

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Crim. No.
	:	
CHRISTOPHER VALERIO	:	18 U.S.C. § 1349

INFORMATION

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

Conspiracy to Commit Wire Fraud

1. At all times relevant to this Information:
 - a. Defendant Christopher Valerio (“VALERIO”) resided in Perth Amboy, New Jersey and Woodbridge, New Jersey.
 - b. Yanira Abreu (“Abreu”) resided in Keasbey, New Jersey and is a co-conspirator not charged in this Information.
 - c. Jose Tavares (Tavares) resided in Bronx, New York and is a co-conspirator not charged in this Information.
 - d. Lender-1 was a financial institution headquartered in Cleveland, Ohio and insured by the Federal Deposit Insurance Corporation.

Background on Federal Unemployment Insurance Benefits

2. On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”) was signed into law. The CARES Act created a new temporary federal unemployment insurance program called Pandemic

Unemployment Assistance, which provided unemployment benefits (“Unemployment Benefits”) for individuals who were not eligible for other types of unemployment assistance (*e.g.*, self-employed, independent contractors, or gig economy workers). The CARES Act also created a new temporary federal program called Federal Pandemic Unemployment Assistance that provided an additional weekly benefit to those eligible for Pandemic Unemployment Assistance and regular Unemployment Benefits.

3. The New York Department of Labor (“NYDOL”) offered an online website (the “NYDOL Website”) through which applicants could apply for Unemployment Benefits and verify the applicant’s unemployment status. Applicants had to complete and submit an online application that included, among other things, the applicant’s name, date of birth, social security number, and address. In addition, the applicant could direct that the NYDOL send any approved funds to a specific bank account or debit card. Lender-1 issued debit cards in connection with Unemployment Benefits from the NYDOL.

4. When an individual filed an Unemployment Benefits claim online, the NYDOL typically maintained certain information regarding the filing of the claim, including the date and time the claim was submitted; the name of the person for whom the claim was filed; and the Internet Protocol (“IP”) address of the computer or internet service provider account used to file the claim. An IP address consisted of a unique numerical label that identified each device (*e.g.*, computer or smartphone) that used the IP to communicate via the internet or computer network.

The Conspiracy to Defraud

5. From in or around July 2020, through in or around February 2021, in the District of New Jersey and elsewhere, the defendant,

CHRISTOPHER VALERIO,

did knowingly and intentionally conspire and agree with others to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing such a scheme or artifice to defraud, to transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, certain signs, signals, and sounds, for the purpose of executing such scheme and artifice, contrary to Title 18, United States Code, Section 1343.

Goal of the Conspiracy

6. The goal of the conspiracy was for VALERIO, together with his co-conspirators, including Abreu, Tavares, and others, to enrich himself by fraudulently applying for and securing unemployment insurance benefits from NYDOL by using the personal identifying information (“PII”) of various individuals without their permission to unlawfully receive approximately \$444,738 in benefits.

Manner and Means of the Conspiracy to Defraud

7. It was part of the conspiracy that:

a. VALERIO and his co-conspirators fraudulently applied for and secured Unemployment Benefits from NYDOL through fictitious online profiles that they created using other people’s PII without their permission. Such PII included names, dates of birth, social security numbers, and other false information related

to the individuals' occupations and identities.

b. For example, on or about August 18, 2020, VALERIO and his co-conspirators, including Abreu, caused a falsified application (the "Application") to be submitted through NYDOL's website requesting Unemployment Benefits in the name of an individual who resided in Puerto Rico ("Individual-1"). The Application, which was submitted without Individual-1's knowledge or consent, falsely stated, among other things, that Individual-1 resided in New York and was previously self-employed in New York as a babysitter. Based on these and other material misrepresentations, the NYDOL processed and approved the Application, causing Lender-1 to issue a debit card to VALERIO or his co-conspirators in Individual-1's name (the "Debit Card").

c. VALERIO, Abreu, and others communicated via voice memos and texts about filing the Application and using the Debit Card, and they fraudulently obtained approximately \$14,986 from the Debit Card as part of the scheme.

d. On or about September 11, 2020, VALERIO and Tavares communicated via text messages regarding Individual-2's PII. A falsified application was submitted to NYDOL on behalf of Individual-2 and listed Tavares's residence in Bronx, New York as the mailing address. As a result, VALERIO and his co-conspirators fraudulently obtained approximately \$12,768 from the Debit Card.

e. In total, VALERIO and his co-conspirators used the PII of at least ten individuals, causing Lender-1 to distribute bank cards on behalf of

NYDOL, resulting in losses of at least approximately \$444,738.

In violation of Title 18, United States Code, Section 1349.

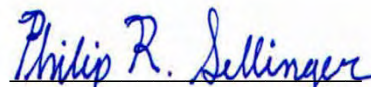
FORFEITURE ALLEGATION

1. As a result of committing the offense alleged in the Information, VALERIO shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(2), any property constituting or derived from proceeds obtained directly or indirectly as a result of such offense.

SUBSTITUTE ASSETS PROVISION

2. If by any act or omission of the defendant, any of the property subject to forfeiture:
- 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 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b)(1) and 28 U.S.C §2461(c), to seek forfeiture of any other property of such defendant up to the value of the forfeitable property described above.


PHILIP R. SELLINGER
United States Attorney

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UNITED STATES OF AMERICA

v.

CHRISTOPHER VALERIO

INFORMATION FOR

18 U.S.C. § 1349

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