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U.S. Department of Justice
Northern District of Ohio
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Florida Man Indicted for Causing Damage and Transmitting Threat to Former Employer's Computer System

Gregory A. White, United States Attorney for the Northern District of Ohio, announced today that a federal grand jury in Cleveland, Ohio, returned an two count indictment charging Richard Benimeli, age 55, of 6171 9th Avenue Circle, Bradenton, Florida, with one count of intentionally causing damage to a protected computer system and one count of transmitting threatening interstate communications.

Count One of the indictment charges that between January 2, 2006, and January 23, 2006, Richard Benimeli, a computer consultant formerly under contract with Storefront Systems and Services, Inc. ("SSS"), of North Canton, Ohio, knowingly transmitted and caused the transmission of certain computer codes, commands and information directed the computer system owned and operated by SSS, intentionally causing damage to said computer including impairing employees and authorized users from accessing the programs and data therein, and causing monetary damages in the form of lost revenue and repair costs exceeding $5,000.

Count Two of the indictment charges that Between December 28, 2005, and January 23, 2006, with the intent to extort money or other things of value from SSS, Richard Benimeli knowingly transmitted in interstate or foreign commerce communications containing a threat to injure the property of another person, firm, association or corporation.

The indictment charges that Benimeli was employed by SSS as a computer consultant from January 2004 through December 2005, and that Benimeli's duties included creating a software program called AcceSSS which SSS used to manage client data and business operations. SSS is located in North Canton, Ohio, and operates a call center which handles maintenance requests by large commercial clients such as Lowes and Payless Shoe Stores.

The indictment further charges that in 2005, Benimeli demanded to be paid 20% of the value of SSS in consideration for his past services. When SSS refused, on January 2, 2006, Benimeli remotely accessed the SSS computer system and transmitted codes, commands and instructions to the computer effectively preventing employees and authorized users from accessing the computer system and the programs and data therein. The indictment further charges that after SSS told Benimeli it would meet his monetary demands, Benimeli restored employees access to the computer system on January 3, 2006. However, when Benimeli's demands had not been met by January 13, 2006, the indictment charges that he once again remotely accessed the SSS

computer system and changed all of the passwords thereby preventing employees and authorized users from accessing the system, causing lost revenue and repair costs exceeding $5,000.

According to Court records, a criminal complaint was filed against Benimeli in U.S. District Court in Akron, Ohio, on January 12, 2006. He was arrested by agents from the Federal Bureau of Investigation in Florida on January 23, 2006, and released on bond following his initial appearance.

If convicted, the defendant's sentence will be determined by the Court after review of factors unique to this case, including the defendant's prior criminal record, if any, the defendant's role in the offense and the characteristics of the violation. In all cases the sentence will not exceed the statutory maximum and in most cases it will be less than the maximum.

This case is being prosecuted by Assistant U.S. Attorney Robert W. Kern, Cybercrimes Coordinator for the Cleveland U.S. Attorney's Office, following an investigation by the Canton Office of the Federal Bureau of Investigation.

An indictment is only a charge and is not evidence of guilt. A defendant is entitled to a fair trial in which it will be the government's burden to prove guilt beyond a reasonable doubt.

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