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Department of Justice

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Northern District of Ohio

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Former Mahoning County judge sentenced to more than two years in prison for stealing \$100,000 from deceased client's estate

A former Mahoning County judge was sentenced to more than two years in prison for stealing \$100,000 from a deceased client's estate.

Diane Vettori-Caraballo, 50, of Youngstown, was sentenced to 30 months in prison and ordered to pay \$328,000 in restitution. She pleaded guilty earlier this year to one count of mail fraud, one count of structuring cash deposits, and one count of making false statements to law enforcement.

Vettori-Caraballo stole at least \$100,000 in cash that was in the home of a client when that client died in March 2016, according to court documents.

"The fact that the defendant stole at least \$100,000 from an elderly person who trusted her to administer their estate is heartbreaking," US Attorney Justin Herdman said. "The fact that thief in this case was a sitting judge who swore to uphold the law is outrageous."

"When a public official puts personal gain ahead of a sworn oath of servitude, the very core of how and why our system of government operates is immediately and negatively impacted. Public officials should be an example to the citizens they serve. IRS Criminal Investigation, in conjunction with the U.S. Attorney's Office and the FBI, will continue to give priority to investigations involving the breach of the public trust by government officials," stated William Cheung, Acting Special Agent in Charge, IRS Criminal Investigation, Cincinnati Field Office.

Vettori-Caraballo was elected to position of judge in Mahoning County Court #3 – Sebring Court in 2002, with jurisdiction over misdemeanor criminal and traffic charges and other matters in Sebring and Beloit Villages and Berlin, Green, Goshen,, Ellsworth, Smith and Washingtonville Townships. She was reelected in 2006 and 2012, according to court documents.

She also provided estate planning services to Robert Sampson, including drafting his will. On Nov. 20, 2015, Vettori-Caraballo filed an application in Mahoning County Probate Court to administer Sampson's estate. The application stated Sampson died without a will. The probate court, unaware of Sampson's will, appointed Falgiani as the administrator three days later, according to the indictment.

Sampson died in 2015 and his closest living relative was his sister, Dolores Falgiani. Vettori-Caraballo prepared Falgiani will on Nov. 3, 2015. The will made 16 specific bequests to relatives and friends and bequeathed the rest of the estate to Animal Charity Human Society of Boardman and the Angels for Animal Charity in Canfield, according to court documents.

Sometime in October or November 2015, Falgiani stated she was in possession of several shoeboxes of cash stored at her residence. Falgiani was found dead in her home on March 10, 2016, according to court documents.

Vettori-Caraballo filed an application in Mahoning County Probate Court to probate Falgiani's estate on March 24, 2016. On May 2, she reported having found cash in the residence and depositing the \$20,000 into the estate, according to court documents.

Vettori-Caraballo filed a notice of newly discovered assets with the court on several subsequent occasions in 2016 and 2017. Each time, she failed to disclose the cash she had stolen, according to court documents.

Vettori-Caraballo also structured deposits of the cash she stole into five different banks within four weeks to avoid regulations that require banks to report cash transactions over \$10,000 to the IRS. In addition, Vettori-Caraballo lied to the FBI when she was confronted about the theft and the structuring of cash deposits, according to court documents.

This case was investigated by the Federal Bureau of Investigation and the Internal Revenue Service-Criminal Investigations. It is being prosecuted by Assistant U.S. Attorneys Brian M. McDonough and Alex Abreu.

Topic(s):

Elder Justice
Financial Fraud
Public Corruption

Component(s):

USAO - Ohio, Northern

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