

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 16-_____
v.	:	DATE FILED: _____
MARTHA STANLEY	:	VIOLATIONS:
	:	18 U.S.C. § 1343 (wire fraud - 3 counts)
	:	18 U.S.C. § 641 (conversion of government
	:	funds - 1 count)
	:	42 U.S.C. § 408(a)(4) (Social Security
	:	fraud - 1 count)
	:	Notice of forfeiture

INDICTMENT

COUNTS ONE THROUGH THREE

(Wire Fraud)

THE GRAND JURY CHARGES THAT:

INTRODUCTION

At all times relevant to this indictment:

1. The Social Security Administration ("SSA"), an agency of the United States, administered certain government benefit programs, including the Retirement and Survivor's Insurance ("RSI") benefit program, pursuant to Title 42, United States Code, Sections 401-433.

2. The RSI program was an earned-right program funded through Social Security wage taxes. When an individual worked, that individual paid taxes on his or her wages into the Social Security trust fund. If that individual paid sufficient Social Security taxes to earn

sufficient “credits,” as that term was defined for purposes of the Social Security Act, he or she, or eligible dependents, including spouses, were eligible to receive retirement benefits upon reaching a certain age.

3. RSI payments continued until the individual died.

4. The grandmother of defendant MARTHA STANLEY, known to the grand jury and identified herein as “M.S.,” received RSI benefits during her lifetime. No other individual was entitled to the benefits designated for M.S. The SSA provided these benefits through an electronic funds transfer to a Citizen’s Bank bank account in M.S.’s name.

5. M.S. died on or about June 6, 2005.

6. SSA has no record of timely notification of M.S.’s death and continued to issue RSI benefits through an electronic funds transfer to M.S.’s Citizen’s Bank account.

THE SCHEME TO DEFRAUD

7. From on or about June 6, 2005 through in or about March 2014, defendant

MARTHA STANLEY

devised and intended to devise a scheme to defraud the SSA and to obtain money from the SSA in the form of benefit payments intended for M.S. by fraudulently converting to her own use the electronic deposits intended for M.S. that defendant MARTHA STANLEY was not entitled to receive.

8. It was the object of the scheme described in paragraph 7 for defendant MARTHA STANLEY to receive approximately \$102,126 in SSA payments intended for M.S. that she was not entitled to receive.

MANNER AND MEANS

It was part of the scheme that:

9. Prior to the death of M.S., M.S. resided with defendant MARTHA STANLEY, and received her SSA benefits via electronic deposit. At times, including when M.S. was ill and placed into hospital and hospice care, M.S. gave her debit card to MARTHA STANLEY, who assisted M.S. with her finances.

10. Subsequent to the death of M.S. on or about June 6, 2005, MARTHA STANLEY concealed the death of M.S. so that M.S.'s SSA benefits payments would continue to be deposited into M.S.'s Citizen's Bank account.

11. From on or about June 6, 2005 through in or about March 2014, defendant MARTHA STANLEY withdrew and converted to her own use approximately \$102,126 in SSA benefits payments intended for M.S.

12. On or about the following dates, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

MARTHA STANLEY

for the purpose of executing the scheme described above, caused to be transmitted by means of wire communication in interstate commerce the signals and sounds described below for each count, each transmission constituting a separate count:

<u>COUNT</u>	<u>DATE</u>	<u>WIRE TRANSACTION</u>
1	January 2, 2014	SSA payment of \$1064.00 by wire transfer from Birmingham, Alabama, to Kansas City, Missouri, to East Rutherford, New Jersey, to Riverside, Rhode Island, to the Eastern District of Pennsylvania.
2	January 31, 2014	SSA payment of \$1064.00 by wire transfer from Birmingham, Alabama, to Kansas City, Missouri, to East Rutherford, New Jersey, to Riverside, Rhode Island, to the Eastern District of Pennsylvania.

3	February 28, 2014	SSA payment of \$1064.00 by wire transfer from Birmingham, Alabama, to Kansas City, Missouri, to East Rutherford, New Jersey, to Riverside, Rhode Island, to the Eastern District of Pennsylvania.
---	-------------------	--

All in violation of Title 18, United States Code, Section 1343.

COUNT FOUR

(Conversion of Government Funds)

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 6, and 9 through 11 of Counts One through Three of this indictment are realleged here.

2. Beginning on or about June 6, 2005 through in or about March 2014, in the Eastern District of Pennsylvania, and elsewhere, defendant

MARTHA STANLEY,

knowingly converted to her own use money of the United States in excess of \$1,000, that is, approximately \$102,126.00 in SSA payments intended for M.S., who was deceased, and which defendant MARTHA STANLEY knew she was not entitled to receive.

In violation of Title 18, United States Code, Section 641.

COUNT FIVE

(Social Security Fraud)

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 6, and 9 through 11 of Counts One through Three of this indictment are realleged here.

2. Beginning on or about June 6, 2005 and continuing through in or about March 2014, in the Eastern District of Pennsylvania, and elsewhere, defendant

MARTHA STANLEY,

in a matter within the jurisdiction of the Social Security Administration ("SSA"), an agency of the executive branch of the United States, knowingly and willfully concealed the death of M.S. by failing to report that M.S. was deceased, which would have stopped the SSA benefit payments that were being issued to M.S., so that defendant MARTHA STANLEY could fraudulently secure the SSA benefit payments intended for M.S.

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

NOTICE OF FORFEITURE

THE GRAND JURY CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Sections 1343 and 641, set forth in Counts One through Four of this Indictment, defendant

MARTHA STANLEY

shall forfeit to the United States of America:

- (a) any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offense; including but not limited to the sum of \$102,126.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

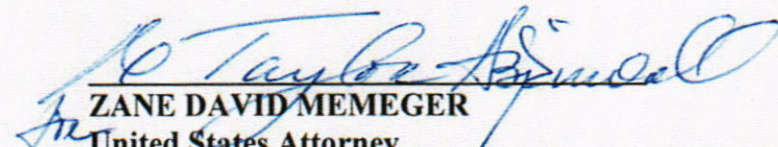
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant(s) up to the value of the property subject to forfeiture.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18,
United States Code, Section 981(a)(1)(C).

A TRUE BILL:

GRAND JURY FOREPERSON



ZANE DAVID MEMEGER
United States Attorney