

202300795/JH

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. James B. Clark, III  
: :  
v. : Magistrate. No. 24-12150  
: :  
KATHRYN MOUNTAIN : **CRIMINAL COMPLAINT**

I, Anthony L. Gonzalez, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

**SEE ATTACHMENT A**

I further state that I am a Postal Inspector with the United States Postal Inspection Service, and that this complaint is based on the following facts:

**SEE ATTACHMENT B**

continued on the attached pages and made a part hereof.

*s/Anthony L. Gonzalez*  
Anthony L. Gonzalez, Special Agent  
United States Postal Inspector Service

Special Agent Anthony L. Gonzalez attested to this Affidavit by telephone pursuant to F.R.C.P. 4.1(B)(2)(A) on this 29th day of May.



\_\_\_\_\_  
Hon. James B. Clark, III  
United States Magistrate Judge

**ATTACHMENT A**  
**(Possession of Stolen Mail)**

Between on or about March 28, 2023, to on or about April 7, 2023, in the District of New Jersey, and elsewhere, the defendant,

**KATHRYN MOUNTAIN,**

did unlawfully have in her possession a letter, postal card, package, bag, mail and an article contained therein, which had been stolen, taken, embezzled and abstracted from a post office, which was an authorized depository for mail matter, knowing the same to have been stolen, taken, embezzled and abstracted from an authorized depository for mail matter.

In violation of Title 18, United States Code, Section 1708.

## ATTACHMENT B

I, Anthony L. Gonzalez, am a United States Postal Inspector of the United States Postal Inspection Service. The information contained in the complaint is based upon my personal knowledge, as well as information obtained from other sources, including: (a) statements made or reported by various witnesses with knowledge of relevant facts; (b) my review of publicly available information; and (c) my review of evidence, including video surveillance, business records, bank records, and other documents. Because this complaint is being submitted for a limited purpose, I have not set forth every fact that I know concerning this investigation. Where the contents of documents and the actions and statements of others are reported, they are reported in substance and in part, except where otherwise indicated. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

### Defendant, Entities, and Background

1. At times relevant to this Complaint:
  - a. “Company-A” was a for profit company located in New Jersey that sold steel products and offered construction services.
  - b. The Defendant, KATHRYN MOUNTAIN (“MOUNTAIN”), was a resident of New York.
  - c. The United States Postal Service (the “USPS”) operated a post office located at 514 Frelinghuysen Avenue Newark, New Jersey (the “Newark Post Office”). The Newark Post Office was an authorized depository for mail matter.
  - d. “Bank-1” was a financial institution that maintained branch locations in Brooklyn, New York.
2. Starting in or around November 2022, MOUNTAIN worked for Company-A as a controller. As a controller, MOUNTAIN was responsible for overseeing Company-A’s finances. Company-A has informed law enforcement that during her short stint as a Company-A controller, she oversaw checks that were mailed to Company-A and was therefore aware of the process by which Company-A would receive and deposit client payments.
3. Shortly after starting in or around December 2022, MOUNTAIN was fired as a result of Company-A discovering that she had previously issued herself a personal check with Company-A’s funds.
4. Beginning on or about December 13, 2022, MOUNTAIN formed, registered, and controlled an entity called “Company-B” that purportedly

maintained its registered principal place of business in Kings County, New York. Notably, Company-B had a closely similar name to Company-A, but was not affiliated with Company-A. On or about December 19, 2022, MOUNTAIN opened a business checking account at Bank-1 (the “Bank-1 Account”) in the name of Company-B. Records obtained from Bank-1 show that the Bank-1 Account only had MOUNTAIN listed as the signatory and authorized user on that account. Those records also show that the address listed for the Bank-1 Account and Company-B is MOUNTAIN’s New York home address.

### MOUNTAIN’s Scheme

5. From at least as early as in or around December 2022 through at least as recently as in or around July 2023, MOUNTAIN stole and fraudulently obtained Company-A’s mail that contained checks from the Newark Post Office, and fraudulently deposited those checks into Company-B’s Bank-1 Account.

