

Sep 14, 2021

ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S.D. OF FLA. - MIAMI

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
**21-20471-CR-MOORE/LOUIS**  
CASE NO. \_\_\_\_\_

18 U.S.C. § 371

18 U.S.C. § 670

18 U.S.C. § 2314

18 U.S.C. § 981(a)(1)(C)

**UNITED STATES OF AMERICA****vs.****RICKEY HERBERT DELANCEY, JR.****Defendant.**  
\_\_\_\_\_/**INDICTMENT**

The Grand Jury charges that:

**GENERAL ALLEGATIONS**

At all times material to this Indictment:

1. Mount Sinai Medical Center ("Mount Sinai") was a Florida non-profit corporation with its listed principal address in Miami Beach, Florida.
2. Defendant **RICKEY HERBERT DELANCEY, JR.**, a resident of Miami-Dade County, Florida, was employed as a Property Control Manager at Mount Sinai, in the Supply Chain Department.
3. Co-Conspirator 1 was a resident of Broward County, Florida, and was employed as a custodian at Mount Sinai, in the Environmental Services Department.
4. Purchaser 1 was a resident of San Joaquin County, California.

**COUNT 1**  
**Conspiracy to Steal Medical Products**  
**(18 U.S.C. § 371)**

1. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

2. Beginning in or around April 2020, and continuing through in or around November 2020, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

**RICKEY HERBERT DELANCEY, JR.,**

did willfully, that is, with the intent to further the object of the conspiracy, and knowingly combine, conspire, confederate, and agree with Co-Conspirator 1, and with others known and unknown to the Grand Jury, to commit an offense against the United States, that is, to knowingly embezzle, steal, and by fraud and deception, obtain, and knowingly and unlawfully take, carry away, and conceal a pre-retail medical product, in and using any means and facility of interstate and foreign commerce, in violation of Title 18, United States Code, Section 670.

**PURPOSE OF THE CONSPIRACY**

3. It was the purpose of the conspiracy for the defendant and his co-conspirators to unjustly enrich themselves by stealing pre-retail medical products and selling the pre-retail medical products for a profit.

**MANNER AND MEANS OF THE CONSPIRACY**

The manner and means by which the defendant and his co-conspirators sought to accomplish the object and purpose of the conspiracy included, among others, the following:

4. **RICKEY HERBERT DELANCEY, JR.** and his co-conspirators used their Mount Sinai employee badges to gain access to restricted areas of the Mount Sinai complex,

including storage rooms used to store pre-retail medical products to steal pre-retail medical products that belonged to Mount Sinai, including 3M N95 masks.

5. **RICKEY HERBERT DELANCEY, JR.** utilized online marketplaces, including e-Bay, to sell the stolen pre-retail medical products for inflated prices, and he mailed the stolen pre-retail medical products to Purchaser 1 and others.

#### **OVERT ACTS**

In furtherance of the conspiracy, and to accomplish its object and purpose, at least one of the co-conspirators committed and caused to be committed, in the Southern District of Florida and elsewhere, at least one of the following overt acts, among others:

1. On or about August 18, 2020, **RICKEY HERBERT DELANCEY, JR.** used his Mount Sinai employee badge to gain access to restricted areas of the Mount Sinai complex, including storage rooms used to store pre-retail medical products.

2. On or about August 18, 2020, **RICKEY HERBERT DELANCEY, JR.** and his co-conspirators stole pre-retail products, including approximately 1,900 3M N95 masks belonging to Mount Sinai.

3. On or about August 19, 2020, **RICKEY HERBERT DELANCEY, JR.** sent Purchaser 1, via text message, a screenshot of a United States Postal Service receipt indicating he had mailed Purchaser 1 twelve (12) cases of 3M N95 masks and the price Purchaser 1 owed **DELANCEY** for the masks.

4. On or about September 18, 2020, **RICKEY HERBERT DELANCEY, JR.** rented a white van to facilitate the theft of pre-retail medical products that belonged to Mount Sinai.

5. On or about September 19, 2020, **RICKEY HERBERT DELANCEY, JR.** used Co-conspirator 1's Mount Sinai employee badge, which allowed access to restricted areas of the Mount Sinai complex, including storage rooms used to store pre-retail medical products.

