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DA VANCE ANNOUNCES INDICTMENT OF 9 DEFENDANTS IN MAJOR FRAUD CONSPIRACY THAT STOLE \$2.7 MILLION IN FEDERAL PUBLIC ASSISTANCE FUNDS

From 2010 to 2015, Defendants Unlawfully Exchanged USDA Nutrition Assistance Benefits for Cash

Manhattan District Attorney Cyrus R. Vance, Jr. today announced the indictment of nine defendants for participating in a major fraud conspiracy that resulted in the theft of approximately \$2.7 million in federal public assistance funds. MENWER AMIN, 52, TALAL JUDAH, 56, SAMIR JOUDEH, 50, WAEL JOUDEH, 48, YUNIOR TINEO, 48, EDWIN VARGAS, 24, ANWAR AL HAJEH, 20, NOUFA AL HAJEH, 18, and MN-SUZAN FOOD CORP. are charged in a New York State Supreme Court indictment with Grand Larceny in the First Degree, Money Laundering in the Second Degree, Conspiracy in the Fourth Degree, and other felony charges.¹

The indictment is the result of a two-and-a-half-year joint investigation by the Manhattan District Attorney's Office, the United States Department of Agriculture (USDA) Office of the Inspector General, New York City Human Resources Administration (HRA), the NYPD, and the New York State Police. As charged in the indictment, over the course of approximately five years the defendants knowingly participated in a scheme to steal USDA funds that were intended to be used to pay for food products for low-income participants of the federally funded Supplemental Nutrition Assistance Program (SNAP), which is administered locally by HRA on behalf of USDA.

“More than 46 million Americans receive SNAP benefits as part of a remarkable government program designed to end hunger and provide low-income families with nutritious food,” said District Attorney Vance. “In this case, a single store in East Harlem is accused of stealing more than \$2.7 million over the course of five years, and sending \$100,000 of those alleged criminal proceeds to the country of Jordan, without declaring its purpose or paying taxes on it. The theft of public benefits is an affront to these

¹ The charges contained in the indictment are merely allegations, and the defendants are presumed innocent unless and until proven guilty. All factual recitations are derived from documents filed in court and statements made on the record in court.

critical programs, as well as the individuals they are designed to help. I want to thank the lawyers and investigators in my Office, and all our partners in this case, for their efforts to root out fraud and preserve the integrity of public assistance programs.”

According to documents filed in court and statements made on the record in court, TINEO was the owner of the Taino Deli, which he operated under the corporate name Guanina Deli Store, at 2383 Second Avenue at the corner of East 122nd Street in East Harlem, managing the store with his stepson, VARGAS. In 2005, after applying and receiving authorization from the USDA, TINEO obtained an electronic benefit transfer (EBT) terminal in order to dispense SNAP benefits to customers who had been issued EBT cards.

As the investigation revealed, from at least October 2010 through December 2012, TINEO and VARGAS stole approximately \$649,000 from the USDA by claiming reimbursements for SNAP benefits to which they were not entitled.

Rather than complying with the rules of the SNAP program, the defendants would, in some instances, allegedly agree to debit the entire amount from a customer’s EBT card, and dispense a percentage of cash to the customer while keeping a percentage for themselves. For example, the defendants would charge \$100 to the EBT card for SNAP-eligible items, however they would in fact sell no eligible items and instead give the SNAP beneficiary \$70 in cash, keeping the remaining \$30 for themselves as profit. In addition, the defendants would, in certain instances, allegedly sell - at a huge markup - alcohol, cigarettes, and other unapproved retail items to customers in exchange for electronic benefits, and then would falsify the bills. For example, the defendants might charge as much as \$100 for a six-pack of beer, which they would ring up as two gallons of milk or some other approved item. The customer – an uncharged co-conspirator -- would automatically pay for the items through a swipe of their EBT card, which transferred funds into the bank accounts associated with the defendants’ SNAP terminal. The defendants would then falsely represent to the USDA that these transactions were legitimate purchases of approved food items.

In late 2012, TINEO and VARGAS were approached by AMIN, a Jordan national who had recently returned to the United States, and JUDAH about buying the store. AMIN, JUDAH, and SAMIR and WAEL JOUDEH, purchased the store for \$250,000 in cash and took ownership. In order for the new owners to continue engaging in the alleged benefits fraud, they asked, and TINEO and VARGAS agreed, to remain working at the store as employees so they could teach them how to run the scam.

