



Winston Helps Secure Dismissal of Felony Charges for Asylum Seeker Swept Up in Fraud Scheme

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After spending nearly two-and-a-half years in jail awaiting a federal trial for alleged fraud, our client was finally released after pleading to a significantly reduced misdemeanor charge and paying \$39.90 in restitution.

Our client, a female Honduran asylum seeker, was charged with two counts of wire fraud and one count of defrauding a government benefits program as part of a 16-count, 9-defendant, multi-million dollar federal indictment, carrying a potential sentence of over 20 years imprisonment. The Government alleged a wide-ranging fraud scheme where convenience stores improperly redeemed vouchers for the Women, Infant, and Children's Program (WIC).

The alleged scheme involved 10 different stores, and all defendants besides our client managed or had an ownership interest in at least one store. In contrast, our client worked as a minimum-wage earning cashier at a single store and had accepted ineligible WIC vouchers at the direction of her employer. Despite acting at the direction of her employer and not deriving any personal benefit from the alleged fraud, our client was the only defendant of the nine who was incarcerated while awaiting trial.

Winston attorneys in partnership with Chicago criminal defense attorney Gabrielle Sansonetti entered the case and sought to right this injustice by ensuring our client received a timely trial and a zealous defense. First, the team filed a [**motion to sever**](#) our client's case from that of the other defendants, which is rarely successful in criminal courts. Despite a dearth of persuasive law, the team prevailed by developing a persuasive legal and factual argument.

With our client's case severed, the team requested an expedited trial schedule, setting opening arguments for just a few months away. While preparing for trial, the team negotiated a favorable plea agreement with the United States Attorney's Office that resulted in dismissal of all felony charges against our client. Instead of the multiple millions of dollars initially alleged, our client pled guilty to converting government property on behalf of her boss valued at \$39.90, resulting in a sentence of one-day incarcerated, satisfied by the time she had already served awaiting trial.

With the criminal case favorably disposed of, our client is home with her family continuing to pursue her asylum in the United States.

"This case is a perfect example of the impact pro bono work has in the lives of those who cannot afford legal services and the vital role that pro bono plays in providing equal access to justice," said Chicago Partner **Joe Motto**.

The team that secured this life-changing win for our client was comprised of Gabrielle Sansonetti of the Law Offices of Gabrielle R. Sansonetti, Winston attorneys **Joe Motto** and **Jake Ferzacca**, and Winston paralegal **Martha Calvo**.

[Learn more about Winston's commitment to excellence in serving the public interest.](#)

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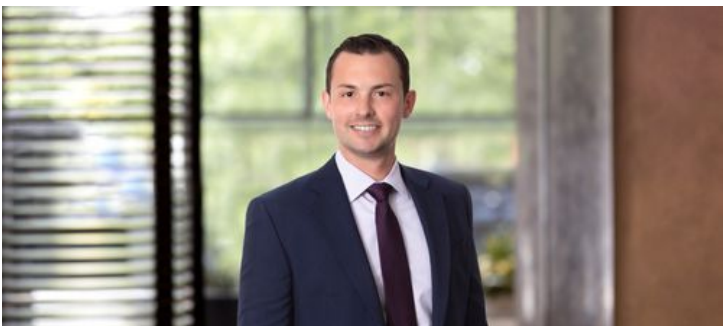
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