UNITED STATES DISTRICT COURT EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO. 22-58

v. * SECTION: "D"

NICOLE COCKERHAM *

FACTUAL BASIS

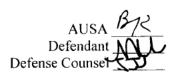
Should this matter have proceeded to trial, the government would have proven, through the introduction of competent testimony and admissible evidence, the following facts, beyond a reasonable doubt, to support the allegations in the Bill of Information now pending against the defendant.

The government would establish that Social Security was a social insurance program that provided eligible applicants with retirement, disability, and survivor benefits. The Social Security Administration ("SSA") was a government agency responsible for the management of the Social Security program, as defined in the Social Security Act.

The Coronavirus Aid, Relief, and Economic Security Act ("CARES ACT") was an economic stimulus bill passed by Congress in response to the economic fallout of the COVID-19 pandemic. CARES ACT payments were administered by the Internal Revenue Service ("IRS"), a department of the government.

The case against NICOLE COCKERHAM ("COCKERHAM") began as a result of a complaint to the SSA's Office of the Inspector General ("OIG") regarding possible fraud involving COCKERHAM. The OIG for the SSA determined COCKERHAM's father,

, was receiving Title II Disability Insurance Benefits ("DIB") since March 2019. SSA-



OIG agents determined benefits were electronically deposited into his Regions account.

The SSA-OIG confirmed was the father of the defendant, lived at the same address as the defendant, and died on March 9, 2019.

The SSA-OIG subpoenaed Regions Bank account and determined from March 2019 to July 2020 **COCKERHAM** knowingly accessed and converted approximately \$37, 651.00 in funds intended for her deceased father.

In addition, the government would introduce evidence that on or about April 29, 2020, a \$1,200.00 CARES ACT payment was direct deposited by the IRS in Regions Bank account.

On March 30, 2021, COCKERHAM was interviewed by special agents with the SSA-OIG and the Treasury Inspection General for Tax Administration ("TIGTA").

The SSA determined that, after her father's death, **COCKERHAM** fraudulently obtained \$37,651.00 in SSA disability benefits from her father's Regions Bank account. TIGTA agents determined **COCKERHAM** fraudulently obtained \$1,200.00 in CARES ACT funds.

Limited Nature of Factual Basis and Conclusion

This proffer of evidence is not intended to constitute a complete statement of all facts known by **COCKERHAM**, and/or the government. Rather, it is a minimum statement of facts intended to prove the necessary factual predicate for her guilty plea. The limited purpose of this

AUSA
Defendant
Defense Counsel

proffer is to demonstrate that there exists a sufficient legal basis for the plea of guilty to the charged offense by **COCKERHAM**.

The above facts come from an investigation conducted by, and would be proven at trial by credible testimony from, *inter alia*, Special Agents and forensic examiners from the SSA-OIG, TIGTA, and admissible tangible exhibits in the custody of the SSA-OIG and TIGTA.

READ AND APPROVED:

NICOLE COCKERHAM

Defendant

SAMUEL J. SCILLITANI, JR.

Counsel for Defendant

BRIAN M. KLEBBA

Assistant United States Attorney