



Department of Justice

Office of the United States Attorney
Eastern District of California
Acting U.S. Attorney Phillip A. Talbert

FOR IMMEDIATE RELEASE

Tuesday, March 2, 2021

www.justice.gov/edca

oj.gov

Docket #: 2:18-cr-058 JAM

CONTACT: LAUREN HORWOOD

PHONE: 916-554-2706

usacae.edcapress@usd

Former Stockton Man Pleads Guilty to Unemployment Benefits Fraud and Identity Theft

SACRAMENTO, Calif. — Robert Joseph Maher, 42, formerly of Stockton, pleaded guilty today to single counts of mail fraud and aggravated identify theft in connection with an unemployment insurance benefits fraud and identity theft scheme, Acting U.S. Attorney Phillip A. Talbert announced.

According to court documents, from at least November 2010 through February 2018, Maher participated in a scheme to defraud the State of California Employment Development Department (EDD) by filing fraudulent claims for unemployment insurance benefits. In furtherance of this scheme, Maher and his co-defendant, Michael Herron II, also of Stockton, created fictitious companies and fictitious employees by using the real identities of persons with and without their knowledge. They then filed claims with EDD, falsely stating that the employees had been laid-off or fired. The unemployment benefits were deposited onto debit cards that were mailed to addresses controlled by Maher, Herron, or their associates.

In one instance, Maher and Herron electronically filed an unemployment insurance claim in the name of an identity-theft victim. Maher knew that the victim was a real person because the claim listed the victim's correct date of birth and social security number. The claim also listed Maher's address in Stockton as the claimant's address, which caused a bank to mail an EDD debit card in the victim's name to Maher's address. Maher and Herron then transferred the card's benefits to Maher's personal bank account. Maher and Herron also used the victim's name to register another fictitious business entity that was used in the fraud scheme. In all, Maher and Herron filed at least 72 fraudulent claims for unemployment insurance benefits, seeking a total of \$739,535 in fraudulent claims to EDD, of which EDD paid out approximately \$609,335. As part of his plea agreement, Maher has agreed to pay full restitution to victims of his offenses.

This case is the product of an investigation by the U.S. Department of Labor - Office of Inspector General, the Federal Bureau of Investigation, and the California Employment

Development Department's Investigation Division. Special Assistant U.S. Attorney Robert J. Artuz is prosecuting the case.

On March 26, 2019, Herron pleaded guilty to similar counts of mail fraud and aggravated identity theft and, on June 25, 2019, was sentenced to six years and three months in prison.

Maher is scheduled to be sentenced by U.S. District Judge John A. Mendez on June 8. Maher faces a maximum statutory penalty of 20 years in prison and a \$250,000 fine for the mail fraud count, and a mandatory two-year consecutive sentence and \$250,000 fine for the aggravated identity theft count. The actual sentence, however, will be determined at the discretion of the court after consideration of any applicable statutory factors and the Federal Sentencing Guidelines, which take into account a number of variables.

###