

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO. 20-125
VERSUS * SECTION: "M"
MICHAEL R. MATHERNE * VIOLATION: 18 U.S.C. § 641
* * *

FACTUAL BASIS

Should this matter have gone to trial, the government would have proved, through the introduction of competent testimony and admissible tangible evidence, the following to support the allegations charged by the government in the one-count Indictment now pending against the defendant, Michael R. Matherne, (hereafter "MATHERNE").

The Social Security Administration ("SSA") is an agency or department of the United States responsible for the management of the Social Security program as defined in the Social Security Act.

Social Security is a social insurance program that provides eligible applicants with retirement, disability, and survivor benefits.

The SSA operates the Retirement Survivor Insurance Benefit Program ("RSI Program"). The purpose of the RSI Program is to provide benefits to certain persons, including widows and widowers, in their retirement. The RSI Program helps lessen the economic impact of old age, disability, loss of earnings power and reduce a person's dependency on private and/or public charity.

RIS Program funds are self-financing federal funds from the Treasury Trust Funds that receive money generated by dedicated employment taxes ("FICA") on designated wages and self-

AUSA CG
Defendant M.R.M.
Defense Counsel W.B.T.

employment income. The SSA's ability to properly determine a beneficiary's initial and continued eligibility, and the correct monthly benefit, is directly dependent upon SSA's ongoing access to accurate and current information regarding the beneficiary.

In January 1993, an individual known as "M.F." applied for and began receiving RSI Program benefits. The SSA sent the benefits to M.F. at her address in Slidell, Louisiana in the form of a paper check. On September 24, 2006, M.F. and **MICHAEL MATHERNE** ("**MATHERNE**") were married. In July 2012, M.F. became a signatory on **MATHERNE'S** Whitney bank account ending in [REDACTED]. On November 3, 2012, M.F. died. **MATHERNE** never advised the SSA of M.F.'s death. The SSA benefits were not transferrable to **MATHERNE**.

From December 2012 through March 2019, **MATHERNE** received M.F.'s monthly SSA benefits totaling approximately \$75,838, which he deposited into the Whitney Bank account, ending in [REDACTED], and used for his living expenses. The checks were received in the Eastern District of Louisiana.


MICHAEL MATHERNE, did knowingly embezzle, steal, purloin, and convert to his use, money belonging to the United States and a department and agency thereof, namely the SSA, to which he knew he was not entitled, when he failed to alert the SSA of the death of his wife M.F., and continued depositing her SSA checks into the Whitney Bank account, ending in [REDACTED], and using the proceeds for his personal benefit in the amount of \$75,838.

The above listed facts would be proven by documents and testimony of the Social Security Administration.



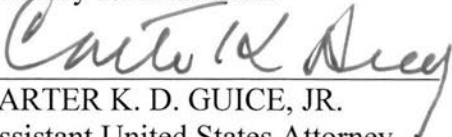
MICHAEL R. MATHERNE
Defendant

7/22/21
Date



WARNER B. THOMPSON., ESQ.
Attorney for Defendant

7/22/21
Date



CARTER K. D. GUICE, JR.
Assistant United States Attorney

July 22, 2021
Date