

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon. Brian R. Martinotti
	:	
v.	:	Crim. No. 21-
	:	
EDWARD O'NEILL	:	18 U.S.C. §§ 1955(a) & (d)
	:	26 U.S.C. § 7206(1)
	:	18 U.S.C. § 981(a)(1)(C)
	:	28 U.S.C. § 2461(c)

INFORMATION

The defendant having waived in open court prosecution by Indictment, the Acting United States Attorney for the District of New Jersey charges:

Count 1
(Managing an Illegal Gambling Business)

1. At all times relevant to Count 1 of this Information:
 - A. Defendant Edward O'Neill ("O'Neill") resided in either Ocean County or Hudson County, New Jersey.
 - B. The New Jersey Lottery Commission ("NJLC") operated various legal, state-sponsored lottery games, including the New Jersey Pick 6 (the "Official Pick Six"). To participate in the Official Pick Six, entrants paid \$1 and selected six different numbers between 1 and 49. Every Monday and Thursday, the NJLC conducted a drawing in which the six winning numbers were selected.
2. From in or about 2014 to in or about 2019, O'Neill managed an illegal lottery (the "Lottery") that was based on the Official Pick Six. Participants in the Lottery paid a \$20 entry fee to O'Neill and, as with the Official Pick Six, selected six numbers between 1 and 49. The first participant in the Lottery to have all six of their numbers selected in the Official Pick Six drawing

won a cash prize.

3. For each drawing of the Lottery, O'Neill, with the assistance of at least four other individuals, collected entry fees and participants' numbers and then entered the numbers into ledgers (the "Ledgers"). The Ledgers included identifying information for each participant and the numbers each participant had selected. O'Neill monitored the numbers selected in the Official Pick Six and, when there was a winner of the Lottery, caused the winning participant to be paid the winnings in cash.

4. According to the Ledgers, each drawing of the Lottery included up to approximately 8,000 participants, but in no event had fewer than five participants. The Ledgers also reflect that the cash prize for each drawing of the Lottery often exceeded \$100,000.

5. In exchange for operating and managing the Lottery, O'Neill would keep for himself 10% of the winnings from each drawing, in cash.

6. From in or about 2014 to in or about 2019, in Hudson and Ocean Counties, in the District of New Jersey and elsewhere, defendant

EDWARD O'NEILL

did conduct, finance, manage, supervise, direct and own all or part of an illegal gambling business, to wit, an illegal lottery, which operated in violation of the laws of the State of New Jersey, N.J.S.A. 2C:37-2, and which involved five or more persons who conducted, financed, managed, supervised, directed and owned all or part of that illegal lottery, and which remained in substantially continuous operation for a period in excess of thirty days, and which had a gross revenue of \$2,000 or more on a single day.

In violation of Title 18, United States Code, Section 1955(a).

Counts 2 to 6
(Subscribing to False Income Tax Returns)

1. Paragraphs 1 through 5 of Count 1 of this Information are realleged and incorporated herein.

2. O'Neill signed and caused to be filed with the Internal Revenue Service U.S. Individual Income Tax Returns, Forms 1040, for the tax years 2014, 2015, 2016, 2017, and 2018 (the "Income Tax Returns"), on his own behalf that each contained and was verified by a written declaration that the return was made under penalty of perjury. The Income Tax Returns were not true and correct as to every material matter, as O'Neill well knew, in that the Income Tax Returns failed to disclose substantial taxable income that O'Neill earned through his operation of the Lottery.

3. On or about the filing dates listed below, in the District of New Jersey and elsewhere, defendant

EDWARD O'NEILL

willfully did make and subscribe the following United States Individual Income Tax Returns, Forms 1040, which each contained and was verified by a written declaration that it was made under the penalties of perjury, and which he did not believe to be true and correct as to every material matter, as set forth in paragraph 2 above and the table below:

Count	Filing Date	Tax Year	Reported Income	Additional Unreported Income
2	5/28/15	2014	\$81,393	\$50,000
3	10/17/16	2015	\$82,172	\$50,000
4	10/16/17	2016	\$79,949	\$50,000
5	4/15/18	2017	\$65,426	\$50,000
6	4/15/19	2018	\$47,098	\$50,000

In violation of Title 26, United States Code, Section 7206(1).

FORFEITURE ALLEGATIONS


1. The allegations contained in paragraphs 1 through 6 of Count 1 of this Information are hereby realleged and incorporated for the purpose of noticing forfeiture pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 1955(d), and Title 28, United States Code, Section 2461(c).

2. The United States hereby gives notice to defendant Edward O'Neill that, upon conviction of the offense charged in Count 1 of this Information, the United States will seek forfeiture, in accordance with Title 18, United States Code, Sections 981(a)(1)(C) and 1955(d), and Title 28, United States Code, Section 2461(c), of any and all property, real and personal, that constitutes or was derived, directly and indirectly, from proceeds traceable to the commission of that offense, including \$220,000 in United States currency.

3. If by any act or omission of O'Neill, any of the property subject to forfeiture described above:

- (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), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of O'Neill up to the value of the above-described forfeitable property.



RACHAEL A. HONIG
Acting United States Attorney

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UNITED STATES OF AMERICA

v.

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INFORMATION FOR

18 U.S.C. §§ 1955(a) & (d) and 981(a)(1)(C)

26 U.S.C. § 7206(1)

28 U.S.C. § 2461(c)

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