6. On or about On September 19, 2020, **RICKEY HERBERT DELANCEY, JR.** and his co-conspirators stole approximately 12,000 3M N95 masks belonging to Mount Sinai.

7. On or about September 19, 2020, **RICKEY HERBERT DELANCEY, JR.** communicated with Purchaser 1, via text message, for the purpose of selling Purchaser 1 eighty-five (85) cases of 3M N95 masks.

8. On or about September 22, 2020, **RICKEY HERBERT DELANCEY, JR.** sent Co-Conspirator 1 a CashApp payment, via the CashApp account of Co-conspirator 1's girlfriend, as payment for allowing **DELANCEY** to use Co-conspirator 1's employee access badge during the September 19, 2020, theft of 3M N95 masks.

All in violation of Title 18, United States Code, Section 371.

**COUNT 2**  
**Theft of Pre-Retail Medical Products**  
**(18 U.S.C. § 670)**

1. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

2. On or about August 18, 2020, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

**RICKEY HERBERT DELANCEY, JR.,**

did embezzle, steal, and by fraud and deception obtain, and knowingly and unlawfully take, carry away, and conceal pre-retail medical products, that is 3M N-95 masks, in and using a means and facility of interstate and foreign commerce, in violation of Title 18, United States Code, Sections 670(a)(1) and 2.

It is further alleged that the defendant was employed by and was an agent of an organization in the supply chain for the pre-retail medical product, that is, Mount Sinai Medical Center.

**COUNT 3**  
**Theft of Pre-Retail Medical Products**  
**(18 U.S.C. § 670)**

1. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

2. On or about September 19, 2020, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

**RICKEY HERBERT DELANCEY, JR.,**

did embezzle, steal, and by fraud and deception obtain, and knowingly and unlawfully take, carry away, and conceal pre-retail medical products, that is 3M N-95 masks, in and using a means and facility of interstate and foreign commerce, in violation of Title 18, United States Code, Sections 670(a)(1) and 2.

**COUNTS 4-5**  
**Transportation of Stolen Goods**  
**(18 U.S.C. § 2314)**

1. The General Allegations section of this Indictment is re-alleged and incorporated by reference as if fully set forth herein.

2. On or about the dates specified as to each count below, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

**RICKEY HERBERT DELANCEY, JR.,**

did knowingly transport, transmit, and transfer and cause to be transported, transmitted and transferred in interstate commerce any goods, wares, and merchandise, valued at \$5,000 or more, that is, 3M N95 masks, knowing the same to have been stolen, converted and taken by fraud, as set forth below:

COUNT	APPROXIMATE DATE	SHIPMENT
4	August 19, 2020	<b>DELANCEY</b> mailed stolen 3M N95 masks from Florida to Purchaser 1 in California via the United States Postal Service.
5	September 19, 2020	<b>DELANCEY</b> mailed stolen 3M N95 masks from Florida to Purchaser 1 in California via the United States Postal Service.

In violation of Title 18, United States Code, Sections 2314 and 2.

**FORFEITURE ALLEGATIONS**

1. The allegations of this Indictment are re-alleged and by this reference fully incorporated herein for alleging criminal forfeiture to the United States of certain property in which the defendant has an interest.

2. Upon the conviction of a violation of Title 18, United States Code, Section 2314, as alleged in this Indictment, the defendant shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to such offense, pursuant to Title 18, United States Code, Section 981(a)(1)(C).

3. The property subject to forfeiture as a result of the alleged offenses includes, but is not limited to: a sum of approximately \$51,471.20, which represents the amount of proceeds traceable to the alleged offenses and which may be sought as a forfeiture money judgment.

All pursuant to Title 18, United States Code, Section 981(a)(1)(C), as made applicable by Title 28, United States Code, Section 2461(c), and the procedures set forth in Title 21, United States Code, Section 853.

A TRUE BILL

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FOREPERSON



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JUAN ANTONIO GONZALEZ  
ACTING UNITED STATES ATTORNEY



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LINDSEY LAZOPOULOS FRIEDMAN  
ASSISTANT UNITED STATES ATTORNEY