In March 2013, JUDAH applied for and received a new EBT terminal from the USDA in the name of their business, MN-SUZAN FOOD CORP. Between April 2013 and April 2015, the defendants allegedly stole approximately \$2.1 million from the USDA through SNAP benefit scheme. Collectively, including the more than \$648,000 illegally obtained by the original owners, the defendants are alleged to have stolen approximately \$2.75 million in public assistance benefits.

The proceeds of this criminal activity were allegedly deposited into bank accounts in the name of MN-SUZAN FOOD CORP. and then withdrawn, at the direction of AMIN and JUDAH, in the form of cash. Criminal proceeds were also allegedly transferred from MN-SUZAN to two companies controlled by SAMIR and WAEL JOUDEH: 32 HIGHLAND BOULEVARD. CORP. and THREE BROTHERS AND NEPHEW CORP. A significant amount of cash was also revealed to have been wired or transported to associates in Jordan and other points outside the United States.

In April 2015, AMIN was apprehended by U.S. Customs and Border Protection, at the request of the NYPD, at John F. Kennedy International Airport as he was attempting to board a flight to Jordan in possession of \$10,000 in cash. During a search of AMIN's Staten Island home, investigators from the NYPD and the Manhattan District Attorney's Office seized more than \$20,000 in cash. A search of the store at 2383 Second Avenue also yielded approximately \$11,000 in cash.

ANWAR AL HAJEH, the daughter of MENWER AMIN, worked at the store from approximately December 2014 to April 2015 and is alleged to have received wire transfers in Jordan on behalf of her father. Her sister, NOUFA AL HAJEH, worked at the store from approximately October 2014 to April 2015, and as part of the conspiracy is alleged to have withdrawn USDA funds in the form of cash from bank branches and received wire transfers in Jordan on behalf of AMIN.

In total, the investigation has revealed that at least \$100,000 was transported to Jordan through wire transfers and cash deliveries over the course of the time period charged in the indictment.

In furtherance of the case against this alleged conspiracy, the Manhattan District Attorney's Office commenced a civil forfeiture action against AMIN, JUDAH, SAMIR and WAEL JOUDEH, TINEO, VARGAS, and MN-SUZAN FOOD CORP., as well as civil defendants 32 HIGHLAND BOULEVARD. CORP., and THREE BROTHERS AND NEPHEW CORP. This action, which was filed in New York State Supreme Court, includes a proposed temporary restraining order upon all banks where the defendants have assets in order to prevent the defendants from depleting, removing, transferring, concealing, or otherwise disposing of their assets before the evidence in the case is presented to the court.

USDA Office of Inspector General, Special Agent-in-Charge William G. Squires Jr. said: "The Supplemental Nutrition Assistance Program (SNAP) was created to provide food and nutrition to those who truly need this assistance. Those who are involved in fraud and abuse of SNAP and other USDA programs will be aggressively pursued by our office. Our joint investigation with the Manhattan District Attorney's Office and New York Police Department is bringing to justice individuals who sought to profit from the SNAP program through illegal schemes. The USDA Office of Inspector General will continue to dedicate resources and work with our local law enforcement partners in order to protect the integrity of these programs and to prosecute those who commit fraud."

HRA Commissioner Steven Banks said: "The individuals charged with fraud conducted a shameful scheme to exploit recipients of public assistance for financial gain and misappropriated funds intended for low income New Yorkers and their families who rely on SNAP benefits. I commend the Manhattan DA's office, the USDA and the NYPD for partnering with HRA to safeguard the integrity of this vital program."

Assistant District Attorney Martin De Luca is handling the prosecution of the criminal case under the supervision of Assistant District Attorney Jodie Kane, Chief of the Rackets Bureau, and Executive Assistant District Attorney David Szuchman, Chief of the Investigation Division. Assistant District Attorney Lynn Goodman, Chief of the Asset Forfeiture Unit, is handling the civil case. Assistant District Attorney Judy Salwen, Principal Deputy Chief of the Rackets Bureau; Assistant District Attorney Michael Ohm, Deputy Chief of the Rackets Bureau; Assistant District

Attorney Eric Seidel, Chief of the Rackets Bureau Organized Crime Unit; Assistant District Attorney Daniela Gallo, Chief of the Public Assistance Fraud Unit; Assistant District Attorney Charles King; Principal Financial Investigator Evelyn Marrero; and Paralegal Devon Rettew also provided valuable assistance with the case.

