

CHP Officer Used Database To Access Kid's SSN's So Fraudsters Could Get Unemployment Benefits



A **California Highway Patrol dispatcher** has been charged in a sophisticated fraud operation that exploited the identities of children and prison inmates to illegally obtain \$3.3 Million in government COVID benefits.

Erica Robins, 57, of Compton, allegedly leveraged her position to access law enforcement databases containing sensitive personal information. She was arrested alongside four co-conspirators, including her incarcerated husband, in what investigators describe as one of the more egregious examples of COVID relief fraud.

"This case represents a particularly troubling betrayal of public trust," said Joseph T. McNally, Acting U.S. Attorney for the Central District of California. "Not only did the defendants allegedly steal millions of taxpayer dollars meant for those genuinely suffering economic hardship during the pandemic, but they did so by

exploiting children's identities and using government systems designed to protect the public."

293 Fraudulent Applications, Many For Kids

According to the indictment, the defendants filed approximately 293 fraudulent applications for pandemic unemployment assistance between April 2020 and July 2022, resulting in approximately \$3.3 million in stolen benefits. Most disturbing was their extensive use of children's Social Security numbers, with prosecutors alleging that 169 applications were submitted using the identities of minors under 18 years old.

Court documents reveal that 106 of the applications were filed using the identities of children under 10 years old. The conspirators allegedly claimed these children were **self-employed workers** who had lost income due to the pandemic.

The indictment further claims that Robins used her CHP credentials to access the California Law Enforcement Telecommunications System (CLETS), a confidential database containing Social Security numbers and dates of birth.

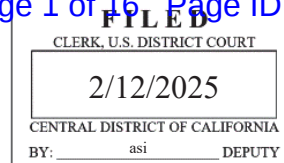
She reportedly queried information about an inmate at the California Men's Colony state prison in San Luis Obispo, where her husband, Ronald Lee Robins, 62, was incarcerated for first-degree burglary.

Prosecutors claim that Ronald Robins collected personal identifying information from fellow inmates, which was then used by his wife and two other defendants, Janet Theus, 44, and her mother Diane Theus, 78, both of Lancaster, to withdraw cash from ATMs loaded with fraudulently obtained benefits.

All five defendants have been taken into federal custody. Robins and Spears were released on \$10,000 bond, while Ronald Robins remains in custody pending a March 11 detention hearing. A trial date has been set for April 29.

If convicted, the defendants face up to 30 years in federal prison for each bank fraud-related count, with additional penalties of up to 10 years for charges of unlawful use of unauthorized access devices.

Read The Whole Indictment



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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

October 2024 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

JANET CLARISE GLORIA THEUS,
DIANE CLARISE THEUS,
DAILEN SPEARS,
ERICA ABSON ROBINS, and
RONALD LEE ROBINS,
 aka "Ernie Robins,"
 aka "Ernie Roberts,"

Defendants.

CR No. 2:25-cr-00102-ODW

I N D I C T M E N T

[18 U.S.C. § 1349: Conspiracy to Commit Bank Fraud; 18 U.S.C. § 1344(2): Bank Fraud; 18 U.S.C. § 1029(a)(2): Unlawful Use of Unauthorized Access Devices; 18 U.S.C. §§ 982 and 1029: Criminal Forfeiture]

The Grand Jury charges:

INTRODUCTORY ALLEGATIONS AND DEFINITIONS

At times relevant to this Indictment:

1. Defendants JANET CLARISE GLORIA THEUS ("J. THEUS"), DIANE CLARISE THEUS ("D. THEUS"), DAILEN SPEARS ("SPEARS"), ERICA ABSON ROBINS ("ABSON"), and RONALD LEE ROBINS, also known as ("aka") "Ernie Robins," aka "Ernie Roberts" ("ROBINS"), were residents of Los Angeles and San Luis Obispo Counties, California, within the Central District of California.

