

**United States Attorney's Office
Southern District of Florida**



NEWS BRIEFING

To:

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[REDACTED], Chief, Major Crimes Section
[REDACTED], Chief, Special Prosecutions
[REDACTED], Acting Deputy Chief, Ft. Lauderdale
[REDACTED], Deputy Chief, West Palm Beach
[REDACTED], Deputy Chief, Ft. Pierce

From:

[REDACTED]

September 22, 2009

The United States Attorney's Office

Southern District of Florida

Press Release

SEBASTIAN WOMAN SENTENCED ON FRAUD CHARGES

September 21, 2009

FOR IMMEDIATE RELEASE

Jeffrey H. Sloman, Acting United States Attorney for the Southern District of Florida, Guy P. Fallen, Special Agent in Charge, Social Security Administration, Office of Inspector General, and Amie R. Tanchak, Resident Special Agent in Charge, U.S. Department of Defense, Defense Criminal Investigative Service (DCIS), announced that defendant **Penelope Sharon Jordan**, 61, of Sebastian, FL, was sentenced today on charges of theft of government funds, in violation of 18 U.S.C. § 641. Jordan had pled guilty to this charge on June 22, 2009. U.S. District Judge Donald Graham sentenced Jordan to one year and one day in prison, followed by three years of supervised release. In addition, the Judge ordered that Jordan repay to the Government \$237,876 in restitution for Social Security payments and military pension payments she had unlawfully received and kept.

According to an affidavit filed by a Sebastian Police Department detective in support of an application for a state court search warrant, Penelope Jordan lived in a Sebastian home owned by her mother. In late March 2009, the Sebastian Police Department obtained the defendant's consent to look inside the home, where they found the dead body of her mother in a spare bedroom. The defendant told Sebastian Police that her mother had been dead for at least six years. Evidence presented during sentencing indicated that, in December 2001, Penelope Jordan had told her visiting sister that their mother had already died before that earlier date.

According to in-court statements during the plea, the defendant concealed the death of her mother and withheld reporting her death in order to continue receiving both her mother's Social Security survivor's benefit payments and her mother's military pension survivor's benefit payments. From January 2003 through March 2009, the defendant received approximately \$61,415 in Social Security payments, plus \$176,461 of military pension benefits, to which she was not entitled.

Mr. Sloman commended the investigative efforts of the Social Security Administration-Office of Inspector General, the Defense Criminal Investigative Service (DCIS), the efforts of City of Sebastian animal control and building code officers, and the Sebastian Police Department. The case was prosecuted by Assistant U.S. Attorney Theodore Cooperstein.

A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at <http://www.usdoj.gov/usao/fls>. Related court documents and information may be found on the website of the District Court for the Southern District of Florida at <http://www.flsd.uscourts.gov> or on <http://pacer.flsd.uscourts.gov>.

Technical comments about this website can be e-mailed to the Webmaster. PLEASE NOTE: The United States Attorney's Office does not respond to non-technical inquiries made to this website. If you wish to make a request for information, you may contact our office at 305-961-9001, or you may send a written inquiry to the United States Attorney's Office, Southern District of Florida, 99 NE 4th Street, Miami, FL 33132.

Sebastian woman sentenced to prison for taking dead mother's military pension checks

By Melissa E. Holsman

Monday, September 21, 2009

FORT PIERCE — A Sebastian woman who pleaded guilty to a criminal charge related to collecting her dead mother's federal benefits for six years was ordered Monday to serve one year and one day in prison.

Penelope Jordan, 61, was arrested in late March by Sebastian police after they found the decaying body of her mother, Timmie Jordan, in a barricaded bedroom of their Wimbrow Drive home. Jordan told officials she kept the corpse there since her mother's death in early 2003.

Jordan, who in June pleaded guilty to theft of public money or property, was also ordered by U.S. District Judge Donald Graham to pay \$237,876 in restitution and serve three years of supervised release.

She had faced up to two years in prison on the charge.

The theft of public money charge refers to Jordan collecting military pension benefits being sent to her mother for Col. Ashford Travis "A.T." Jordan, her mother's late husband, after her mother's death. Ashford Jordan was a World War II veteran and city clerk for Sebastian, records show.

Standing before Graham on Monday dressed in a long black skirt and a print top covered by an oversized blue windbreaker, Jordan apologized to the court and talked about the financial struggles she'd been facing prior to her arrest in March.

