United States Department of Justice

United States Attorney Joseph P. Russoniello
Northern District of California

11th Floor, Federal Building
450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
(415) 436-7200
FAX: (415) 436-7234

FOR IMMEDIATE RELEASE
OCTOBER 30, 2008
WWW.USDOJ.GOV/USAO/CAN

CONTACT: Joshua Eaton
(415) 436-6958
Josh.Eaton@usdoj.gov

SAN JOSE WOMAN CHARGED WITH FRAUD IN CONNECTION WITH A PROTECTED COMPUTER

SAN JOSE – United States Attorney Joseph P. Russoniello announced that a federal grand jury in San Jose, California, has indicted Samantha Leatiota with one count of fraud in connection with a protected computer, in violation of 18 U.S.C. § 1030(a)(4).

According to the indictment, Ms. Leatiota was an employee of a company that provides payroll processing services to clients both in and outside of California. Green Waste Recovery ("Green Waste"), a San Jose, California company, provides waste and recycling removal and recovery services and was a client of Ms. Leatiota's company. Ms. Leatiota allegedly obtained and used the user names and passwords of other company employees without their knowledge or permission to access her company's computer network to alter the Green Waste payroll records so that Green Waste overpaid her husband, a Green Waste employee.

The maximum statutory penalty for each count of fraud in connection with a protected computer in violation 18 U.S.C. § 1030(a)(4) is 5 years imprisonment, 3 years of supervised release and a fine of $250,000, plus restitution if appropriate. However, any sentence following conviction would be imposed by the court after consideration of the U.S. Sentencing Guidelines and the federal statute governing the imposition of a sentence, 18 U.S.C. § 3553.

An indictment contains only allegations against an individual and, as with all defendants, Ms. Leatiota must be presumed innocent unless and until proven guilty.

These charges are the result of a referral to and an investigation by the Federal Bureau of Investigation. Hanley Chew is the Assistant U.S. Attorney who is prosecuting the case with the assistance of Lauri Gomez.

Further Information:

Case # CR08-00767 JW