

## Fraud charge dismissed against school contractor

FBI alleged offenses by Dixon occurred in 2013

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At the request of prosecutors, a federal judge has dismissed the criminal charge against a Rochester man accused of cheating taxpayers through fraudulent minority-business work with the Rochester City School District’s school modernization program.

Court records show that a wire fraud charge against Orville Dixon, who was criminally charged in July, was dismissed on Monday. The charge was dismissed “without prejudice,” meaning it can be brought again by prosecutors.

The FBI and prosecutors alleged that Dixon, an African-American man who owned the contracting company Journee Construction, allowed contractors to bypass the requirements that they hire a certain percentage of minority-owned or female-owned businesses with the \$1.3 billion school construction program.

The authorities alleged that Dixon’s company was used as a “pass-through” subcontractor, meaning other companies could dishonestly claim that Journee was performing jobs that it wasn’t. Dixon, in turn, still got paid, authorities alleged.

Those offenses, the FBI alleged, occurred in 2013, meaning that the criminal charge could confront a statute of limitations issue.

A wire fraud indictment must typically be handed up within five years of the alleged crime.

However, authorities can secure an agreement with defendants that allows that time frame to basically be put on hold.

Court documents do not reveal whether any such agreement is in place with Dixon.

Dixon’s attorney, Bryan Oathout, declined to comment.

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