1 2. Defendant J. THEUS was the daughter of defendant D. THEUS
2 and mother of Co-Conspirator 1. Defendants J. THEUS and D. THEUS,
3 and Co-Conspirator 1, shared a residence located in Lancaster,
4 California (the "THEUS residence").

5 3. Defendants ABSON and ROBINS were married to each other. In
6 or around at least July and August 2020, defendant ROBINS was
7 incarcerated at the California Men's Colony state prison in San Luis
8 Obispo, California. In or around at least July and August 2020,
9 defendant ABSON worked as a dispatcher for the California Highway
10 Patrol ("CHP").

11 4. On March 13, 2020, the President of the United States
12 declared COVID-19 an emergency under the Robert T. Stafford Disaster
13 Relief and Emergency Assistance Act. As a result, Congress passed
14 the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"),
15 which the President signed into law on March 27, 2020. The CARES Act
16 provided over \$2 trillion in economic relief protections to the
17 American people from the public health and economic impacts of COVID-
18 19.

19 5. The California Employment Development Department ("EDD")
20 administered unemployment insurance ("UI") benefits for residents of
21 California, including Pandemic Unemployment Assistance benefits to
22 individuals who were unemployed because of the COVID-19 pandemic
23 ("pandemic benefits").

24 6. Before the enactment of the CARES Act, to be eligible for
25 UI benefits administered by EDD, a person had to have been employed
26 and worked in California and received at least a certain amount of
27 wages from an employer in the 18 months preceding his/her UI benefits
28 claim. Because of this requirement, self-employed workers,

1 independent contractors, and employees with insufficient earnings
2 were not eligible to receive regular UI benefits.

3 7. The CARES Act established a new program -- Pandemic
4 Unemployment Assistance ("PUA") -- to provide UI benefits during the
5 COVID-19 pandemic to people who did not qualify for regular UI
6 benefits, including business owners, self-employed workers,
7 independent contractors, and those with a limited work history, who
8 were out of business or had significantly reduced their services as a
9 direct result of the pandemic. UI benefits provided under the PUA
10 program were sometimes referred to as PUA benefits.

11 8. Under the PUA provisions of the CARES Act, a person who was
12 a business owner, self-employed worker, independent contractor, or
13 gig worker could qualify for PUA benefits if the person previously
14 performed such work in California and was unemployed, partially
15 unemployed, unable to work, or unavailable to work due to a COVID-19-
16 related reason. Individuals who were incarcerated or who did not
17 lose prior employment due to the pandemic were not eligible for UI
18 benefits, including pandemic benefits.

19 9. PUA benefits claimants were required to answer various
20 questions on their applications to establish eligibility for
21 benefits. Among other things, the claimant was required to provide
22 personal identifiable information ("PII") (including the applicant's
23 name and social security number), and to certify to EDD under the
24 penalties of perjury that the COVID-19 pandemic had directly and
25 adversely affected the applicant's employment. Persons applying for
26 PUA benefits did not, however, need to submit any supporting
27 documents to EDD with their applications.

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1 10. Once EDD approved the application and granted UI benefits
2 to the applicant, EDD would create a debit account ("EDD debit
3 account") with Bank of America, N.A. ("Bank of America"), a financial
4 institution insured by the Federal Deposit Insurance Corporation. A
5 debit card linked to the EDD debit account (the "EDD debit card(s)")
6 would then be mailed to the account mailing address.

7 11. EDD would deposit UI benefits, including pandemic benefits,
8 to the EDD debit account. Individuals could then call Bank of
9 America to activate the EDD debit cards and set a personal
10 identification number ("PIN") for the card. The EDD debit card could
11 then be used with the PIN to withdraw the benefits from the EDD debit
12 account using automated teller machines ("ATMs"), including ATMs that
13 Bank of America operated.

