

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.
* AUGUST 15, 2023 *
BROOKLYN OFFICE

RCH:LZ/AXB
F. #2022R01030

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
-----X

UNITED STATES OF AMERICA

I N D I C T M E N T

- against -

SAMUEL MIELE,

Defendant.

Cr. No. 23-CR-327
(T. 18, U.S.C., §§ 981(a)(1)(C), 1343,
1028A(a)(1), 1028A(b), 1028A(c)(5) and
3551 et seq.; T. 21, U.S.C., § 853(p); T.
28, U.S.C., § 2461(c))

Judge Orelia E. Merchant
Magistrate Judge Cheryl L. Pollak

-----X
THE GRAND JURY CHARGES:

I N T R O D U C T I O N T O A L L C O U N T S

At all times relevant to this Indictment, unless otherwise indicated:

I. Relevant Individuals and Entities

1. During the 2020 and 2022 election cycles, Candidate #1, an individual whose identity is known to the Grand Jury, was a candidate for election to the U.S. House of Representatives (the "House").

2. The defendant SAMUEL MIELE was a fundraiser for the campaign of Candidate #1 during the 2020 and 2022 election cycles (the "Campaign"). MIELE received a commission on the amount of money he raised for the Campaign.

3. The Campaign was headquartered in Suffolk County, New York, and maintained a bank account at a branch in Suffolk County, New York.

4. Person #1, an individual whose identity is known to the Grand Jury, was a high-ranking aide to a member of the House with leadership responsibilities.

II. The Fraudulent Scheme

5. In or about and between August 2021 and December 2021, the defendant SAMUEL MIELE falsely and without authorization impersonated Person #1, in both email and telephone communications with potential contributors, for the purpose of soliciting financial contributions to support the Campaign and enriching himself through commissions earned on these financial contributions to the Campaign.

6. In furtherance of this scheme, the defendant SAMUEL MIELE created an email account (the “Account”) bearing the first letter and full last name of Person #1. Falsely purporting to be Person #1, MIELE used the Account to send fraudulent fundraising solicitations to potential contributors to the Campaign. MIELE signed such emails using Person #1’s full name and official title.

7. Through this fraudulent scheme, the defendant SAMUEL MIELE solicited contributions for the Campaign from more than one dozen potential contributors. Where successfully raised, these contributions were transferred, through an intermediary service, into the Campaign’s bank account located in Suffolk County, New York. For his efforts, MIELE received a commission of 15 percent of each contribution.

8. Person #1 did not authorize the defendant SAMUEL MIELE, Candidate #1, or any other agents of the Campaign to use Person #1’s name or other means of identification to solicit contributions for the Campaign.

9. On or about September 26, 2022, the defendant SAMUEL MIELE transmitted a letter to Candidate #1, in which he admitted to “faking my identity to a big donor,” but stated that he was “high risk, high reward in everything I do.”

COUNTS ONE THROUGH FOUR
(Wire Fraud)

10. The allegations contained in paragraphs one through nine are realleged and incorporated as if fully set forth in this paragraph.

11. In or about and between August 2021 and December 2021, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant SAMUEL MIELE did knowingly and intentionally devise a scheme and artifice to defraud and to obtain money by means of one or more materially false and fraudulent pretenses, representations and promises.

12. On or about the dates set forth below, for the purpose of executing such scheme and artifice, and attempting to do so, the defendant SAMUEL MIELE did transmit and cause to be transmitted, by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures and sounds, as set forth below:

<u>Count</u>	<u>Date</u>	<u>Description</u>
ONE	August 19, 2021	Email to Contributor #1, an individual whose identity is known to the Grand Jury, falsely purporting to have been sent by Person #1 and soliciting a financial contribution to the Campaign.
TWO	September 21, 2021	Email to Contributor #2, an individual whose identity is known to the Grand Jury, falsely purporting to have been sent by Person #1 and soliciting a financial contribution to the Campaign.
THREE	October 22, 2021	Email to Contributor #3, an individual whose identity is known to the Grand Jury, falsely purporting to have been sent by Person #1 and soliciting a financial contribution to the Campaign.
FOUR	October 22, 2021	Email to Contributor #4, an individual whose identity is known to the Grand Jury, falsely purporting to have been sent by Person #1 and soliciting a financial contribution to the Campaign.

(Title 18, United States Code, Sections 1343 and 3551 et seq.)

COUNT FIVE
(Aggravated Identity Theft)

13. The allegations contained in paragraphs one through nine are realleged and incorporated as if fully set forth in this paragraph.

14. In or about and between August 2021 and December 2021, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant SAMUEL MIELE, during and in relation to the crimes charged in Counts One through Four, did knowingly and intentionally possess and use, without lawful authority, one or more means of identification of a person, to wit: Person #1's name, knowing that the means of identification belonged to another person.

(Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), 1028A(c)(5) and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS ONE THROUGH FOUR

15. The United States hereby gives notice to the defendant that, upon his conviction of any of the offenses charged in Counts One through Four, the government will seek forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offenses to forfeit any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offenses.

16. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;

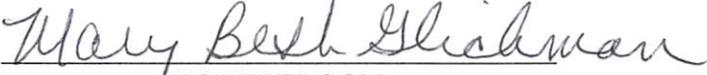
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided

without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 981(a)(1)(C); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

A TRUE BILL


FOREPERSON

By Carolyn Pokorny, Assistant U.S. Attorney

BREON PEACE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK



COREY R. AMUNDSON
CHIEF, PUBLIC INTEGRITY SECTION
U.S. DEPARTMENT OF JUSTICE