"I was trying to ... keep a roof over my head and I take responsibility for what I did. It was wrong," Jordan said in a low soft voice. "I've never had a whole lot but I do have faith in God and people.

Added Jordan: "I am asking for a second chance to do right."

Her attorney, Assistant Federal Public Defender Panayotta Augustin-Birch, who characterized the unemployed Jordan as "very remorseful," recommended she be punished with a term of home detention, followed by supervised release.

As part of a plea bargain, federal prosecutors dropped a charge of failure to disclose

an occurrence that would alter distribution of Social Security benefits, which could have added an additional five years in prison.

In announcing Jordan's sentence, Graham noted the "conduct in this matter has some interesting and unusual facts surrounding the fraud that was perpetrated."

"It's apparent to the court," he continued, "that the defendant has some issues, some social issues in this case."

The court, Graham said, "does not believe the public will have a problem with future crimes from the defendant and a variance is warranted, but not what has been recommended by the defense."

An animal control complaint about stray cats led police to Jordan's home in late March, which is when they asked about the whereabouts of her mother. The city also cited Jordan for faulty wiring and large amounts of debris and animal waste at the home.



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The United States Attorney's Office

Southern District of Florida

Press Release

DEFENDANTS SENTENCED IN DRIVER'S LICENSE SCAM

September 21, 2009

FOR IMMEDIATE RELEASE

Jeffrey H. Sloman, Acting United States Attorney for the Southern District of Florida, Rick Walker, Special Agent in Charge, U.S. Department of Labor, Office of Inspector General, Office of Labor Racketeering and Fraud Investigations, and Anthony [REDACTED] Mangione, Special Agent in Charge, U.S. Immigration and Customs Enforcement (ICE), Office of Investigations, announced that defendant **Wesley Philamar**, 36, of Miami, was sentenced on Friday, September 18, 2009 on charges of conspiracy to produce identification documents without lawful authority, in violation of Title 18, United States Code, Sections 1028(a)(1), (b)(1)(A)(ii), (c)(3)(A), and (f). Philamar pled guilty to this charge on March 13, 2009.

U.S. District Judge Kenneth A. Marra sentenced Philamar to 20 months' imprisonment, to be followed by 2 years of supervised release. Co-defendant **Yvan Bonhomme**, 54, of Miramar, pled guilty to the same charge on April 1, 2009 and was sentenced by Judge Marra on July 31, 2009 to 36 months' imprisonment, to be followed by 3 years of supervised release. A third defendant, **Carmino Rossini Santos**, Jr., 40, of Pompano Beach, also pled guilty to the same charge on March 13, 2009, and was sentenced by Judge Marra on May 26, 2009 to 3 months' imprisonment, 3 months' home detention with electronic monitoring, to be followed by 2 years of supervised release, and a \$1000 fine.

These convictions were the result of "Operation Turn Signal." Operation Turn Signal is a joint effort between the U.S. Department of Labor--Office of Labor Racketeering and Fraud Investigations, ICE's Office of Investigations, and the U.S. Attorney's Office to investigate and prosecute fraud related to the issuance of immigration documents and Florida driver's licenses.

According to a factual proffer filed during the pleas, the defendants used five fictitious companies purportedly operating in South Florida to create paperwork falsely representing that their clients were employees of these companies and had applied for visas. In fact, however, the clients were illegal aliens. Thereafter, the aliens presented the false employment documentation received from these companies, along with false U.S. Department of Labor certifications and U.S. work visa application receipts, to the Florida Division of Driver's Licenses ("DDL") to receive valid driver's licenses. The defendants also provided illegal aliens with false U.S. immigration forms for submission with their passports to the DDL. In total, the defendants caused the issuance of at least 500 fraudulent driver's licenses in both Broward and Palm Beach Counties.

Mr. Sloman commended the investigative efforts of the U.S. Department of Labor and ICE's Office of Investigations. This case was prosecuted by Assistant U.S. Attorney Randy Katz.

A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at <http://www.usdoj.gov/usao/fls>. Related court documents and information may be found on the website of the District Court for the Southern District of Florida at <http://www.flsd.uscourts.gov> or on <http://pacer.flsd.uscourts.gov>.