14 12. The California Law Enforcement Telecommunications System
15 ("CLETS") is a confidential law enforcement computer network with
16 information on individuals provided by, among other sources, the
17 Federal Bureau of Investigation and the California Department of
18 Motor Vehicles. A CLETS report can be used to obtain an individual's
19 social security number and date of birth. The CLETS system may only
20 be used for official law enforcement purposes. Unauthorized use of
21 CLETS violates California law, and consequences may include
22 disciplinary action or criminal enforcement.

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COUNT ONE

[18 U.S.C. § 1349]

[ALL DEFENDANTS]

13. The Grand Jury hereby realleges and incorporates by reference paragraphs 1 through 12 of the Introductory Allegations and Definitions of this Indictment as though fully set forth herein.

A. THE OBJECT OF THE CONSPIRACY

14. Beginning on a date unknown to the Grand Jury, but no later than in or around April 2020, and continuing through at least in or around July 2022, in Los Angeles and San Luis Obispo Counties, within the Central District of California, and elsewhere, defendants JANET CLARISE GLORIA THEUS ("J. THEUS"), DIANE CLARISE THEUS ("D. THEUS"), DAILEN SPEARS ("SPEARS"), ERICA ABSON ROBINS ("ABSON"), and RONALD LEE ROBINS, also known as ("aka") "Ernie Robins," aka "Ernie Roberts" ("ROBINS"), knowingly conspired and agreed with each other, and with others known and unknown to the Grand Jury, to commit bank fraud, in violation of Title 18, United States Code, Section 1344(2).

B. THE MANNER AND MEANS OF THE CONSPIRACY

15. The object of the conspiracy was to be accomplished, in substance, as follows:

16. Defendants J. THEUS, ABSON, and ROBINS, and co-conspirators, would collect and share PII from individuals to fraudulently receive PUA cash benefits.

17. Co-conspirators would use the PII to complete fraudulent applications for UI for individuals who did not qualify for pandemic benefits using, in many instances, an Internet Protocol address associated with the shared home residence of defendants J. THEUS and D. THEUS (the "THEUS IP address").

1 18. Co-conspirators would falsely state and represent on the UI
2 benefits applications that were filed with EDD that the named
3 claimants were individuals whose employment had been negatively
4 affected by the COVID-19 pandemic, thereby triggering eligibility for
5 UI benefits under the PUA provision of the CARES Act.

6 19. Co-conspirators would cause Bank of America to mail EDD
7 debit cards associated with the PII they had fraudulently collected
8 to various mailing addresses, including the shared home address of
9 defendants J. THEUS and D. THEUS, a separate address associated with
10 defendant D. THEUS, and an address associated with defendant SPEARS.

11 20. Defendant SPEARS and defendants D. THEUS and J. THEUS would
12 provide the fraudulently obtained cards to defendants J. THEUS, D.
13 THEUS, ABSON, and other co-conspirators, and would pay defendant
14 SPEARS a fee in exchange for being able to mail the cards to his
15 address.

16 21. Defendants J. THEUS, D. THEUS, and ABSON, and other co-
17 conspirators, would then use the debit cards at ATMs to withdraw cash
18 from the fraudulently obtained EDD debit cards.

19 22. Defendant J. THEUS and co-conspirators would collect
20 payments from individuals in exchange for procuring fraudulently
21 obtained EDD debit cards for those individuals.

22 23. In total, defendants and their co-conspirators caused at
23 least approximately 293 applications for PUA benefits to be filed
24 with EDD resulting in total losses to EDD and the United States
25 Treasury of approximately \$3.3 million. Approximately 169 of the PUA
26 benefits applications defendants and their co-schemers caused to be
27 filed were for children under the age of 18, approximately 106 of
28 which were for children under the age of 10. Defendants also caused

1 to be submitted at least 17 COVID-19 job-loss claims for individuals
2 who were in fact incarcerated prisoners.

