

FILED

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES VAN BUSKIRK,

Defendant.

) INDICTMENT
)
)
)
)

) **5 15 CR 46**
) CASE NO.
)

) Title 18, Sections 641 and 1343,
) and Title 42, Section 408(a)(4),
) United States Code
)

JUDGE GWIN

COUNT ONE

The Grand Jury charges:

From on or about September 24, 2008, through on or about November 27, 2013, in the Northern District of Ohio, Eastern Division, Defendant, JAMES VAN BUSKIRK, did knowingly and willfully embezzle, steal, purloin and convert to his use, and the use of another, Social Security Title II Disability Benefits, being money and property of the United States, and of a value in excess of \$1,000, to wit: Defendant fraudulently applied for and received Social Security Title II Disability Benefits to which he was not entitled, totaling approximately \$75,823.00, in violation of Title 18, Section 641, United States Code.

COUNTS TWO THROUGH TEN

The Grand Jury further charges:

From on or about November 20, 2002, through on or about April 1, 2014, in the Northern District of Ohio, Eastern Division, Defendant, JAMES VAN BUSKIRK, devised and intended to devise a scheme and artifice to defraud the Ohio Bureau of Worker's Compensation (OBWC),

(OBWC), and to obtain money and property from that organization by means of materially false and fraudulent pretenses, representations, and promises.

As part of the scheme and artifice to defraud, Defendant, JAMES VAN BUSKIRK, knowingly and intentionally failed to disclose to OBWC his work activities and income and additionally made false representations to OBWC to conceal his work activities and income in order to continue to fraudulently receive OBWC payments. As a result of this scheme and artifice to defraud, Defendant obtained approximately \$269,932.99 payments from OBWC.

On or about the dates set forth below, in the Northern District of Ohio and elsewhere, JAMES VAN BUSKIRK, for the purpose of executing said scheme and artifice, caused to be transmitted by means of wire communication in interstate commerce, from outside the State of Ohio to the Northern District of Ohio, funds from OBWC to which VAN BUSKIRK was not entitled, each transmission constituting a separate count:

Count	Date of wire communication	Description of wire communication
2	March 18, 2010	OBWC disability payment, Warrant Number F149120
3	April 1, 2010	OBWC disability payment, Warrant Number F211598
4	April 14, 2011	OBWC disability payment, Warrant Number G912587
5	October 27, 2011	OBWC disability payment, Warrant Number H766175
6	September 27, 2012	OBWC disability payment, Warrant Number J190316
7	November 21, 2012	OBWC disability payment, Warrant Number J421569
8	August 29, 2013	OBWC disability payment, Warrant Number K588998
9	December 19, 2013	OBWC disability payment, Warrant Number L031610
10	April 10, 2014	OBWC disability payment, Warrant Number L502787

All in violation of Title 18, United States Code, Section 1343.

COUNT ELEVEN

The Grand Jury further charges:

From on or about September 24, 2008, through on or about November 27, 2013, in the Northern District of Ohio, Eastern Division, Defendant, JAMES VAN BUSKIRK, in a matter

within the jurisdiction of the Social Security Administration, having knowledge of the occurrence of an event affecting his continued right to Social Security payments, concealed and failed to disclose such an event with the intent to fraudulently secure payment when no payment was authorized. Specifically, Defendant, JAMES VAN BUSKIRK, intentionally concealed his self-employment and work from the Social Security Administration knowing that it would affect the Social Security Administration's ability to properly evaluate his alleged disability and determine entitlement to benefits, in order to continue to receive and spend Social Security payments to which he was not entitled. By such action, Defendant, JAMES VAN BUSKIRK, received approximately \$75,823.00, to which he was not entitled, in violation of Title 42, United States Code, Section 408(a)(4).

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.