

# United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

FILED

VENUE: SAN FRANCISCO

2013 APR 16 11:16 AM

RICHARD L. BOWEN, CLERK  
CLERK OF DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

CR 13 248

PATRICIA BONAVIDO

WHA

DEFENDANT(S).

## INDICTMENT

VIOLATIONS:

18 U.S.C. § 152(3)–False Statements in Bankruptcy Proceeding

18 U.S.C. § 152(2)–False Testimony under Oath in Bankruptcy Proceeding

A true bill.

*J. Schon*

Foreman

Filed in open court this 16 day of

*April 2013*  
*J. Mifam*

Clerk

*NANDOR J. VADAS*

Bail, \$

*Summons for 4/30/13*

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY:  INFORMATION  INDICTMENT

Matter Sealed:  Juvenile  Other than Juvenile  
 Pre-Indictment Plea  Superseding  Defendant Added  
 Indictment  Charges/Counts Added  
 Information

Name of District Court, and/or Judge/Magistrate Location (City)  
 UNITED STATES DISTRICT COURT San Francisco  
 DISTRICT OF Northern California Divisional Office

Name and Office of Person Furnishing Information on THIS FORM MELINDA HAAG  
 U.S. Atty  Other U.S. Agency  
 Phone No. \_\_\_\_\_  
 Name of Asst. U.S. Attorney (if assigned) Hallie Hoffman

**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)  
Federal Bureau of Investigation

person is awaiting trial in another Federal or State Court (give name of court)

this person/proceeding transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a re prosecution of charges previously dismissed which were dismissed on motion of:

U.S. Atty  Defense

this prosecution relates to a pending case involving this same defendant. (Notice of Related Case must still be filed with the Clerk.)

prior proceedings or appearance(s) before U.S. Magistrate Judge regarding this defendant were recorded under

SHOW DOCKET NO.

MAG. JUDGE CASE NO.

Place of offense \_\_\_\_\_ County \_\_\_\_\_

CASE NO. CR 13 248  
 USA vs. WHA

Defendant: Patricia Bonavito P 1:14

Address: 1000 ... COURT ...

Interpreter Required Dialect: \_\_\_\_\_

Birth Date \_\_\_\_\_  Male  Alien  
 Female (if applicable)

Social Security Number \_\_\_\_\_

**DEFENDANT**

Issue:  Warrant  Summons

Location Status:

Arrest Date \_\_\_\_\_ or Date Transferred to Federal Custody \_\_\_\_\_

Currently in Federal Custody

Currently in State Custody

Writ Required

Currently on bond

Fugitive

Defense Counsel (if any): \_\_\_\_\_

FPD  CJA  RET'D

Appointed on Target Letter

This report amends AO 257 previously submitted

**OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS**

Total # of Counts 9

Set	Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Count(s)
	18 U.S.C § 152(3), 4, see attached	False Statements in Bankruptcy Proceeding	1-8
	18 U.S.C § 152(2), 4, see attached	False Testimony under Oath in Bankruptcy Proceeding	9

Penalties in *United States v. Patricia Bonavito*

18 § 152(3)–False Statements in Bankruptcy Proceeding

Maximum Imprisonment = 5 years

Maximum Fine = \$250,000

Maximum Term of Supervised Release = 3 years

\$100 special assessment fee

18 § 152(2)–False Testimony under Oath in Bankruptcy Proceeding

Maximum Imprisonment = 5 years

Maximum Fine = \$250,000

Maximum Term of Supervised Release = 3 years

\$100 special assessment fee

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U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

MELINDA HAAG (CSBN 132612)  
United States Attorney

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
PATRICIA BONAVIDO, )  
 )  
Defendant. )

NO. CR 13 248

VIOLATIONS: Title 18, United States Code, Sections and 18 U.S.C. § 152(3)—False Statements in Bankruptcy Proceeding and 152(2)—False Testimony Under Oath in Bankruptcy Proceeding WHA

INDICTMENT

The Grand Jury charges:

INTRODUCTORY ALLEGATIONS

At all times relevant to this Indictment:

1. The defendant, Patricia BONAVIDO, was an individual who resided in the Northern District of California and elsewhere.

2. The Bankruptcy Code is a set of laws, codified in Title 11 of the United States Code, that establishes the bankruptcy system in the United States. A bankruptcy case is typically commenced by the filing of a petition for bankruptcy in a United States Bankruptcy Court (“Bankruptcy Court”). A person seeking relief from debts, referred to as the “debtor,” initiates the bankruptcy process by filing a “voluntary petition” for bankruptcy. Other documents

INDICTMENT

1 commonly filed in a bankruptcy case include bankruptcy schedules and a statement of financial  
2 affairs. The debtor attests to what he or she submits in the voluntary petition, bankruptcy  
3 schedules, and statement of financial affairs under penalty of perjury. A Bankruptcy Trustee is  
4 an private individual appointed to be in charge of administering the bankruptcy estate of the  
5 debtor.

