

**UNITED STATES OF AMERICA
DEPARTMENT OF THE TREASURY
FINANCIAL CRIMES ENFORCEMENT NETWORK**

**IN THE MATTER OF
ANGELINA PLETT**

No. 2001 - 02

**ASSESSMENT OF CIVIL MONEY PENALTIES
AGAINST ANGELINA PLETT**

I. INTRODUCTION

The Secretary of the United States Department of the Treasury has delegated to the Director of the Financial Crimes Enforcement Network (“FinCEN”) the authority to determine whether a financial institution has violated the Bank Secrecy Act, 31 U.S.C. §§5311 *et seq.* and 31 CFR Part 103 thereunder (“BSA”), and what, if any, sanction is appropriate.

II. JURISDICTION

Angelina Plett (“Plett”) was, at all relevant times, an owner and the manager of Cash For Checks Inc. (“Cash For Checks”). Cash For Checks was, at all relevant times, a licensed check casher located in Oklahoma City, Oklahoma and was a “financial institution” within the meaning of 31 U.S.C. §5312(a)(2) and 31 CFR §103.11(n).¹

III. FINCEN’S DETERMINATIONS

A. Structuring

FinCEN has determined that between July 11, 1995, and April 26, 1996, Plett willfully structured or willfully assisted in structuring check cashing transactions for Joseph A. Sivigliano (“Sivigliano”) through a domestic financial institution in violation of 31 U.S.C. §5324(a)(3) and 31 CFR §103.63(c). During the relevant time period, Sivigliano cashed 136 checks totaling more than \$1.17 million at Cash For Checks. On each of 43 days, Sivigliano cashed a series of checks that individually totaled less than \$10,000, but that together exceeded \$10,000, for the purpose of evading the Currency Transaction Report (“CTR”) filing required by 31 U.S.C. §5313 and 31 CFR §103.22 thereunder.

¹ Plett sold Cash For Checks after the time period relevant to this action to Joseph A. Sivigliano (“Sivigliano”). Sivigliano is no longer operating Cash For Checks. Cash For Checks has been suspended from doing business by the Oklahoma Secretary of State since June 3, 2000.

Sivigliano and Plett knew that if Sivigliano cashed a single check for more than \$10,000, Cash For Checks would be required to file a CTR. Plett told Sivigliano not to bring in single checks for more than \$10,000 so she would not have to file a CTR. Sivigliano agreed that he would cash individually a series of checks which, when totaled, exceeded \$10,000, so that Plett would not file a CTR on these reportable currency transactions.

B. Failure to File Currency Transaction Reports

FinCEN has determined that from July 11, 1995 through April 26, 1996, Cash For Checks willfully failed to file Currency Transaction Report (“CTR”) forms for 43 currency transactions exceeding \$10,000, as required by 31 U.S.C. §5313 and 31 CFR §103.22. During the relevant time period, Sivigliano cashed 136 checks totaling more than \$1.17 million at Cash For Checks. On each of 43 days, Sivigliano cashed a series of checks that individually totaled less than \$10,000, but that together exceeded \$10,000, for the purpose of evading the Currency Transaction Report (“CTR”) filing required by 31 U.S.C. §5313 and 31 CFR §103.22 thereunder. Cash For Checks employees and management knew or were reckless in not knowing that the total amount of Sivigliano’s transactions exceeded \$10,000 and therefore a CTR should have been filed. Therefore, Cash For Checks’ failure to file CTRs for these transactions constituted a willful violation of 31 U.S.C. §5313 and 31 CFR §103.22.

C. Willful Participation

FinCEN has determined that Plett willfully participated in Cash For Checks failure to file CTRs. Plett knew that the BSA required Cash For Checks to file CTRs when it cashed checks for over \$10,000 and willfully participated in Cash For Checks’ failure to file CTRs on Sivigliano’s multiple transactions in violation of 31 U.S.C. §5313 and 31 CFR 103.22. Cash For Checks employees reminded Plett that the BSA required CTRs for Sivigliano’s structured transactions. Plett ordered the employees not to file the reports and removed copies of Sivigliano’s checks from the Cash For Checks’ other business records. Plett therefore willfully participated in Cash For Checks’ failure to file CTRs.

IV. BASIS FOR CIVIL MONEY PENALTY

FinCEN has determined that through the actions described in Paragraph III above, Plett willfully violated 31 U.S.C. §5324 31 CFR §103.63 and a civil money penalty is due pursuant to 31 U.S.C. §5321(a)(4) and 31 CFR §57(e).

FinCEN has determined that through the actions described in Paragraph III above, Plett willfully participated in Cash For Checks’ failure to file CTRs in violation of 31 U.S.C. §5313 and 31 CFR §103.22 and a civil money penalty is due pursuant to 31 U.S.C. §5321(a)(1) and 31 CFR §103.57(f).

V. ASSESSMENT

THEREFORE, the Department of the Treasury assesses against Plett a civil money penalty of \$100,000, pursuant to 31 U.S.C. §5321(a) of the Bank Secrecy Act and 31 CFR §103.57, thereunder.

THEREFORE, Plett shall:

1. Pay the amount of \$100,000 within five (5) business days of the date of this ASSESSMENT.
2. Such payment shall be:
 - a. made by certified check, cashier's check, or money order;
 - b. made payable to the United States Department of the Treasury;
 - c. hand-delivered or sent by overnight mail to Nicholas A. Procaccini, Assistant Director and Chief Financial Officer, FinCEN, P.O. Box 39, Vienna, Virginia 22183; and
 - d. submitted under a cover letter, which references the caption and file number in this matter.

By: //signed// James F. Sloan September 4, 2001
James F. Sloan, Director DATE
FINANCIAL CRIMES ENFORCEMENT NETWORK
U.S. DEPARTMENT OF THE TREASURY