

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. 16-___
v.	:	DATE FILED: _____
MELBA WILSON	:	VIOLATIONS:
	:	18 U.S.C. § 641 (conversion of government funds – 1 count)
	:	18 U.S.C. § 664 (theft from an employee benefit or pension plan – 1 count)
		Notice of Forfeiture

INFORMATION

COUNT ONE

(Conversion of Government Funds)

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to this information:

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 entitled individual died.

4. A individual known to the defendant MELBA WILSON, identified in this information as “E.N.,” received RSI benefits during his lifetime. The SSA issued E.N.’s RSI benefits via wire deposit into his bank account, which was held jointly with defendant WILSON.

5. E.N. died on or about March 8, 2007. Upon E.N.’s death, no other individual was entitled to receive E.N.’s benefit payments.

6. After E.N.’s death, SSA continued to make his benefit payments via wire deposit into his bank account. Subsequent to E.N.’s death, defendant WILSON accessed the SSA benefit payments intended for the deceased E.N. that were deposited into the jointly-held bank account.

7. SSA terminated E.N.’s RSI benefits payments in or about April 2015.

8. Between on or about March 8, 2007 and continuing through on or about April 3, 2015, defendant MELBA WILSON improperly received and converted to her own use approximately \$134,389 in SSA benefit payments that were intended for E.N., who was deceased, which defendant WILSON knew she was not entitled to receive.

9. Beginning on or about March 8, 2007 and continuing through on or about April 3, 2015, in the Eastern District of Pennsylvania and elsewhere, the defendant

MELBA WILSON

knowingly converted to her own use money of the United States in excess of \$1,000, that is, approximately \$134,389 in SSA benefits that were intended for E.N., who was deceased, to which the defendant knew she was not entitled.

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

COUNT TWO

(Theft from an Employee Benefit or Pension Plan)

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. The individual identified as E.N., who was known to defendant MELBA WILSON, was entitled to and received pension benefits from the Seafarers Pension Plan prior to his death via electronic wire deposit. Unaware of E.N.'s death on March 8, 2007, the Seafarers Pension Plan continued to make his benefit payments via wire deposit into his bank account. Subsequent to E.N.'s death, defendant WILSON accessed the Seafarers Pension payments intended for the deceased E.N. that were deposited into the jointly-held bank account.

2. Beginning on or about March 8, 2007 and continuing through in or about December 2015, in the Eastern District of Pennsylvania and elsewhere, the defendant

MELBA WILSON

embezzled, stole, and unlawfully and willfully abstracted and converted to her own use, in the approximate amount of \$39,750, the moneys, funds, securities, premiums, credits, property, and other assets of the Seafarers Pension Plan, an employee pension plan subject to Title I of the Employee Retirement Income Security Act of 1974 ("ERISA"), and of a fund connected with such plan, by accessing funds intended for E.N. that were deposited into a bank account jointly held by E.N. and defendant WILSON.

In violation of Title 18, United States Code, Section 664.

NOTICE OF FORFEITURE

THE UNITED STATES ATTORNEY CHARGES THAT:

1. As a result of the violation of Title 18, United States Code, Sections 641 and 664, set forth in this information, defendant

MELBA WILSON

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 \$174,139.

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).

ZANE DAVID MEMEGER
United States Attorney