATE JUDGE

Bail, \$

ms bail and warrant.

1 MELINDA HAAG (CABN 132612)
2 United States Attorney

FILED
2013 MAY 21 P 2:24
SEAL
BY COURT ORDER

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

JSW

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 SHERRY L. HENDER,

15 Defendant.

CR 13 331

VIOLATIONS: 18 U.S.C. § 641—Theft
of Government Property; 18 U.S.C. §
1028A—Aggravated Identity Theft

OAKLAND VENUE

16
17 INDICTMENT

18 The Grand Jury Charges:

19 COUNTS ONE THROUGH THIRTEEN: (18 U.S.C. § 641 – Theft of Government
20 Property)

21 From on or about January 18, 2012, to February 21, 2012, within the Northern
22 District of California and elsewhere, the defendant,

23 SHERRY L. HENDER,

24 did knowingly and willfully (1) embezzle, steal, purloin, and convert to her own use
25 things of value of the United States and a department and agency thereof, namely United
26 States Treasury tax refunds of a value in excess of \$1,000 to which she was not
27 entitled, and did (2) receive, conceal, and retain the same with the intent to convert it to
28 her use and gain, knowing it to have been embezzled, stolen, purloined, and converted:

Count	Taxpayer	Tax Return Year	Amount
1	A. W.	2011	\$4,908
2	A. M.	2011	\$1,464
3	B. B.	2011	\$5,094
4	D. B.	2011	\$3,094
5	J. M.	2011	\$1,464
6	K. M.	2011	\$4,094
7	M. S.	2011	\$1,464
8	M. L.	2011	\$1,464
9	P. B.	2011	\$1,464
10	R. M.	2011	\$8,446
11	R. W.	2011	\$1,464
12	T. C.	2011	\$7,105
13	T. B.	2011	\$1,464
Total			\$42,989

All in violation of Title 18, United States Code, Section 641.

COUNT FOURTEEN: (18 U.S.C. § 1028A – Aggravated Identity Theft)

On or about January 18, 2012, within the Northern District of California, the defendant,

SHERRY L. HENDER,

knowingly transferred, possessed, and used without lawful authority a means of identification of another person during and in relation to a violation of Title 18, United States Code Section 641, as stated in Count 3 of this Indictment, that is, she knowingly

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1 transferred, possessed and used the name and Social Security number of B.B. to violate 18,
2 United States Code Section 641.

3 All in violation of Title 18, United States Code Sections 1028A(a)(1) and (c)(5).

4 A True Bill

5 Dated: 5-21-2013

6 J. Moore
FOREPERSON

7 MELINDA HAAG
8 United States Attorney

9 J. Douglas Wilson for
10 MIRANDA KANE
11 Chief, Criminal Section

12 Approved as to Form

13 TM
14 THOMAS MOORE
15 Assistant United States Attorney
16 Chief, Tax Division
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