The Miami Herald

Posted on Tue, Sep. 22, 2009

Woman charged with buying Jackson Memorial patient records

By JAY WEAVER

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A Miami cosmetician is set to appear in federal court Wednesday on charges of buying confidential patient records from a Jackson Memorial Hospital employee and selling them to a lawyer suspected of soliciting the patients to file personal-injury claims.

Maria Victoria Suarez was added to an indictment that charges her and husband Ruben E. Rodriguez with paying a JMH ultrasound technician \$1,000 a month for the hospital records of hundreds of patients treated for slip-and-fall accidents, car crash injuries, gunshot wounds and stabbings, federal authorities said.

The technician, Rebecca Garcia, a 22-year JMH veteran, has been fired and pleaded guilty in the conspiracy case.

The Rodriguezes brokered the stolen records of patients' names, addresses, telephone numbers and medical diagnoses to the lawyer over a two-year period, according to the indictment. The lawyer, not identified in court papers, used the information "to improperly solicit JMH patients with hopes of representing them in future legal proceedings."

In Florida, lawyers are allowed to advertise on TV and billboards and in the Yellow Pages, but are prohibited from soliciting clients by phone or at their home or in the hospital.

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sun-sentinel.com/news/florida/sfl-jackson-memorial-patient-records-bn092209,0,7145861.story

South Florida Sun-Sentinel.com

Miami woman charged with buying Jackson Memorial patient records

She is accused of selling the records to a lawyer suspected of soliciting personal-injury cases

By Jay Weaver

The Miami Herald

8:05 AM EDT, September 22, 2009

MIAMI

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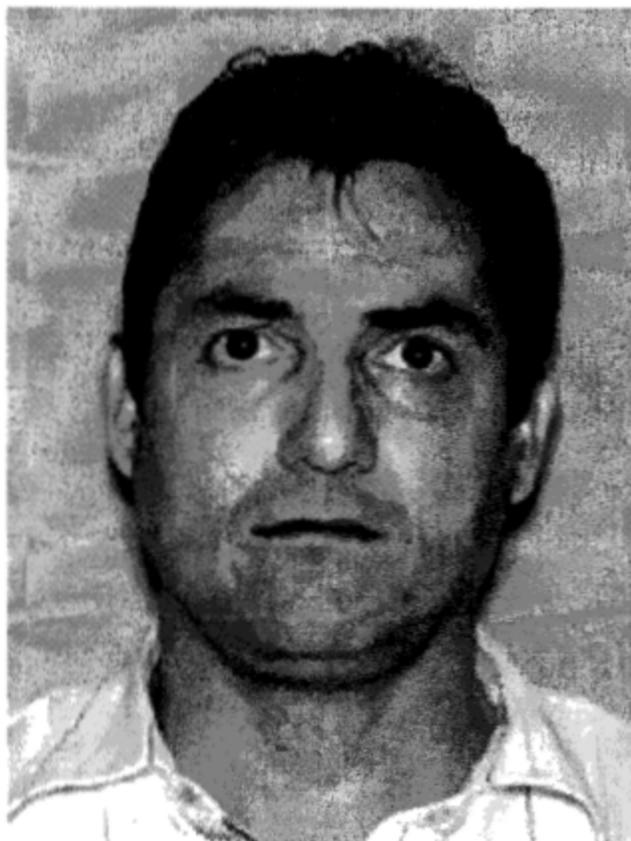
The Miami Herald

Posted on Tue, Sep. 22, 2009

Miami Medicare fraud defendant gets 8 years

BY JAY WEAVER

jweaver@MiamiHerald.com



Authorities say Alcides Garcia claimed \$10.7 million in Medicare claims and collected \$2.2 million.

A fugitive who claimed to be Mexican but was betrayed by his Cuban accent -- which led to his arrest in Spain -- was sentenced to eight years' imprisonment Monday in Miami federal court on U.S. Medicare fraud charges.

Alcides Garcia, 44, of Pembroke Pines, asked the judge for "forgiveness" after his lawyer challenged the total amount of fraud -- \$10.7 million in false claims, according to prosecutors. Garcia's Hialeah medical equipment business collected \$2.2 million for supplies never provided to patients.

U.S. District Judge Marica Cooke ordered Garcia to pay it all back. But if he is like hundreds of other Medicare fraud prosecutions, the taxpayer-funded program for the elderly won't likely recover much money.

