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April 15, 2015



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Man once reported dead is arrested ; Lantigua, thought dead in Venezuela, detained in N.C., faces fraud charges

By Steve Patterson
Proquest LLC

A Jacksonville businessman who was reported dead in Venezuela two years ago was arrested Saturday in North Carolina on federal charges that moved a twisting parlor game of high-stakes fraud claims from the courthouse to the jailhouse.

Jose Lantigua, 62, former owner of Circle K Furniture, was jailed without bond in Buncombe County, N.C., which includes Asheville in the western part of the state, according to an inmate database the jail there maintains.

Lantigua was arrested about 9 a.m. by officials who stopped a car he was traveling in with his wife, Daphne Simpson of Ponte Vedra Beach, said Joshua Woolsey, an attorney who has represented the family in a tangle of civil suits in state and federal court since Lantigua's death was reported in 2013. Simpson was released by federal agents, but was arrested Saturday evening in St. Johns County.

Jail records in North Carolina said only that the Cuban native was being held for federal officials, and didn't specify charges.

But a Jacksonville prosecutor said Lantigua faces insurance fraud charges in Florida involving policies worth \$9 million from seven companies.

"I've never had a case like this," said Assistant State Attorney Joe Licandro, whose office has been looking into Lantigua's deals along with state insurance investigators.

Some companies that insured Lantigua had already paid on claims after the U.S. embassy in Caracas issued a certificate used to record an American's death overseas. Paperwork from Venezuela said he had been sick and died during a visit and had been cremated there.

But other insurers argued they were being swindled, and had asked a judge to rule that Lantigua was in fact alive.

The evidence for some arguments was far from clear, with attorneys for one insurer presenting paperwork from a Venezuelan court that was later shown to be forged.

A Jacksonville judge ruled that while the paperwork brought to his court was fake, it wasn't clear who had produced it, so he couldn't tell whether anyone involved in his case had knowingly lied.



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Licandro said an arrest warrant for Lantigua had been issued more than a year ago, but prosecutors had let that one drop after problems emerged about some of the information underlying the case. He said a new warrant charging insurance fraud and schemes to defraud was issued within the past week.

Licandro said no warrant had been issued earlier for Simpson because prosecutors weren't sure she knew he was alive. But after she was found sharing a ride with him, those doubts seemed settled.

To move the civil cases forward, attorneys in the last few weeks sought help from Venezuela's foreign affairs ministry in getting a deposition from a Venezuelan man and to review some documents in the South American country whose strained relationship with the U.S. colored the background to the case.

In November, Woolsey told a federal judge that some material affecting the civil cases came from a tipster who claimed to be a government employee with information that "is sensitive in nature and relates to matters of national security."

Woolsey said Saturday that he and the firm he works for, Rogers Towers, were withdrawing as counsel for Lantigua's family.

"I and the law firm were shocked to learn this morning that we have been defrauded by acting and relying on the information ... that indicated he was dead," Woolsey said, noting the firm had committed long ago to give up the civil cases if there was solid information that Lantigua was alive.

Lantigua had also used the policies as collateral on loans he had taken out, and his disappearance left lenders waiting for someone to make good on commitments to cover the debt.

It will take more time to sort out all the details of who was scammed, said one attorney involved in the court fight.

"We're just now delving into one layer of the onion as to Jose Lantigua's scheme of deceit," said Charles Jimerson, an attorney representing American Enterprise Bank, one of the lenders left holding the bag after Lantigua vanished. Steve Patterson: (904) 359- 4263

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