3 C. OVERT ACTS

4 24. On or about the following dates, in furtherance of the
5 conspiracy and to accomplish its object, defendants J. THEUS, D.
6 THEUS, SPEARS, ABSON, and ROBINS, and others known and unknown to the
7 Grand Jury, committed and willfully caused others to commit the
8 following overt acts, in Los Angeles and San Luis Obispo Counties,
9 within the Central District of California, and elsewhere, including:

10 Overt Act 1: On July 23, 2020, a co-conspirator used the THEUS
11 IP address to submit a fraudulent EDD application for a two-year-old
12 child ("Child 1") and a separate fraudulent EDD application for a
13 six-year-old child ("Child 2"), defendant ABSON's grandchildren,
14 listing the home of defendant ABSON's deceased father as the mailing
15 address, defendant ABSON's phone number as the contact phone number,
16 claiming that Child 1 and Child 2 each worked as an "actor" and
17 "fashion model" earning an annual income of \$5,300, and claiming that
18 Child 1 and Child 2 had lost their jobs due to the COVID-19 pandemic
19 on July 18, 2020.

20 Overt Act 2: On August 3, 2020, defendant ABSON called Bank of
21 America to activate Child 1's EDD debit card.

22 Overt Act 3: On August 3, 2020, shortly after defendant ABSON
23 called Bank of America to activate Child 1's EDD debit card,
24 defendant ABSON used Child 1's EDD debit card to withdraw \$1,000 from
25 a Bank of America ATM located at 870 E Del Amo Boulevard, Carson,
26 California (the "Carson ATM").

27 Overt Act 4: On August 8, 2020, defendant ABSON called Bank of
28 America to activate Child 2's EDD debit card.

1 Overt Act 5: On August 8, 2020, shortly after defendant ABSON
2 called Bank of America to activate Child 2's EDD debit card,
3 defendant ABSON used Child 2's EDD debit card to withdraw \$1,000 from
4 the Carson ATM.

5 Overt Act 6: On August 10, 2020, defendant ABSON paid defendant
6 J. THEUS \$1,000 via Zelle.

7 Overt Act 7: On August 13, 2020, a co-conspirator used the
8 THEUS IP address to submit a fraudulent EDD application for an inmate
9 at the California Men's Colony state prison in San Luis Obispo,
10 California ("Inmate 1"), claiming Inmate 1 was "a handyman that
11 repair things and clean carpet," in August 2020, when in fact
12 Inmate 1 was incarcerated at that time. The co-conspirator used
13 defendant SPEARS's home address as the mailing address on the EDD
14 application.

15 Overt Act 8: On or before August 13, 2020, J. THEUS paid SPEARS
16 to use his home address as the mailing address for EDD applications.

17 Overt Act 9: On August 13, 2020, defendant ABSON used her
18 position as a California Highway Patrol dispatcher to query CLETS --
19 which contains an individual's social security number and date of
20 birth -- regarding an inmate at the California Men's Colony state
21 prison in San Luis Obispo, California ("Inmate 2").

22 Overt Act 10: On or before August 19, 2020, defendant ROBINS
23 obtained the names, social security numbers, and dates of birth for
24 four inmates at the California Men's Colony state prison in San Luis
25 Obispo, California ("Inmate 3," "Inmate 4," "Inmate 5," and
26 "Inmate 6").

27 Overt Act 11: On August 19, 2020, a co-conspirator used the
28 THEUS IP address to submit fraudulent EDD applications for Inmate 2,

1 Inmate 3, Inmate 4, and Inmate 5 using their names and social
2 security numbers, and dates of birth, and falsely stating that
3 Inmates 2, 3, 4, and 5 were employed as a "football referee and
4 coach" in August 2020, until they lost their jobs due to COVID-19.

5 Overt Act 12: On August 21, 2020, a co-conspirator used the
6 THEUS IP address to submit a fraudulent EDD application for Inmate 6,
7 using his name, social security number, and date of birth, and
8 falsely stating that Inmate 6 was employed as a "football referee and
9 coach" in August 2020, until Inmate 6 lost his job due to COVID-19.

