

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

UNITED STATES OF AMERICA : Criminal No. 20-
 :
 v. : 18 U.S.C. § 1343
 :
 NUNO FERNANDEZ :

INFORMATION

The defendant having waived in open court prosecution by Indictment and any defenses based on any statute of limitations, the United States Attorney for the District of New Jersey charges:

COUNTS 1 - 5
(Wire Fraud)

1. At times relevant to this Information, unless otherwise indicated:
 - a. Defendant NUNO FERNANDEZ was a resident of Wyckoff, New Jersey. FERNANDEZ was the office manager for Company 1, a medical practice in North Bergen, New Jersey.
 - b. Individual 1 was a medical doctor licensed to practice medicine in New Jersey. Individual 1 was the owner and operator of Company 1.

2. As part of his duties at Company 1, FERNANDEZ sorted and reconciled reimbursement checks that Company 1 received from health care benefit programs for medical services provided by Company 1, including by Individual 1. Beginning in or about April 2012, FERNANDEZ began stealing certain of these checks. FERNANDEZ endorsed the checks in his own name and used an application on his mobile telephone to deposit the checks in his personal bank account. Neither Individual 1 nor anyone else at Company 1 authorized FERNANDEZ to deposit the checks into his personal bank account.

3. From in or about April 2012 through in or about March 2016, in Hudson County, in the District of New Jersey, and elsewhere, defendant

NUNO FERNANDEZ

did knowingly and intentionally devise and intend to devise a scheme and artifice to defraud Individual 1 and Company 1, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and, for the purpose of executing and attempting to execute such scheme and artifice to defraud, defendant FERNANDEZ did knowingly transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds, namely, the electronic bank deposits described below, each constituting a separate count of this Information:

Count	Approximate Date	Interstate Wire Transmission
1	April 28, 2015	Remote online deposit of \$1,190.26
2	May 22, 2015	Remote online deposit of \$753.83
3	June 11, 2015	Remote online deposit of \$500.00
4	July 2, 2015	Remote online deposit of \$500.00
5	July 17, 2015	Remote online deposit of \$500.00

In violation of Title 18, United States Code, Section 1343 and Section 2.

FORFEITURE ALLEGATIONS

1. The allegations contained in Counts 1 through 5 of this Information are realleged here for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Sections 981 and Title 28, United States Code, Section 2461.

2. As a result of committing the offenses charged in this Information, defendant FERNANDEZ shall forfeit to the United States, pursuant to 18 U.S.C. § 981 and 28 U.S.C. § 2461, all property, real and personal, obtained by the defendant that constitutes or is derived, directly and indirectly, from proceeds traceable to the commission of the offenses alleged in Counts 1 through 5, including but not limited to \$842,371.45 in United States currency, representing proceeds of the offenses charged in this Information.

SUBSTITUTE ASSETS PROVISION

3. If any of the above-described forfeitable property, 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 person;
- 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 subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the respective defendant up to the value of the above-described forfeitable property.


CRAIG CARPENITO
United States Attorney

CASE NUMBER: _____

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

v.

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INFORMATION FOR
18 U.S.C. § 1343

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