

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

12-60023-CR-SCOLA/SNOW

18 U.S.C. § 286
18 U.S.C. § 641
18 U.S.C. § 1028A

UNITED STATES OF AMERICA

vs.

**JEAN LAFRANCE
and
CARLOS OROZCO,
Defendants.**

INFORMATION

COUNT 1

(CONSPIRACY TO COMMIT FALSE CLAIMS - 18 U.S.C. § 286)

The United States Attorney charges that:

Beginning in or about April 2011 and continuing until in or about October 2011, in Broward County, in the Southern District of Florida, and elsewhere, the defendants,

**JEAN LAFRANCE
and
CARLOS OROZCO,**

did knowingly and willfully combine, conspire, confederate and agree with each other to defraud the United States by obtaining and aiding to obtain the payment or allowance of false, fictitious, and fraudulent claims.

OBJECT OF THE CONSPIRACY

1. It was the object of the conspiracy that the defendants, JEAN LAFRANCE and CARLOS OROZCO, would and did unjustly enrich themselves, by stealing, possessing, and distributing stolen personal identifying information and using such information to file and submit to the Internal Revenue Service (IRS), an agency of the United States government, false, fictitious, and fraudulent federal income tax returns claiming tax refunds to which they were not entitled.

MANNER AND MEANS

The manner and means by which the defendants sought to accomplish the object of the conspiracy, included the following:

2. Defendant CARLOS OROZCO was employed as a volunteer at the Social Security Administration Office in Pembroke Pines, Florida. As a volunteer employee, he had access to and was responsible for shredding sensitive Social Security Administration (SSA) documents containing personal identification information of SSA applicants, including their names, dates of birth, social security numbers, and other sensitive personal information.

3. In exchange for cash payments paid by JEAN LAFRANCE and the promise of future payments, CARLOS OROZCO unlawfully provided JEAN LAFRANCE sensitive personal identifying information, including names, dates of birth, and social security numbers, of thousands of SSA applicants from paperwork he obtained from within the Social Security Administration Office, located in Pembroke Pines, Florida.

4. JEAN LAFRANCE, upon receipt of the sensitive personal identifying information of the SSA applicants, utilized this information to file false, fictitious, and fraudulent federal income tax returns without the knowledge of the SSA applicant/identity theft victim taxpayer,

utilizing "Turbo Tax" via the internet, through unsecured or public wireless access points, and laptop computers, and thereafter claimed refunds to which he was not entitled from the IRS.

5. JEAN LAFRANCE directed the IRS that the claimed refunds be direct deposited onto Turbo Tax Green Dot reloadable debit cards, and thereafter directed the IRS to either mail the Turbo Tax Green Dot reloadable debit cards loaded with the fraudulently claimed refunds to either the residence of CARLOS OROZCO, to other addresses under the control of JEAN LAFRANCE, or would direct the IRS to simply load the fraudulently claimed refunds onto Turbo Tax Green Dot reloadable debit cards that were already in his possession. JEAN LAFRANCE, upon receipt of the debit cards, would thereafter convert the funds on the Green Dot cards to cash.

All in violation of Title 18, United States Code, Section 286.

COUNT 2
(Theft of Public Money - 18 U.S.C. § 641)

On or about August 8, 2011, in Broward County, in the Southern District of Florida, and elsewhere, the defendant,

JEAN LAFRANCE,

did knowingly and willfully receive, conceal and retain stolen property of the United States, that is, an \$8,901.00 tax refund issued by the Internal Revenue Service, an agency of the United States government, as a result of a false and fraudulently filed 2010 Individual Income Tax Return Form 1040, using the personal identifying information of an identity theft victim bearing the initials A.B., in violation of Title 18, United States Code, Section 641.

COUNT 3
(Aggravated Identity Theft - 18 U.S.C. § 1028A)

On or about August 8, 2011, in Broward County, in the Southern District of Florida, and elsewhere, the defendant,

JEAN LAFRANCE,

during and in relation to a felony violation of Title 18, United States Code, Section 641, that is, Theft of Public Money, as charged in Count 2 of this Information, did knowingly and willfully possess and use without lawful authority a means of identification of another person, that is, the name, social security number, date of birth, and address of an individual bearing the initials A.B., any one of which would constitute a violation, in violation of Title 18, United States Code, Sections 1028A(a)(1).

FORFEITURE

Forfeiture 1:

1. The allegations of Count 2 of this Information are re-alleged and, by this reference, fully incorporated herein for the purpose of alleging forfeitures to the United States of America.

2. Upon conviction of a conspiracy to commit a violation of Title 18, United States Code, Sections 641, as alleged in Count 2 of this Information, the defendants, shall forfeit to the United States all of their respective right, title and interest in any property, real or personal, which constitutes or is derived from proceeds traceable to such violation, pursuant to Title 18, United States Code, Section 981(a)(1)(C), as incorporated by Title 28, United States Code, Section 2461(c), and the procedures set forth at Title 21, United States Code, Section 853.

A. The property subject to forfeiture includes, but is not limited to:

(1) A Silver, 2007 Audi A8 L Quattro AWD, VIN# WAUMV44E97N019771, bearing Florida license plate number 139WIW;

(2) A \$300 money order bearing serial number 14-373665825;

(3) Two (2) Money Gram money orders in the amount of \$500 each, bearing serial numbers 203346546260 and 203346546271;

(4) A Hewlett Packard 620 Laptop computer, bearing serial number 5CG1100QL3

3. If the property described above as being subject to forfeiture, as a result of any act or omission of the Defendant,

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

Forfeiture 2

1. The allegations of Count 3 of this Information are re-alleged and, by this reference, fully incorporated herein for the purpose of alleging forfeitures to the United States of America.

2. Further upon conviction of a violation of Title 18, United States Code, Section 1028, as alleged in Count 3 of this Information, the defendant, shall forfeit to the United States all of their respective right, title and interest in any property, real or personal, which constitutes or is derived from proceeds traceable to such violation, pursuant to Title 18, United States Code, Section 982(a)(2)(B), and any and all property used or intended to be used in any manner or part to commit or facilitate the commission of such violation, pursuant to Title 18, United States Code, Section 1028(b), and the procedures set forth at Title 21, United States Code, Section 853.

A. The property subject to forfeiture includes, but is not limited to:

(1) A Silver, 2007 Audi A8 L Quattro AWD, VIN# WAUMV44E97N019771, bearing Florida license plate number 139WIW;

(2) A \$300 money order bearing serial number 14-373665825;

(3) Two (2) Money Gram money orders in the amount of \$500 each, bearing serial numbers 203346546260 and 203346546271;

(4) A Hewlett Packard 620 Laptop computer, bearing serial number 5CG1100QL3


3. If the property described above as being subject to forfeiture, as a result of any act or omission of the Defendant,

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

All pursuant to Title 18, United States Code, Section 1028 and Title 21, United States Code, Section 853.


WIFREDO A. FERRER
UNITED STATES ATTORNEY


MARC S. ANTON
ASSISTANT U. S. ATTORNEY