10 Overt Act 13: On August 22, 2020, defendant J. THEUS called
11 Bank of America to activate the EDD card for Inmate 1.

12 Overt Act 14: On August 27, 2020, defendant ABSON accepted a
13 payment of \$1,000 from Inmate 1's relative via Cash App.

14 Overt Act 15: On August 30, 2020, defendant J. THEUS called
15 Bank of America to activate EDD debit cards for Inmate 2 and Inmate
16 4.

17 Overt Act 16: On September 1, 2020, defendant J. THEUS called
18 Bank of America to activate the EDD cards for Inmate 3, Inmate 5, and
19 Inmate 6.

20 Overt Act 17: On September 2, 2020, defendant J. THEUS used
21 Inmate 5's EDD debit card to withdraw \$2,000 from a Bank of America
22 ATM located at 4165 W. Ave L, Lancaster, California (the "Lancaster
23 ATM").

24 Overt Act 18: On September 2, 2020, defendant D. THEUS used
25 Inmate 6's EDD debit card to withdraw \$2,000 from the Lancaster ATM.

26 Overt Act 19: On September 3, 2020, defendant J. THEUS used
27 Inmate 2's EDD debit card to withdraw \$2,000 from the Lancaster ATM.

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1 Overt Act 20: On September 3, 2020, defendant J. THEUS used
2 Inmate 4's EDD debit card to withdraw \$2,000 from the Lancaster ATM.

3 Overt Act 21: On September 3, 2020, defendant D. THEUS used
4 Inmate 5's EDD debit card to withdraw \$2,000 from the Lancaster ATM.

5 Overt Act 22: On September 3, 2020, defendant J. THEUS used
6 Inmate 6's EDD debit card to withdraw \$2,000 from the Lancaster ATM.

7 Overt Act 23: On September 3, 2020, defendants J. THEUS and D.
8 THEUS withdrew cash from other EDD accounts at the Lancaster ATM.

9 Overt Act 24: On September 5, 2020, defendant J. THEUS used
10 Inmate 1's EDD debit card to withdraw \$1,000 from the Lancaster ATM.

11 Overt Act 25: On September 5, 2020, defendant J. THEUS used
12 Inmate 4's EDD debit card to withdraw \$2,000 from the Lancaster ATM.

13 Overt Act 26: On September 8, 2020, defendant J. THEUS used
14 Inmate 3's EDD debit card to withdraw \$1,000 from the Lancaster ATM.

15 Overt Act 27: On September 8, 2020, defendant J. THEUS used
16 Inmate 5's EDD debit card to withdraw \$2,000 from the Lancaster ATM.

17 Overt Act 28: On September 8, 2020, defendant D. THEUS used
18 Inmate 6's EDD debit card to withdraw \$2,000 from the Lancaster ATM.

19 Overt Act 29: On September 11, 2020, defendant J. THEUS used
20 Inmate 4's EDD debit card to withdraw \$2,000 from the Lancaster ATM.

21 Overt Act 30: On September 13, 2020, defendant J. THEUS used
22 Inmate 3's EDD debit card to withdraw \$1,000 from the Lancaster ATM.

23 Overt Act 31: On September 13, 2020, defendant J. THEUS used
24 Inmate 6's EDD debit card to withdraw \$2,000 from the Lancaster ATM.

25 Overt Act 32: On September 21, 2020, defendant D. THEUS used
26 Inmate 1's EDD debit card to withdraw \$1,000 from the Lancaster ATM.

27 Overt Act 33: On September 21, 2020, defendant J. THEUS used
28 Inmate 2's EDD debit card to withdraw \$2,000 from the Lancaster ATM.

1 Overt Act 34: On September 21, 2020, defendant D. THEUS used
2 Inmate 3's EDD debit card to withdraw \$1,000 from the Lancaster ATM.

