

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

UNITED STATES OF AMERICA)	
)	No. _____
vs.)	
)	Violations: Title 18, United States
VALENTINO VALERIU AGIGNOAE)	Code, Sections 641 and 1343;
)	Title 42, United States Code, Sections
)	408(a)(3) and 408(a)(4)

COUNT ONE

The FEBRUARY 2017 GRAND JURY charges:

1. At times material to this indictment:
 - a. Defendant VALENTINO VALERIU AGIGNOAE was a resident of Woodstock, Crystal Lake, and Lakewood, Illinois.
 - b. The Social Security Administration, an agency of the United States, administered the payment of benefits from the United States of America to individuals who qualified for such benefits under various programs, including the disability insurance program.
 - c. Under the federal disability insurance program, individuals were entitled to receive Social Security benefits if they were disabled and had been employed for a specified amount of time prior to becoming disabled. In some circumstances, federal disability insurance benefits were also paid to dependents of individuals receiving these benefits.

d. For purposes of receiving federal disability insurance benefits, individuals were considered to be disabled only if they were unable to engage in substantial gainful activity due to a physical or mental impairment that was expected to last at least twelve months or result in death.

e. Individuals were considered unable to perform substantial gainful activity only if their physical or mental impairment was so severe that they were prevented from performing their previous work and other jobs which were available in the national economy.

f. Individuals seeking federal disability insurance benefits were required to submit accurate, truthful, and current information regarding their medical condition and ability to work to the Social Security Administration.

g. In determining whether individuals were entitled to receive, or continue to receive, federal disability insurance benefits, the Social Security Administration relied upon the information provided by the individuals concerning their abilities and work activity.

h. Individuals who received federal disability insurance benefits were required to notify the Social Security Administration if their condition improved to the extent that they were able to work or if they went to work either as an employee or a self employed person.

i. On or about September 21, 1994, the defendant applied for disability insurance benefits from the Social Security Administration. Payment of federal disability insurance benefits to the defendant was approved on March 22, 1996. The benefits were paid via direct deposit to the defendant's bank account.

2. Beginning no later than in or around January 2007, and continuing to in or around April 2015, at Lakewood, in the Northern District of Illinois, Western Division, and elsewhere,

VALENTINO VALERIU AGIGNOAE,

defendant herein, devised, intended to devise, and participated in a scheme to defraud and to obtain money from the United States of America by means of materially false and fraudulent pretenses, representations, and promises, and by concealment of material facts, which scheme is further described below.

3. It was part of the scheme that the defendant worked as the manager of Valentino's Club Café beginning not later than January 2007 and continuing through in or about 2015.

4. It was further part of the scheme that the defendant failed to notify the Social Security Administration that he was able to work, and was working, even though he knew that he was required to do so.

5. It was further part of the scheme that, as a result of his misrepresentations and concealment of material facts regarding his work status when he was receiving disability payments, the defendant caused the United States Government, through the Social Security Administration, to suffer losses of approximately \$157,503, in the form of monthly disability insurance payments to the defendant and his dependents.

6. It was further part of the scheme that the defendant concealed, misrepresented, and hid and caused to be concealed, misrepresented, and hidden,

the existence and purpose of the scheme and the acts done in furtherance of the scheme.

7. On or about October 3, 2012, at Lakewood, in the Northern District of Illinois, Western Division, and elsewhere,

VALENTINO VALERIU AGIGNOAE,

defendant herein, for the purpose of executing the scheme described above, knowingly caused to be transmitted by means of a wire communication in interstate commerce from Tampa, Florida, to defendant's bank account in Crystal Lake, Illinois, certain writings, signs, and signals, namely, a wire transfer of a Social Security Administration disability insurance payment in the amount of approximately \$1,141;

In violation of Title 18, United States Code, Section 1343.

COUNT TWO

The FEBRUARY 2017 GRAND JURY further charges:

1. Paragraphs 1 through 6 of Count One of this Indictment are incorporated herein.

2. On or about July 3, 2013, at Lakewood, in the Northern District of Illinois, Western Division, and elsewhere,

VALENTINO VALERIU AGIGNOAE,

defendant herein, for the purpose of executing the scheme described above, knowingly caused to be transmitted by means of a wire communication in interstate commerce from Tampa, Florida, to defendant's bank account in Crystal Lake, Illinois, certain writings, signs, and signals, namely, a wire transfer of a Social Security Administration disability insurance payment in the amount of approximately \$1,160;

In violation of Title 18, United States Code, Section 1343.