6. MOUNTAIN executed this scheme by first placing a mail hold on Company-A’s mail, which caused Company-A’s mail to be held at the Newark Post Office until retrieved by a representative from Company-A instead of the mail being sent directly to Company-A. Thereafter, MOUNTAIN went to the Newark Post Office, represented herself as an active member of Company-A, and collected Company-A’s mail. MOUNTAIN then deposited the checks she found in Company-A’s mail—which had been mailed by Company-A clients to Company-A as payment for services rendered by Company-A—into the Bank-1 Account. In total, over the period of her scheme, MOUNTAIN attempted to deposit approximately \$272,939.73 in stolen funds. Law enforcement has confirmed an actual loss in the amount of approximately at least \$167,119.38.

7. MOUNTAIN engaged in this mail theft by placing mail holds on mail intended for Company-A. A mail hold diverts mail from going directly to its intended address and directs the mail to be held at the local post office of the intended recipient until it is picked up by a representative. To request a mail hold, one must either submit an online request or submit a yellow hold application in person. The mail hold would last for a maximum of 30 days unless a new hold was requested.

8. Law enforcement has determined through investigation that MOUNTAIN placed mail holds on Company-A’s mail based on post office surveillance videos, statements from post office workers, and information from Company-A. More specifically:

a. Surveillance footage obtained from the Newark Post Office shows that on or about July 6, 2023, MOUNTAIN entered the Newark Post Office, handed a yellow form to a USPS sales associate (the “Sales Associate”), and then exited the location. As described above, law

enforcement understands, based on the investigation, the yellow form handed to the Sales Associate to have been a mail hold form. Moreover, in an interview with law enforcement, another sales associate, confirmed that a mail hold was indeed placed on Company-A's mail from at least in or around the months of June and July of 2023.

b. Law enforcement further understands that there had been a hold on Company-A's mail between in or around December 2022 through in or around July 2023 because Company-A reported that it did not receive payments from certain clients that would normally send checks via the mail during that time period.

9. After placing the hold on Company-A's mail, MOUNTAIN would then collect Company-A's mail at the Newark Post Office by showing identification and proof of association with Company-A. For instance, surveillance footage obtained by law enforcement from the Newark Post Office shows that on or about July 13, 2023, MOUNTAIN went to the Newark Post Office, showed her identification card, and then picked up the mail intended for Company-A.

10. After the mail was collected from the Newark Post Office, between on or about December 12, 2022 through on or about May 25, 2023, MOUNTAIN deposited multiple checks intended for Company-A into the Bank-1 Account (the "Diverted Checks")—which, as explained above, MOUNTAIN opened under the name of Company-B. Bank-1 records for that account, which law enforcement has obtained and reviewed, revealed that MOUNTAIN attempted to deposit approximately ten Diverted Checks by either a teller, a mobile deposit, or an automatic teller machine. Indeed, law enforcement has also obtained surveillance footage from Bank-1 showing MOUNTAIN herself conducted four of the above-described deposits in person.

11. Approximately eight of the Diverted Checks were successfully deposited into the Bank-1 Account, which resulted in approximately \$167,119.38 in ill-gotten gains for MOUNTAIN.

12. The Bank-1 Account records further revealed that the ten Diverted Checks were clearly intended by the payors of those checks for Company-A because they all were made out to Company-A's name and listed Company-A's New Jersey address. Company-B, by contrast, had a different name and a different New York address.

13. Law enforcement also met representatives of some of the companies that mailed checks to Company-A that were then diverted by MOUNTAIN. These representatives confirmed that those checks were intended to pay Company-A for services rendered by Company-A.

14. On or about July 26, 2023, law enforcement met with MOUNTAIN for a voluntary interview. During that interview, MOUNTAIN confirmed that she previously worked for Company-A as a controller. MOUNTAIN admitted that she created Company-B and that she deposited Diverted Checks—that is, checks made out to Company-A—into the Bank-1 Account. MOUNTAIN claimed, however, that those checks were actually intended by those payors for Company-B, a claim that law enforcement believes to be false based on the evidence described above.