



UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:24-cr-00039
18 U.S.C. § 371

JOSHUA LAMBERT

INFORMATION

The United States Attorney charges:

From on or about September 28, 2020, and continuing through on or about May 9, 2021, in St. Albans, Kanawha County, West Virginia and within the Southern District of West Virginia and elsewhere, defendant, JOSHUA LAMBERT and a person known to the United States Attorney ("Known Person One"), knowingly and intentionally conspired to commit a violation of 18 U.S.C. § 641, that is, to knowingly and willfully embezzle, steal, purloin, and convert to his own use and the use of another, on a recurring basis, money belonging to the United States and a department and agency thereof in a total amount greater than \$1,000, namely, unemployment compensation benefits having a value of approximately \$10,616.

BACKGROUND

At all relevant times:

1. Defendant JOSHUA LAMBERT was incarcerated at the United States Penitentiary located at Big Sandy in Inez, Kentucky.
2. Known Person One was a resident of St. Albans, Kanawha County, West Virginia.

3. WorkForce West Virginia was a division of the West Virginia Department of Commerce that was funded through the United States Department of Labor. WorkForce West Virginia administered an unemployment compensation program in the state of West Virginia.

4. Once the initial application for unemployment compensation benefits (“UC benefits”) was approved, the claimant was required to certify their continued eligibility for benefits every week. The claimant was required to answer several questions, including, but not limited to: (1) whether the UC claimant had worked during the certification period; (2) whether the claimant was able to work; (3) whether the claimant was available for work; and (4) whether the claimant was actively looking for work during the certification period.

5. In March of 2020, in response to the COVID-19 pandemic, the federal government enacted the Coronavirus Aid, Relief, and Economic Security (“CARES”) Act. The CARES Act, among other things, provided additional flexibility and funding for state UC agencies, including WorkForce West Virginia.

6. The Federal Pandemic Unemployment Compensation (“FPUC”) program was a temporary UC benefits program created by the CARES Act. FPUC originally provided individuals that received approved UC benefits with an additional \$600 per week in federal funds. In December of 2020, Congress reauthorized FPUC at a lesser amount of \$300 per week and concluded the program in September 2021.

OVERT ACTS OF THE CONSPIRACY

7. In furtherance of the conspiracy and to achieve its objectives, defendant JOSHUA LAMBERT and Known Person One committed the following overt acts at various times between September 28, 2020, and May 9, 2021, at or near St. Albans, Kanawha County, West Virginia, and within the Southern District of West Virginia and elsewhere:

8. Defendant JOSHUA LAMBERT called Known Person One by telephone and directed Known Person One to access the Workforce West Virginia website and falsely certify each week, for thirty-two consecutive weeks, that defendant JOSHUA LAMBERT was entitled to UC benefits, even though defendant JOSHUA LAMBERT was not able, available, and seeking full-time work.

9. From her home computer in St. Albans, Kanawha County, West Virginia, Known Person One falsely certified that defendant JOSH LAMBERT was entitled to UC benefits on each of the following dates:

September 28, 2020
October 4, 2020
October 11, 2020
October 19, 2020
October 25, 2020
November 1, 2020
November 9, 2020
November 15, 2020
November 23, 2020
November 30, 2020
December 7, 2020
December 21, 2020
December 28, 2020
January 3, 2021
January 11, 2021
January 18, 2021
January 24, 2021
February 1, 2021
February 8, 2021
February 14, 2021
February 22, 2021
March 1, 2021
March 8, 2021
March 14, 2021
March 21, 2021
March 29, 2021
April 4, 2021
April 12, 2021
April 19, 2021
April 25, 2021

May 2, 2021

May 9, 2021

10. Known Person One electronically deposited portions of the funds into defendant JOSHUA LAMBERT's prison commissary account.

11. Defendant JOSHUA LAMBERT accessed the stolen funds in his prison commissary account transmitted by Known Person One to make purchases to benefit himself while incarcerated.

In violation of Title 18, United States Code, Section 371.

WILLIAMS S. THOMPSON

United States Attorney

By:



ANDREW TESSMAN

Assistant United States Attorney