COUNT THREE

The FEBRUARY 2017 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated herein.
2. Beginning in or around September 2012, and continuing to in or around April 2015, at Lakewood, in the Northern District of Illinois, Western Division, and elsewhere,

VALENTINO VALERIU AGIGNOAE,

defendant herein, did steal, purloin, and knowingly convert to his own use money belonging to the United States, namely, approximately \$53,200 in disability insurance funds administered by the United States Social Security Administration, which funds defendant and his dependents were not entitled to receive;

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

COUNT FOUR

The FEBRUARY 2017 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated herein.
2. On or about August 27, 2013, at Lakewood, in the Northern District of Illinois, Western Division, and elsewhere,

VALENTINO VALERIU AGIGNOAE,

defendant herein, knowingly and willfully made a false statement and representation of material fact for use by the Social Security Administration in determining rights to Social Security disability insurance benefits payments. Specifically, when completing a Continuing Disability Review Report (Social Security Administration Form 454-BK), defendant falsely stated that he had not worked since the date of his last medical disability decision, when in truth and in fact, as defendant then knew, he began working as the manager of Valentino's Club Café, not later than 2007, and thereafter continued to work as its manager;

In violation of Title 42, United States Code, Section 408(a)(3).

COUNT FIVE

The FEBRUARY 2017 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated herein.

2. On or about November 20, 2014, at Woodstock, in the Northern District of Illinois, Western Division, and elsewhere,

VALENTINO VALERIU AGIGNOAE,

defendant herein, knowingly and willfully made a false statement and representation of material fact for use by the Social Security Administration in determining rights to Social Security disability insurance benefits payments. Specifically, when completing a Continuing Disability Review Report (Social Security Administration Form 454-BK), defendant falsely stated:

a. he had not been employed or self-employed since July 2003, and

b. he had not worked since the date of his last medical disability decision, when in truth and in fact, as defendant then knew, he began working as the manager of Valentino's Club Café, not later than 2007, and thereafter continued to work as its manager;

In violation of Title 42, United States Code, Section 408(a)(3).

COUNT SIX

The FEBRUARY 2017 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated herein.

2. On or about November 20, 2014, at Woodstock, in the Northern District of Illinois, Western Division, and elsewhere,

VALENTINO VALERIU AGIGNOAE,

defendant herein, knowingly and willfully made a false statement and representation of material fact for use by SSA in determining rights to Social Security disability insurance benefits payments. Specifically, when orally responding to a question he was asked during an interview by a Social Security Administration employee, defendant falsely stated he had started or taken over his club business one to one and half years ago prior to the interview, when in truth and in fact, as defendant then knew, he began working as the manager of Valentino's Club Café, not later than 2007, and thereafter continued to work as its manager;

In violation of Title 42, United States Code, Section 408(a)(3).

COUNT SEVEN

The FEBRUARY 2017 GRAND JURY further charges:

1. Paragraph 1 of Count One of this Indictment is incorporated herein.

2. Beginning in or around 2007, and continuing to in or around 2015, at Lakewood, in the Northern District of Illinois, Western Division, and elsewhere,

VALENTINO VALERIU AGIGNOAE,

defendant herein, in a matter within the jurisdiction of the Social Security Administration, having knowledge of the occurrence of an event capable of affecting his continued right to receive Social Security disability benefit payments, knowingly concealed and failed to disclose such event with the intent to fraudulently secure benefit payments. Specifically, defendant intentionally concealed his past and continuing employment as the manager of Valentino's Club Café;

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

FORFEITURE ALLEGATION

The FEBRUARY 2017 GRAND JURY further charges:

1. The allegations of this indictment are incorporated here for the purpose of alleging forfeiture under Title 18, United States Code, Section 981(a)(1)(c) and Title 28, United States Code, Section 2461 (c).

2. As a result of the violation of Title 18, United States Code, Section 1343, as alleged in the indictment,

VALENTINO VALERIU AGIGNOAE,

defendant herein, has subjected to forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(c) and Title 28, United States Code, Section 2461 (c), all property constituting, and derived from, proceeds obtained, directly or indirectly, as a result of the defendants' violation of Title 18, United States Code, Section 1343, including, but not limited to, approximately \$157,503.00.

3. If any of the forfeitable property described above, as a result of any act or omission by the defendants:

- 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 provisions of Title 21, United States Code 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of substitute property belonging to the defendant;

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

A TRUE BILL:

FOREPERSON

ACTING UNITED STATES ATTORNEY