

**FILED**  
VANESSA L. ARMSTRONG

APR 20 2016

**U.S. DISTRICT COURT  
WEST'N. DIST. KENTUCKY**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT LOUISVILLE

UNITED STATES OF AMERICA

SUPERSEDING INDICTMENT

v.

NO. 3:16CR-10-JHM

**JANICE M. ARNOW**

42 U.S.C. § 408(a)(4)(1)

42 U.S.C. § 408(a)(4)(2)

18 U.S.C. § 641

18 U.S.C. § 981(a)(1)(C)

18 U.S.C. § 1001(a)(3)

28 U.S.C. § 2461

The Grand Jury charges:

COUNT 1

(Illegal Receipt of Social Security Benefits)

In or about October 2003 to October 2014, in the Western District of Kentucky, Jefferson County, Kentucky, and elsewhere, **JANICE M. ARNOW**, the defendant, having knowledge of the occurrence of any event affecting the initial and continued right to any payment of Old-Age, Survivors and Disability Insurance program (OASDI) by the Social Security Administration (SSA), and the continued right to any payment of any other individual in whose behalf she received any payment, concealed and failed to disclose any event with an intent to fraudulently secure payment when no payment was authorized, to wit: Specifically, **JANICE M. ARNOW** concealed and failed to disclose the death of her husband, P.A., and continued to receive and spend OASDI payments made by SSA to P.A. By such action, defendant **JANICE M. ARNOW** received SSA OASDI payments to which she was not entitled.

In violation of Title 42, United States Code, Sections 408(a)(4)(1) and (2).

The Grand Jury further charges:

COUNT 2  
(Theft of Government Property)

In or about October 2003 to October 2014, in the Western District of Kentucky, Jefferson County, Kentucky, and elsewhere, **JANICE M. ARNOW**, the defendant, knowingly embezzled, stole, and purloined money of the Social Security Administration (SSA), a department and agency of the United States, namely, Old-Age, Survivors and Disability Insurance program (OASDI) payments made to P.A., her deceased husband, to which she knew she was not entitled, having a value in excess of \$1,000.

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

The Grand Jury further charges:

COUNT 3  
(False Social Security Application)

On or about July 17, 2012, in the Western District of Kentucky, Jefferson County, Kentucky, and elsewhere, **JANICE M. ARNOW**, the defendant, did willfully and knowingly make and use a false writing and document, knowing the same to contain a materially false, fictitious, and fraudulent statement and entry in a matter within the jurisdiction of the executive branch of the Government of the United States, by submitting an application for Old-Age, Survivors and Disability Insurance Program (OASDI) payments to the Social Security Administration (SSA), well knowing and believing **JANICE M. ARNOW** falsely omitted the identity of her late husband, P.A., the receipt of income from her late husband's OASDI payments, the date of his death, and falsely indicated that she had no other marriages than to M.H.

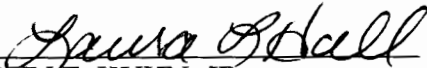
In violation of Title 18, United States Code, Section 1001(a)(3).

NOTICE OF FORFEITURE

If convicted of any violation of Title 18, United States Code, Section 641, as charged in this Indictment, the defendant **JANICE M. ARNOW**, the defendant, shall forfeit to the United States, any property constituting or derived from any proceeds obtained, directly or indirectly, as the result of any such violation.

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

A TRUE BILL.

  
JOHN E. KUHN, JR.  
UNITED STATES ATTORNEY

JEK:JDJ

UNITED STATES OF AMERICA v. JANICE M. ARNOW

**PENALTIES**

Count 1: NM 5 yrs./\$250,000/both/NM 3 yrs. Supervised Release  
Count 2: NM 10 yrs./\$250,000/both/NM 3 yrs. Supervised Release  
Count 3: NM 5 yrs./\$250,000/both/NM 3 yrs. Supervised Release  
Forfeiture

**NOTICE**

**ANY PERSON CONVICTED OF AN OFFENSE AGAINST THE UNITED STATES SHALL BE SUBJECT TO SPECIAL ASSESSMENTS, FINES, RESTITUTION & COSTS.**