Garcia, who pleaded guilty to one count of defrauding Medicare, listed himself and others as the owner of A&Y Medical Supply from 2002 to 2004, billing Medicare for power air mattresses, feeder pumps and

other equipment.

"This defendant figured out it was easier to hide through other people," said Assistant U.S. Attorney Daniel Bernstein, adding that Garcia used a local billing firm, All-Med, headed by a Miami Lakes couple convicted of unrelated Medicare fraud last year.

Garcia fled South Florida before his trial a year ago. Free on \$200,000 bond, he traveled to Mexico, then Spain, then the Canary Islands, on a false Mexican passport. Initially, the FBI thought he had escaped to his native Cuba.

But Garcia made a mistake on the lam, when he went to a shipping company in the Canary Islands in February to have his belongings sent from Miami to the Spanish island.

The business owner grew suspicious of him because he said he was Mexican, but she detected his heavy Cuban accent. The accent was familiar to her because people on the Canary Islands are known to speak Spanish like Cubans.

The business owner Googled Garcia's name on the Internet and up popped a Miami Herald/El Nuevo story published in January that described Garcia as a Cuban-born fugitive wanted on Medicare fraud charges in South Florida. The story, which carried a mug shot of Garcia, confirmed his identity.

The owner called the FBI in Miami. Special Agent Robert Cessario notified authorities in Madrid.

Garcia later checked into a hotel in the capital city, using his real name and the false Mexican passport. The Spanish National Police arrested him on an FBI warrant in March.

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PalmBeachPost.com

 PRINT THIS

EDITORIAL: Sleazy perp, sleazier deal

Palm Beach Post Editorial

Tuesday, September 22, 2009

On the second page of the secret deal between federal prosecutors and Jeffrey Epstein, we read that the agreement will serve the interests of "the United States, the State of Florida, and the Defendant." Wrong on the first two, right on the third.

Until Friday, the public didn't know the terms of the deal that finalized the case of the Palm Beacher who arranged to have girls brought to his house for sex and massages. Only Epstein's platoon of lawyers, the U.S. Attorney's Office for the Southern District of Florida and the Palm Beach County State Attorney's Office knew the details. And now we know why the perpetrators of this outrage didn't want the public to know.



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The agreement thus placed the Department of Justice in a role similar to those of the four women who procured girls for Epstein. If there's a precedent in this or any of the other 92 United States attorney's offices, we'd like to hear it. Not surprisingly, R. Alexander Acosta also agreed not to prosecute those women.

If the outcome is frustrating, so is the lack of accountability. Mr. Acosta's name is on the deal, but he's now the dean of Florida International University's law school. A call to his office for comment Monday

The deal is an indictment of a system that did much more for a criminal than for his victims. Jeffrey Epstein - officially a registered sex offender but in plain terms a pervert - escaped what should have been serious prison time. Instead, the federal deal allowed him to plead guilty to light charges in state court. He spent just 13 months - nights only - in the Palm Beach County Jail. Meanwhile, the government tried to help Epstein buy off the young girls whom Epstein had exploited.

Several of those girls have filed civil suits against Epstein. (Their lawyers and lawyers for *The Post* sued to make the plea deal public.) In the agreement, the government proposes to identify all the alleged victims and steer them to a lawyer, whose expenses Epstein would pay. In return, however, the victims would withdraw all lawsuits from state court and agree to a settlement in federal court of no more than \$150,000 each. Even then, of course, Epstein would not acknowledge any "liability."

was not returned. The name of Assistant U.S. Attorney A. Marie Villafana is on the deal. She still works as a federal prosecutor in West Palm Beach, but Alicia Valle, the office's special counsel, said in an e-mail, "We cannot comment on your questions." Didn't she really mean *will not*?

This case got into the federal system because former Palm Beach Police Chief Michael Reiter believed that Palm Beach County State Attorney Barry Krischer wasn't moving aggressively enough. Mr. Krischer retired last year. The assistant state attorney who oversaw the case is no longer with the office.

At this point, the public must hope that the civil suits suck as much money from Epstein as possible. Money seems to be all that he understands. Also, Jeffrey Sloman is serving as the acting U.S. attorney for the Southern District of Florida until President Obama nominates a permanent replacement for confirmation by the Senate. It would be good to know that whoever follows Mr. Acosta is on record that the Jeffrey Epstein deal did not serve the interests of the United States.

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