

2007R01163/JWA/MEB

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Susan D. Wigenton  
v. : Criminal No. 10- 814 (SDW)  
PAUL J. LOPAPA : 42 U.S.C. § 408  
18 U.S.C. § 2

I N D I C T M E N T

The Grand Jury in and for the District of New Jersey,  
sitting in Newark, charges:

1. At all times relevant to this Superseding Indictment,  
Paul LoPapa was a resident of New Jersey.

2. The Social Security Administration ("SSA") is a  
department and agency of the United States that is, among other  
things, responsible for administering the Disability Insurance  
Benefits program ("DIB").

3. On or about August 21, 2001, defendant LoPapa filed an  
Application for Disability Insurance Benefits with the SSA,  
claiming that, as of December 1990, he was disabled and unable to  
work. By filing the application, defendant LoPapa agreed to  
notify the SSA if there was any improvement in his medical  
condition or if he regained the ability to work.

4. On or about August 21, 2001, defendant LoPapa submitted  
a Form SSA-3368-BK, which is entitled "Disability Report-Adult"  
to the SSA, wherein he represented that he became unable to work  
as of December 1990, and that he had not worked since December

1990.

5. On or about September 15, 2001, defendant LoPapa submitted an Activities of Daily Living Questionnaire to the SSA, wherein he represented that he was unable to manage money due to loss of memory and stroke, rendering him unable to leave his home.

6. On or about January 15, 2003, based on the information submitted by defendant LoPapa, the SSA determined that he was entitled to Social Security Disability benefits. As a result, defendant LoPapa received monthly Social Security Disability benefits from in or about September 2000 through in or about October 2007, which incorporated retroactive disability payments dating from in or about October 1998.

7. On or about May 6, 2005, defendant LoPapa, through his representative, submitted an affidavit to the Social Security Administration, wherein defendant LoPapa represented that he sustained an accident in December 1990, and was never able to return to work following the accident. Defendant LoPapa further represented that he engaged in no gainful employment after his December 1990 accident.

8. On or about May 6, 2005, J.V., purporting to be defendant LoPapa's wife, caused to be submitted an affidavit to the SSA. In the affidavit, J.V., using "LoPapa" as her last name, represented that her "husband" never returned to work

following his December 1990 accident. The affidavit further represented that she had been unable to work since 1990 and had become a full time care taker for her "husband."

9. Between on or about August 21, 2001 through in or about October 2007, although defendant LoPapa's employment and substantial work activity, including illegal activity conducted in New Jersey, made him ineligible for Social Security Disability Insurance Benefits, he failed to advise the SSA of such employment and work, and continued to receive monthly disability payments to which he was not entitled, which totaled approximately \$145,923.00.

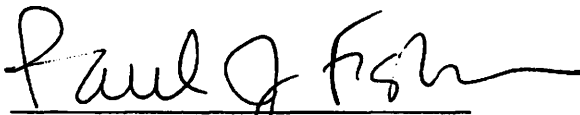
10. From in or about August 2001 through in or about October 2007, in the District of New Jersey, and elsewhere, the defendant,

**PAUL J. LOPAPA**

in a matter within the jurisdiction of the Social Security Administration, having knowledge of events affecting his initial and continued right to Disability Insurance Benefits, knowingly and willfully concealed and failed to disclose such events with an intent to fraudulently secure payment in a greater amount than what was due, and when no payment was authorized.

In violation of Title 42, United States Code, Section 408(a)(4), and Title 18, United States Code, Section 2.

A TRUE BILL



PAUL J. FISHMAN  
United States Attorney

CASE NUMBER: 10-814(SDW)

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**United States District Court  
District of New Jersey**

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**UNITED STATES OF AMERICA**

v.

**PAUL LOPAPA**

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**SUPERSEDING INDICTMENT  
FOR VIOLATIONS OF  
42 U.S.C. §408 AND  
18 U.S.C. §2**

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**PAUL J. FISHMAN**  
*UNITED STATES ATTORNEY*  
*NEWARK, NEW JERSEY*

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**JUSTIN W. ARNOLD**  
*ASSISTANT U. S. ATTORNEY*  
*(973) 645-2785*

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