3 Overt Act 35: On September 21, 2020, defendant J. THEUS used
4 Inmate 4's EDD debit card to withdraw \$2,000 from the Lancaster ATM.

5 Overt Act 36: On September 21, 2020, defendant D. THEUS used
6 Inmate 5's EDD debit card to withdraw \$2,000 from the Lancaster ATM.

7 Overt Act 37: On September 21, 2020, defendant D. THEUS used
8 Inmate 6's EDD debit card to withdraw \$2,000 from the Lancaster ATM.

9 Overt Act 38: On September 24, 2020, defendant D. THEUS used
10 Inmate 2's EDD debit card to withdraw \$2,000 from the Lancaster ATM.

11 Overt Act 39: On September 24, 2020, defendant D. THEUS used
12 Inmate 3's EDD debit card to withdraw \$1,000 from the Lancaster ATM.

13 Overt Act 40: On September 24, 2020, defendant J. THEUS used
14 Inmate 4's EDD debit card to withdraw \$2,000 from the Lancaster ATM.

15 Overt Act 41: On September 24, 2020, defendant J. THEUS used
16 Inmate 5's EDD debit card to withdraw \$2,000 from the Lancaster ATM.

17 Overt Act 42: On September 24, 2020, defendant J. THEUS used
18 Inmate 6's EDD debit card to withdraw \$2,000 from the Lancaster ATM.

19 Over Act 43: On September 25, 2020, on a recorded call between
20 ABSON and ROBINS, ABSON asked an individual, "You're here for Janet,
21 right?" to which the individual replied, "yes ma'am." ABSON then
22 asked ROBINS, "You said to give him all the paperwork?" to which
23 ROBINS replied, "Yeah." ABSON then told the unknown individual that
24 she had to give him the paperwork and that the "code" was "3030."

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COUNTS TWO THROUGH NINE

[18 U.S.C. §§ 1344(2), 2(a), 2(b)]

[DEFENDANTS J. THEUS, D. THEUS, and ABSON]

25. The Grand Jury realleges paragraphs 1 through 23 of this Indictment here.

A. The SCHEME TO DEFRAUD

26. Beginning on a date unknown to the Grand Jury, but no later than in or around April 2020, and continuing through at least in or around September 2020, in Los Angeles and San Luis Obispo Counties, within the Central District of California, and elsewhere, defendants JANET CLARISE GLORIA THEUS ("J. THEUS"), DIANE CLARISE THEUS ("D. THEUS"), and ERICA ABSON ROBINS ("ABSON"), and others known and unknown to the Grand Jury, each aiding and abetting the other, knowingly and with the intent to defraud, devised and executed a scheme to obtain moneys, funds, credits, assets, and other property owned by and in the custody and control of Bank of America by means of material false and fraudulent pretenses, representations, and promises, and the concealment of material facts.

27. The fraudulent scheme operated, and was carried out, in substance, in the manner set forth in paragraphs 15 through 23 of Count One of this Indictment.

B. EXECUTIONS OF THE FRAUDULENT SCHEME

28. On or about the following dates, in Los Angeles and San Luis Obispo Counties, within the Central District of California, and elsewhere, defendants J. THEUS, D. THEUS, and ABSON, and others known and unknown to the Grand Jury, committed the following acts, each of which constituted an execution of the fraudulent scheme:

