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SEAL
BY ORDER OF THE COURT

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

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SUE BEITIA, CLERK

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

CR 09-00056 HG

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
DAVID SILIVANO GILLIAM,)
)
Defendant.)
_____)

CR. NO. _____
INDICTMENT
Count 1: 18 U.S.C. § 641
Count 2: 31 U.S.C. § 5332
Counts 3-4: 18 U.S.C. § 2314
Count 5: 18 U.S.C. § 1957
Count 6: 18 U.S.C. § 1001

INDICTMENT

COUNT 1

(Theft of Government Property)

The Grand Jury charges:

On a precise date unknown to the Grand Jury but between
April 14, 2004 and April 7, 2005, in the District of Hawaii and

elsewhere, while serving as a Disbursing Officer for the Department of the Army, Alpha Detachment, 125th Finance Battalion deployed from Schofield Barracks in Honolulu, Hawaii, to the Kandahar Air Base in Afghanistan, a United States military reservation outside of the United States, the defendant, DAVID SILIVANO GILLIAM, a citizen of the United States whose last known address was Schofield Barracks, did knowingly and willfully embezzle, steal, purloin, and convert to his own use and the use of another goods and property of the United States, that is, United States currency in an amount exceeding \$1,000.00.

All in violation of Title 18, United States Code, Section 641.

COUNT 2
(Bulk Cash Smuggling)

The Grand Jury further charges that:

On or about April 7, 2005, in the District of Hawaii and elsewhere, the defendant, DAVID SILIVANO GILLIAM, did knowingly and for the purpose of evading the currency reporting requirement under Section 5316(a)(1)(B) of Title 31, United States Code, and the regulations promulgated thereunder, conceal more than \$10,000 in currency and other monetary instruments in an article of luggage or other container, and did transport and attempt to transport such currency from a place outside the United States to a place within the United States.

All in violation of Title 31, United States Code,
Section 5332.

COUNT 3

(Foreign Transportation of Stolen Money)

The Grand Jury further charges:

On a precise date unknown to the Grand Jury but between April 7, 2005 and April 9, 2005, in the District of Hawaii and elsewhere, the defendant DAVID SILIVANO GILLIAM did unlawfully transport in interstate and foreign commerce from Kandahar, Afghanistan, to Hawaii, money, that is, United States currency of a value exceeding \$5,000, knowing that such money was stolen money.

All in violation of Title 18, United States Code,
Section 2314.

COUNT 4

(Interstate Transportation of Stolen Money)

The Grand Jury further charges:

On a precise date unknown to the Grand Jury but between April 20, 2005 and May 2, 2005, in the District of Hawaii and elsewhere, the defendant DAVID SILIVANO GILLIAM did unlawfully transport in interstate and foreign commerce from Hawaii to South Carolina, money, that is, United States currency of a value exceeding \$5,000, knowing that such money was stolen money.

All in violation of Title 18, United States Code,
Section 2314.

COUNT 5
(Money Laundering)

The Grand Jury further charges:

On or about May 10, 2005, in the District of Hawaii and elsewhere, the defendant DAVID SILIVANO GILLIAM did knowingly engage, and attempt to engage, in a monetary transaction involving a financial institution as defined in Title 18, United States Code, Section 1956, thereby affecting interstate and foreign commerce, by purchasing a cashier's check from First Hawaiian Bank in the amount of \$254,000 using criminally derived property of a value greater than \$10,000, which was derived from specified unlawful activity, that is, the theft of government funds and bulk cash smuggling charges alleged in Counts 1 and 2 respectively of this indictment.

All in violation of Title 18, United States Code, Section 1957.

COUNT 6
(False Statements)

The Grand Jury further charges:

On or about March 21, 2008, in the District of Hawaii and elsewhere, while being interviewed by federal agents regarding an investigation in the District of Hawaii concerning a matter within the jurisdiction of the Internal Revenue Service (IRS), an agency of the United States, the defendant, DAVID SILIVANO GILLIAM, did knowingly and willfully make materially

false, fraudulent, and fictitious statements and representations, that is, the defendant told IRS Special Agent LeiAnn Corpuz that the source of cash used to purchase a cashier's check in the amount of \$254,000 came from a dating service he had operated while stationed in Fort Clay, Panama, when in truth and fact, defendant knew that the funds had come from his theft of United States currency.

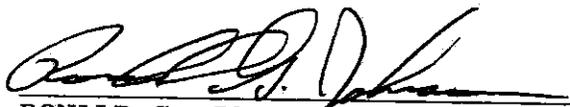
All in violation of Title 18, United States Code, Section 1001.

DATED: February 11, 2009, at Honolulu, Hawaii.

A TRUE BILL

/s/ Foreperson
FOREPERSON, GRAND JURY

EDWARD H. KUBO, JR.
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