

Derby Woman Sentenced for Using Her Ex-Boyfriend's Identity to Fraudulently Obtain Unemployment Benefits

Modified: June 23, 2022 9:05am

6/23/2022

Erie County District Attorney John J. Flynn announces that **31-year-old Kelly M. Muffoletto of Derby** was sentenced this morning before State Supreme Court Justice Mark. Montour to 5 years of probation.

Between June 1, 2020 and December 31, 2020, the defendant used her ex-boyfriend's personal identifying information to submit applications to the New York State Department of Labor. The defendant fraudulently obtained \$14,764.88 in unemployment insurance benefits during the pandemic. The defendant used the money to purchase hotel rooms, take-out food and a Disney+ subscription.

Muffoletto pleaded guilty to one count of Identity Theft in the Second Degree (Class "E" felony), the highest sustainable charge, on February 23, 2022. As part of the plea, the defendant signed a Confession of Judgment to pay full restitution to the New York State Department of Labor. To date, she has not paid back any of the money.

DA Flynn commends the New York State Department of Labor, U.S. Department of Homeland Security Office of the General Counsel and Office of Inspector General as well as the United States Secret Service for their work in the investigation.

The case was prosecuted by Chief Candace K. Vogel and Assistant District Attorney Gary M. Ertel of the Special Investigations and Prosecutions (SIP) Unit.