

Department of Justice
U.S. Attorney's Office
District of Maryland

FOR IMMEDIATE RELEASE

Friday, October 16, 2015

**Six Defendants Indicted and Three Plead Guilty in \$1.4
Million Unemployment Benefit Fraud Scheme**

**Claimed to Have Worked at Fictitious Companies, and Used the Stolen
Identities of Others**

Baltimore, Maryland – A federal grand jury has indicted six defendants on fraud and identity theft charges involving a scheme to fraudulently obtain unemployment insurance benefits:

Diameter Jeffrey Akala, age 42, of Silver Spring, Maryland;

Wilfred Mendez, age 21, of Bronx, New York;

Eric Gonzalez, age 33, of Alexandria, Virginia;

Tawana McClain, age 50, of Washington, D.C.;

Ferny Alexander Moreno Puente age 23, of Gaithersburg, Maryland;

Wilfredo Torres, age 35, of Alexandria, Virginia.

The indictment was returned on October 13, 2015 and unsealed today. Three other defendants have pleaded guilty to their participation in the scheme:

Dulce Oleo, age 38, of the Bronx, New York;

Yaw Bempa-Boateng, age 35, of Silver Spring, Maryland; and

Carmen Benitez, age 29, of Scranton, Pennsylvania.

The indictment and guilty pleas were announced by United States Attorney for the District of Maryland Rod J. Rosenstein; Special Agent in Charge Steven Anderson, of the Washington Regional Office, U.S. Department of Labor - Office of Inspector General, Office of Labor Racketeering and Fraud Investigations; and Postal Inspector in Charge David G. Bowers of the U.S. Postal Inspection Service - Washington Division.

“Today's guilty pleas send a strong message that schemes to defraud the unemployment insurance program will not be tolerated,” stated Steven Anderson, Special Agent in Charge, U.S. Department of Labor - Office of Inspector General, Office of Labor Racketeering and Fraud Investigations in Washington, DC. “The Office of Inspector General will continue to work cooperatively with our law

enforcement partners to aid in the identification and prosecution of individuals engaged in these types of crimes.

According to the 11 count indictment, from March 2012 to May 2015, the defendants caused the Maryland Department of Labor, Licensing and Regulation (DLLR) and the Pennsylvania Department of Labor and Industry (DLI), which administered the unemployment insurance benefit programs in their respective states, to issue unemployment benefits in the names of individuals by submitting false applications for monetary benefits for their own personal use and benefit.

The indictment alleges that members of the conspiracy obtained the personal identities of other individuals, including Maryland residents. Akala filed false documentation with DLLR and DLI in the names of fictitious companies. The filings falsely stated that the fictitious companies employed and paid wages to actual individuals. In fact, no unemployment insurance taxes were paid over to DLLR or DLI in the names of the fictitious companies.

According to the indictment, members of the conspiracy fraudulently used residential mailing addresses of co-conspirators in Maryland, New York, the District of Columbia, Pennsylvania and Virginia to register and receive correspondence for the fictitious companies, and apply for and receive prepaid debit cards containing fraudulently obtained unemployment benefits. In exchange for the use of their addresses, the co-conspirators received funds obtained through the fraud, typically in the form of a fraudulently obtained prepaid debit card. Members of the conspiracy regularly contacted DLLR and DLI, falsely representing themselves either to be a representative of one of the fictitious companies or an individual entitled to unemployment benefits. Akala moved regularly between different states in order to retrieve correspondence addressed to fictitious companies and individuals, including prepaid debit cards issued by DLLR and DLI.

The co-conspirators used the prepaid debit cards at ATMs or stores in order to withdraw and use approximately \$1,468,463.80 in fraudulently obtained unemployment insurance benefits. The indictment seeks forfeiture of at least that amount.

Akala, Mendez, Gonzalez, McClain, Moreno Puente and Torres face a maximum sentence of 20 years in prison for conspiring to commit wire fraud and for wire fraud. Akala and Mendez also face a mandatory minimum sentence of two years in prison for aggravated identity theft consecutive to any other sentence imposed. Moreno Puente and Torres are expected to have their initial appearances today in federal court in Virginia, and Gonzalez is expected to have his initial appearance today in federal court in Greenbelt. Akala is detained pending a detention hearing scheduled for October 20, 2015 at 2:30 p.m. McClain and Mendez were released under the supervision of pretrial services.

An indictment is not a finding of guilt. An individual charged by indictment is presumed innocent unless and until proven guilty at some later criminal proceedings.

In related cases, Bempa-Boateng, Benitez and Oleo have pleaded guilty to their participation in the conspiracy. Bempa-Boateng admitted that he initially agreed to have a co-conspirator file unemployment claims in his name, and eventually filed multiple false claims on his own behalf. Benitez agreed to use a Maryland unemployment insurance card and debit cards that the co-

conspirator obtained for her through false means, to fraudulently withdraw benefits funds. Oleo admitted that she provided the conspirator with personal identifying information of others in order to file false unemployment claims; and personally used at least 10 fraudulently obtained unemployment insurance cards. Bempa-Boateng, Benitez and Oleo have each agreed to the entry of an order to pay restitution and forfeiture of \$801,710.40; \$388,378 and \$191,122, respectively.

The Maryland Identity Theft Working Group has been working since 2006 to foster cooperation among local, state, federal, and institutional fraud investigators and to promote effective prosecution of identity theft schemes by both state and federal prosecutors. This case, as well as other cases brought by members of the Working Group, demonstrates the commitment of law enforcement agencies to work with financial institutions and businesses to address identity fraud, identify those who compromise personal identity information, and protect citizens from identity theft.

Today's announcement is part of the efforts undertaken in connection with the President's Financial Fraud Enforcement Task Force. The task force was established to wage an aggressive, coordinated and proactive effort to investigate and prosecute financial crimes. With more than 20 federal agencies, 94 U.S. attorneys' offices, and state and local partners, it's the broadest coalition of law enforcement, investigatory and regulatory agencies ever assembled to combat fraud. Since its formation, the task force has made great strides in facilitating increased investigation and prosecution of financial crimes; enhancing coordination and cooperation among federal, state and local authorities; addressing discrimination in the lending and financial markets; and conducting outreach to the public, victims, financial institutions and other organizations. Since fiscal year 2009, the Justice Department has filed over 18,000 financial fraud cases against more than 25,000 defendants. For more information on the task force, please visit www.StopFraud.gov.

United States Attorney Rod J. Rosenstein commended the Department of Labor – OIG and U.S. Postal Inspection Service for their work in the investigation, and praised the Maryland Department of Labor, Licensing and Regulation and the Pennsylvania Department of Labor and Industry for their assistance in the investigation. Mr. Rosenstein thanked Assistant U.S. Attorney Sean R. Delaney, who is prosecuting the case.

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