COUNT	DATE	DEFENDANT	ACT
TWO	8/3/2020	ABSON	Used an EDD debit card issued in the name of Child 1 to withdraw \$1,000 from a Bank of America ATM in Carson, California.
THREE	8/8/2020	ABSON	Used an EDD debit card issued in the name of Child 2 to withdraw \$1,000 from a Bank of America ATM in Carson, California.
FOUR	9/2/2020	J. THEUS	Used an EDD debit card issued in the name of Inmate 5 to withdraw \$2,000 from a Bank of America ATM in Lancaster, California.
FIVE	9/2/2020	D. THEUS	Used an EDD debit card issued in the name of Inmate 6 to withdraw \$2,000 from a Bank of America ATM in Lancaster, California.
SIX	9/5/2020	J. THEUS	Used an EDD debit card issued in the name of Inmate 1 to withdraw \$1,000 from a Bank of America ATM in Lancaster, California.
SEVEN	9/8/2020	J. THEUS	Used an EDD debit card issued in the name of Inmate 3 to withdraw \$1,000 from a Bank of America ATM in Lancaster, California.
EIGHT	9/24/2020	J. THEUS	Used an EDD debit card issued in the name of Inmate 4 to withdraw \$2,000 from a Bank of America ATM in Lancaster, California.
NINE	9/24/2020	D. THEUS	Used an EDD debit card issued in the name of Inmate 2 to withdraw \$2,000 from a Bank of America ATM in Lancaster, California.

COUNT TEN

[18 U.S.C. §§ 1029(a)(2), 2(a), 2(b)]

[DEFENDANTS J. THEUS, D. THEUS, ABSON, and ROBINS]

Beginning on a date unknown to the Grand Jury, but no later than in or around April 2020, and continuing through at least in or around September 2020, in Los Angeles and San Luis Obispo Counties, within the Central District of California, and elsewhere, defendants JANET CLARISE GLORIA THEUS, DIANE CLARISE THEUS, ERICA ABSON ROBINS, and RONALD LEE ROBINS, also known as ("aka") "Ernie Robins," aka "Ernie Roberts," together with others known and unknown to the Grand Jury, knowingly and with intent to defraud, used unauthorized access devices (as defined in Title 18, United States Code, Sections 1029(e)(1) and (3)), namely, Employment Development Department account numbers belonging to other persons, and by such conduct obtained things of value aggregating at least \$1,000 during a one-year period, with said use having an effect on interstate and foreign commerce.

FORFEITURE ALLEGATION

[18 U.S.C. § 982]

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3 1. Pursuant to Rule 32.2(a) of the Federal Rules of Criminal
4 Procedure, notice is hereby given that the United States of America
5 will seek forfeiture as part of any sentence, pursuant to Title 18,
6 United States Code, Section 982(a)(2), in the event of any
7 defendant's conviction of the offenses set forth in any of Counts One
8 through Ten of this Indictment.

9 2. Any defendant, if so convicted, shall forfeit to the United
10 States of America the following:

11 (a) All right, title and interest in any and all property,
12 real or personal, constituting, or derived from, any proceeds
13 obtained, directly or indirectly, as a result of the offense; and

14 (b) To the extent such property is not available for
15 forfeiture, a sum of money equal to the total value of the property
16 described in subparagraph (a).

17 3. Pursuant to Title 21, United States Code, Section 853(p),
18 as incorporated by Title 18, United States Code, Section 982(b), any
19 defendant, if so convicted, shall forfeit substitute property, up to
20 the total value of the property described in the preceding paragraph
21 if, as the result of any act or omission of the defendant, the
22 property described in the preceding paragraph, or any portion
23 thereof: (a) cannot be located upon the exercise of due diligence;
24 (b) has been transferred, sold to or deposited with a third party;
25 (c) has been placed beyond the jurisdiction of the court; (d) has

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1 been substantially diminished in value; or (e) has been commingled
2 with other property that cannot be divided without difficulty.

3
4 A TRUE BILL

5
6 /s/
7 Foreperson

8 JOSEPH T. MCNALLY
9 Acting United States Attorney

10 LINDSEY GREER DOTSON
11 Assistant United States Attorney
12 Chief, Criminal Division



13 FRANCES S. LEWIS
14 Assistant United States Attorney
15 Chief, General Crimes Section

16 BENEDETTO L. BALDING
17 Assistant United States Attorney
18 Deputy Chief, General Crimes
19 Section

20 DIANE ROLDÁN
21 Assistant United States Attorney
22 General Crimes Section
23
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25
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27
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