6 3. On or about June 22, 2010, BONAVIDO filed a voluntary petition for bankruptcy in  
7 the United States Bankruptcy Court for the Northern District of California, *In re Patricia*  
8 *Bonavito*, 10-32304-DM. BONAVIDO signed this petition under penalty of perjury.  
9 BONAVIDO sought relief for \$308,249.00 in debts.

10 4. On or about July 28, 2010, in connection with her bankruptcy petition, BONAVIDO  
11 submitted written responses to a questionnaire to the Bankruptcy Trustee. BONAVIDO signed  
12 these responses under the penalty of perjury.

13 5. On or about July 28, 2010, in connection with her bankruptcy petition, BONAVIDO  
14 made statements under oath at a meeting of creditors held by the Bankruptcy Trustee.

15 COUNTS ONE THROUGH EIGHT: (18 U.S.C. § 152(3) — False Statements in Bankruptcy  
16 Proceedings)

17 6. The factual allegations in Paragraphs 1 through 5 are re-alleged and incorporated  
18 herein as if set forth in full.

19 7. On or about the dates set forth below, in the Northern District of California and  
20 elsewhere, the defendant,

21 PATRICIA BONAVIDO,

22 knowingly and fraudulently made a material false declaration, certificate, verification and  
23 statement under the penalty of perjury, as permitted under Section 1746 of Title 28, in and in  
24 relation to a case under Title 11, *In re Patricia Bonavito*, 10-32304-DM, pending in the  
25 Bankruptcy Court for the Northern District of California:

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COUNT	DATE	BANKRUPTCY FILING	DESCRIPTION OF FALSE STATEMENT
ONE	June 22, 2010	Schedule B of bankruptcy petition	Stated that she did not have any other personal property beyond that already listed
TWO	June 22, 2010	Statement of financial affairs of bankruptcy petition (hereinafter "statement of financial affairs")	Stated that she did not have any other income, beyond that from her employment or profession, during the two years prior to filing her bankruptcy petition
THREE	June 22, 2010	Statement of financial affairs	Stated that she did not transfer any other property, beyond that in her ordinary course of business, within two years immediately preceding filing her bankruptcy petition
FOUR	July 28, 2010	Questionnaire submitted to the Bankruptcy Trustee (hereinafter "Questionnaire")	Answered "no" to the question, "[d]oes anyone owe you any money for any reason?"
FIVE	July 28, 2010	Questionnaire	Answered "yes" to the question, "[i]s the information contained in all these documents true, complete and accurate?"
SIX	July 28, 2010	Questionnaire	Answered "no" to the question, "[i]s your name listed on any personal or real property not listed in the schedules?"
SEVEN	July 28, 2010	Questionnaire	Answered "no" to the question, "[h]ave you paid or donated any funds to any friends or relatives in the past year?"
EIGHT	July 28, 2010	Questionnaire	Answered "no" to the question, "[d]id you rearrange your financial affairs in any way in preparation for filing this bankruptcy?"

Each in violation of Title 18, United States Code, Sections 152(3).

COUNT NINE: (18 U.S.C. § 152(2) — False Testimony in Bankruptcy Proceedings)

8. The factual allegations in Paragraphs 1 through 5 are re-alleged and incorporated herein as if set forth in full.

9. On or about July 28, 2010, in the Northern District of California and elsewhere, the defendant,

PATRICIA BONAVIDO,

1 knowingly and fraudulently made a false oath and account under the penalty of perjury, in  
2 relation to a case under Title 11, *In re Patricia Bonavito*, 10-32304-DM, pending in the  
3 Bankruptcy Court for the Northern District of California, by falsely stating that she had listed all  
4 of her assets and properties on her bankruptcy petition, in violation of Title 18, United States  
5 Code, Section 152(2).

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DATED: April 16, 2013

A TRUE BILL.

  
\_\_\_\_\_  
FOREPERSON

MELINDA HAAG  
United States Attorney

  
\_\_\_\_\_  
MIRANDA KANE  
Chief, Criminal Division

(Approved as to form:  )  
AUSA Hoffman

United States District Court  
Northern District of California

CRIMINAL COVER SHEET

FILED

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**Instructions:** Effective January 3, 2012, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case. Please place this form on top of the Defendant Information Form.

Case Name:

USA v. Patricia Bonavito

Case Number:

CR 13 248

Total Number of Defendants:

1  2-7 \_\_\_\_\_ 8 or more \_\_\_\_\_

Is This Case Under Seal?

Yes \_\_\_\_\_ No  **WHA**

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes \_\_\_\_\_ No

Venue (Per Crim. L.R. 18-1):

SF  OAK \_\_\_\_\_ SJ \_\_\_\_\_

Is this a death-penalty-eligible RICO Act gang case?

Yes \_\_\_\_\_ No

Assigned AUSA (Lead Attorney):

Hallie Hoffman

Comments:

[Empty rectangular box for comments]

Date Submitted:

April 16, 2013

PRINT