



Department of Justice

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**FORMER POSTAL SUPERVISOR SENTENCED TO 16 MONTHS IN PRISON FOR
LYING ON A FEDERAL WORKER'S COMPENSATION DOCUMENT**

STATESVILLE, N.C. – On Tuesday, September 3, 2013, U.S. District Judge Richard Voorhees sentenced a former supervisor with the U.S. Postal Service to serve 16 months in prison for submitting false information on a 2008 workman's compensation benefits application, announced Anne M. Tompkins, U.S. Attorney for the Western District of North Carolina.

U.S. Attorney Tompkins is joined in making today's announcement by Paul Bowman, Area Special Agent in Charge of the United States Postal Service, Office of Inspector General (USPS –OIG).

Joseph Catone, Jr., 58, of Boone, was convicted in March 2012 by a federal jury for lying on a federal document Catone submitted in 2008 which contained false information. Catone submitted the false information on an application in order to receive workman's compensation benefits. According to evidence presented at trial and yesterday's sentencing hearing, on or about July 21, 2006, Catone, while employed as a USPS supervisor at a post office in Boone, claimed that he had developed a stress-related condition as a result of excessive driving in the performance of his duties. The Department of Labor, Office of Workers' Compensation Program (DOL OWCP) accepted Catone's claim for temporary aggravation of sleep apnea, and Catone became eligible to receive compensation benefits because of the claimed disability.

According to court records, as a condition of his receipt of compensation benefits, Catone was required to periodically report, among other things, any employment, self-employment and volunteer work he had undertaken or income he had earned in the preceding fifteen months on the DOL OWCP Form EN1032 (EN1032). At trial, the government submitted evidence showing that in 2008 Catone completed, signed, and submitted an EN1032 that contained materially false responses. Specifically, the defendant answered in the negative questions about being employed elsewhere or having received any type of money or other compensation for volunteer work done while he was receiving compensation benefits. The government's evidence included checks made payable to Catone that showed he had worked for and received a salary as a custodian for Angelo Nigro, doing business as Angelo's Maintenance, from in or around August 2006 to August 2008. Witnesses testified that they regularly saw Catone vacuum, pick up trash, and perform other cleaning services at the Hayes Performing Arts Center in Blowing Rock, N.C. The

government's evidence also showed that the defendant received \$132,214.31 (gross amount) in worker's compensation from April 2007 to September 2009.

In handing down Catone's sentence, Judge Voorhees stated that the defendant had "reaped financial benefits" from his dishonesty and that he imposed 16 months imprisonment because of "the need to deter others from similar conduct." In addition to the prison term, Judge Voorhees also ordered Catone to serve three years under court supervision after he is released from prison, and to pay \$106,411.83 as restitution.

The defendant was ordered to self-report to the Federal Bureau of Prisons upon designation of a federal facility. Federal sentences are served without the possibility of parole.

The investigation of the case was handled by USPS-OIG. The prosecution for the government was handled by Assistant United States Attorney Kenneth M. Smith of the U.S. Attorney's Office in Charlotte.

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