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Tuesday, October 24, 2017

## Local Food Service Company Owner Sentenced To 23 Months In Prison For Fraud

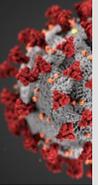
WILMINGTON, Del. – David C. Weiss, Acting United States Attorney for the District of Delaware, announced that Frank D. Dolce, the owner of a local food service business, was sentenced to 23 months of incarceration for stealing nearly one million dollars from the National School Breakfast and Lunch Programs – programs designed to feed impoverished children. Dolce also committed tax fraud, and structured cash deposits at banks to avoid reporting requirements. He used the fraudulent cash to purchase, among other things, a luxury boat in Florida, which has been seized and will now be forfeited to the government.

According to information discussed in open court, Dolce was the owner of Primos Food Service (“Primos”), located in Wilmington, Delaware. Primos provided cafeteria services to charter schools in Philadelphia and to the Delaware County Courthouse and Government Center in Media, Pennsylvania. Many of the charter schools participated in the National School Breakfast and Lunch Programs, which reimburse schools with federal funds for meals served to impoverished children. Between at least April 2011 and January 2014, Dolce submitted false claims for reimbursement that misrepresented the number of meals served to students at four charter schools. By claiming more meals served under the National School Breakfast and Lunch Programs than were actually served, Dolce stole at least \$911,953.00.

Dolce also filed false tax returns both personally and on behalf of Primos, because he failed to report certain income. The charter schools and the Courthouse Café generated cash sales. Rather than depositing the cash into Primos’ bank accounts,

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Dolce instructed his employees to bring the cash back to Primos' office in Delaware, where the employees would then destroy receipts and other documents. Dolce did not report most of the cash on his personal or business tax returns.

Also, in January and February 2013, Dolce made or directed one of his employees to make twenty-seven cash deposits, each slightly below \$10,000, into different accounts at two branches of TD Bank, N.A. The total cash deposited was over \$250,000. Dolce structured the cash transactions in this manner to avoid the bank's requirements to report cash transactions greater than \$10,000 to the Department of the Treasury. After the above cash deposits were made, Dolce then used that cash in part to purchase a boat for approximately \$355,500.

"Dolce lined his pockets with fraud proceeds stolen from a program intended to benefit children in need," said Acting U.S. Attorney Weiss. "His actions demanded a substantial period of incarceration, and one was imposed."

USDA Office of Inspector General, Special Agent-in-Charge Bethanne M. Dinkins stated, "The National School Breakfast and Lunch Programs were created to provide nutritious meals to children who truly need this assistance. Those who are involved in fraud and abuse of USDA feeding programs will be aggressively pursued by our office. Our joint investigation with the Internal Revenue Service, Criminal Investigation Division brought to justice an individual who sought to profit from the National School Breakfast and Lunch Programs through illegal schemes. The USDA, Office of Inspector General will continue to dedicate resources and work with our law enforcement partners in order to protect the integrity of these programs by investigating those who commit fraud."

"Frank Dolce's attempt to evade tax by hiding income and filing false returns was a theft from the American public. It is a felony offense that carries severe consequences," said Acting IRS Criminal Investigation Special Agent in Charge Edward Wirth. "Today's sentence demonstrates our unwavering commitment to protecting the interests of law-abiding taxpayers."

This case is the result of a joint investigation conducted by the Internal Revenue Service, Criminal Investigation Division, and the United States Department of Agriculture Office of Inspector General - Investigations. The case was prosecuted by Assistant United States Attorney Jennifer K. Welsh, District of Delaware.

**Topic(s):**

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**Component(s):**

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Updated October 25, 2017



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