District Attorney Vance also thanked the USDA Office of the Inspector General, the New York City Human Resources Administration, the New York City Police Department, the New York State Police, and U.S. Customs and Border Protection for their assistance in the case.

Defendant Information:

MENWER AMIN, D.O.B. 6/10/1963
Staten Island, NY

Charges:

- Grand Larceny in the First Degree, a class B felony, one count
- Money Laundering in the Second Degree, a class C felony, one count
- Misuse of Food Stamps, Food Stamp Program Coupons, Authorization Cards or Electronic Access Devices, a class C felony, one count
- Criminal Tax Fraud in the Second Degree, a class C felony, one count
- Criminal Tax Fraud in the Third Degree, a class D felony, one count
- Conspiracy in the Fourth Degree, a class E felony, one count
- Falsifying Business Records in the First Degree, a class E felony, eleven counts

TALAL JUDAH, D.O.B. 2/20/1959
Staten Island, NY

Charges:

- Grand Larceny in the First Degree, a class B felony, one count
- Misuse of Food Stamps, Food Stamp Program Coupons, Authorization Cards or Electronic Access Devices, a class C felony, one count
- Criminal Tax Fraud in the Third Degree, a class D felony, two counts
- Conspiracy in the Fourth Degree, a class E felony, one count
- Falsifying Business Records in the First Degree, a class E felony, one count

SAMIR JOUDEH, D.O.B. 11/4/1964
Staten Island, NY

Charges:

- Grand Larceny in the First Degree, a class B felony, one count
- Misuse of Food Stamps, Food Stamp Program Coupons, Authorization Cards or Electronic Access Devices, a class C felony, one count
- Conspiracy in the Fourth Degree, a class E felony, one count

Wael Joudeh, D.O.B. 1/25/1967
Staten Island, NY

Charges:

- Grand Larceny in the First Degree, a class B felony, one count
- Misuse of Food Stamps, Food Stamp Program Coupons, Authorization Cards or Electronic Access Devices, a class C felony, one count
- Conspiracy in the Fourth Degree, a class E felony, one count

Yunior Tineo, D.O.B. 5/26/1967
Staten Island, NY

Charges:

- Grand Larceny in the First Degree, a class B felony, one count
- Misuse of Food Stamps, Food Stamp Program Coupons, Authorization Cards or Electronic Access Devices, a class C felony, one count
- Conspiracy in the Fourth Degree, a class E felony, one count
- Falsifying Business Records in the First Degree, a class E felony, one count

Edwin Vargas, D.O.B. 9/21/1990
Staten Island, NY

Charges:

- Grand Larceny in the First Degree, a class B felony, one count
- Misuse of Food Stamps, Food Stamp Program Coupons, Authorization Cards or Electronic Access Devices, a class C felony, one count
- Conspiracy in the Fourth Degree, a class E felony, one count
- Falsifying Business Records in the First Degree, a class E felony, five counts

Anwar Al Hajeh, D.O.B. 8/19/1994
Staten Island, NY

Charges:

- Grand Larceny in the First Degree, a class B felony, one count
- Misuse of Food Stamps, Food Stamp Program Coupons, Authorization Cards or Electronic Access Devices, a class C felony, one count
- Conspiracy in the Fourth Degree, a class E felony, one count
- Falsifying Business Records in the First Degree, a class E felony, one count

Noufa Al Hajeh, D.O.B. 12/16/1996

Staten Island, NY

Charges:

- Grand Larceny in the First Degree, a class B felony, one count
- Misuse of Food Stamps, Food Stamp Program Coupons, Authorization Cards or Electronic Access Devices, a class C felony, one count
- Conspiracy in the Fourth Degree, a class E felony, one count
- Falsifying Business Records in the First Degree, a class E felony, one count

MN-SUZAN FOOD CORP.

Charges:

- Grand Larceny in the First Degree, a class B felony, one count
- Misuse of Food Stamps, Food Stamp Program Coupons, Authorization Cards or Electronic Access Devices, a class C felony, one count
- Conspiracy in the Fourth Degree, a class E felony, nine counts

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