**SPECIAL ASSESSMENTS**

18 U.S.C. § 3013 requires that a special assessment shall be imposed for each count of a conviction of offenses committed after November 11, 1984, as follows:

Misdemeanor:	\$ 25 per count/individual	Felony:	\$100 per count/individual
	\$125 per count/other		\$400 per count/other

**FINES**

In addition to any of the above assessments, you may also be sentenced to pay a fine. Such fine is due immediately unless the court issues an order requiring payment by a date certain or sets out an installment schedule. You shall provide the United States Attorney's Office with a current mailing address for the entire period that any part of the fine remains unpaid, or you may be held in contempt of court. 18 U.S.C. § 3571, 3572, 3611, 3612

**Failure to pay fine as ordered may subject you to the following:**

1. **INTEREST** and **PENALTIES** as applicable by law according to last date of offense.

For offenses occurring after December 12, 1987:

No **INTEREST** will accrue on fines under \$2,500.00.

**INTEREST** will accrue according to the Federal Civil Post-Judgment Interest Rate in effect at the time of sentencing. This rate changes monthly. Interest accrues from the first business day following the two week period after the date a fine is imposed.

**PENALTIES** of:

10% of fine balance if payment more than 30 days late.

15% of fine balance if payment more than 90 days late.

2. Recordation of a **LIEN** shall have the same force and effect as a tax lien.
3. Continuous **GARNISHMENT** may apply until your fine is paid.

18 U.S.C. §§ 3612, 3613

If you **WILLFULLY** refuse to pay your fine, you shall be subject to an **ADDITIONAL FINE** of not more than the greater of \$10,000 or twice the unpaid balance of the fine; or **IMPRISONMENT** for not more than 1 year or both. 18 U.S.C. § 3615

RESTITUTION

If you are convicted of an offense under Title 18, U.S.C., or under certain air piracy offenses, you may also be ordered to make restitution to any victim of the offense, in addition to, or in lieu of any other penalty authorized by law. 18 U.S.C. § 3663

APPEAL

If you appeal your conviction and the sentence to pay your fine is stayed pending appeal, the court shall require:

1. That you deposit the entire fine amount (or the amount due under an installment schedule during the time of your appeal) in an escrow account with the U.S. District Court Clerk, or
2. Give bond for payment thereof.

18 U.S.C. § 3572(g)

PAYMENTS

If you are ordered to make payments to the U.S. District Court Clerk's Office, certified checks or money orders should be made payable to the Clerk, U.S. District Court and delivered to the appropriate division office listed below:

LOUISVILLE:	Clerk, U.S. District Court 106 Gene Snyder U.S. Courthouse 601 West Broadway Louisville, KY 40202 502/625-3500
BOWLING GREEN:	Clerk, U.S. District Court 120 Federal Building 241 East Main Street Bowling Green, KY 42101 270/393-2500
OWENSBORO:	Clerk, U.S. District Court 126 Federal Building 423 Frederica Owensboro, KY 42301 270/689-4400
PADUCAH:	Clerk, U.S. District Court 127 Federal Building 501 Broadway Paducah, KY 42001 270/415-6400

If the court finds that you have the present ability to pay, an order may direct imprisonment until payment is made.

FORM DBD-34  
JUN 85

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**UNITED STATES DISTRICT COURT**

Western District of Kentucky

Louisville Division

THE UNITED STATES OF AMERICA

vs.

JANICE M. ARNOW

**SUPERSEDING INDICTMENT**

**Title 42 U.S.C. §§ 408(a)(4)(1); 408(a)(4)(2);**

**Title 18 U.S.C. §§ 641; 1001(a)(3):**

**Illegal Receipt of Social Security Benefits; Theft  
of Government Property; False Social Security  
Application.**

*A true bill*

*on*

Filed in open court this 20<sup>th</sup> day, of April, A.D. 2016.

*Clerk*

*Bail, \$*

**FILED**  
**VANESSA L. ARMSTRONG**

**APR 20 2016**

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