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Eastern District of California

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FORMER POSTAL CARRIER PLEADS GUILTY TO OBSTRUCTING DELIVERY OF MAIL AND POSSESSION OF CONTROLLED SUBSTANCES

SACRAMENTO, Calif. — United States Attorney Benjamin B. Wagner announced today that MICHAEL J. LEVARIO, 34, of Elk Grove, pleaded guilty on March 31, 2010 before U.S. Magistrate Judge Kendall J. Newman to misdemeanor drug possession and U.S. Mail obstruction charges.

This case is the product of an investigation by the Office of the U.S. Postal Service Inspector General, and the U.S. Office of Veteran Affairs.

According to Assistant United States Attorney Michelle Rodriguez, who is prosecuting the case, from February 1, 2008 through May 24, 2008, LEVARIO worked as a U.S. Postal Service mail carrier at the Walnut Grove Post Office in Sacramento County. During this time, LEVARIO stole mailed prescription medication parcels. Among the medication he stole was a pain reliever that had been sent to a disabled military veteran via the U.S. Mail. On at least one occasion, LEVARIO intercepted a package, replaced the prescription medication with aspirin and returned the package into the U.S. Mail for delivery.

LEVARIO also stole gift cards and valuables sent by postal customers through the U.S. Mail. On May 24, 2008, law enforcement caught LEVARIO when he opened and stole 11 items of “test” mail. The mail had trackers to learn the mail’s location and whether it was unlawfully opened.

LEVARIO is scheduled to be sentenced on June 16, 2010. He is facing up to one year in prison for each offense to be followed by up to a year of supervised release, a fine of more than \$100,000, and restitution. The actual sentence, however, will be determined at the discretion of the court after consideration of any applicable statutory sentencing factors and the Federal Sentencing Guidelines, which take into account a number of variables.

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