



# Department of Justice

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## **TEN YEAR SENTENCE FOR CARD FRAUD REPEAT OFFENDER**

### ***Judge Calls Defendant a "Menace" and Gives Maximum***

SACRAMENTO, Calif.—United States Attorney McGregor W. Scott announced today that TIMOTHY TRUONG, 43, was sentenced today by United States District Judge Frank C. Damrell to the statutory maximum of 10 years in prison for access device fraud. On November 13, 2007, the defendant pleaded guilty to access device fraud for using cloned gift cards to hijack Wal-Mart gift card accounts.

This case is the product of a joint investigation by the U.S. Secret Service and the Yuba City Police Department (YCPD).

According to Assistant United States Attorney Matthew D. Segal, who prosecuted the case, on October 22, Wal-Mart employees called the YCPD to report that TRUONG was engaging in gift card fraud in their store. When YCPD officers arrived, they saw TRUONG get into a Cadillac Escalade and drive away. In fleeing the officers, he crashed his SUV into two other vehicles, totaling a pickup truck and sending the driver to the hospital with a concussion. TRUONG then ran, bleeding, through the parking lot and into a store. A citizen who had seen the chase tried to stop him. TROUNG punched the citizen, who then tackled TROUNG and restrained him.

In TRUONG's SUV, officers found over 3,800 gift cards from retail stores such as Wal-Mart, Lowe's, Borders Books, and Safeway; electronic equipment including two laptop computers and a magnetic card reader; a card printer; acetone; maps with the locations of Wal-Mart, Lowe's and Borders stores; lists containing 4,000 gift card numbers; and newly purchased merchandise. TRUONG had been using the cards and electronic equipment to hijack consumer gift card accounts. He removed gift cards from the store, skimmed enough information from them to use them once a customer activated them, and then placed them back in the store for customers to buy and activate. He would then check the accounts online and spend down their balances before the rightful owners could.

TRUONG has an extensive criminal history involving card fraud. Between 1992 and the present, he racked up convictions in Nevada, Nebraska, Pennsylvania, Georgia, and Utah. At the time of his arrest, he was facing charges related to gift card fraud in New Jersey based on his possession of over 10,000 gift cards, a magnetic card reader/writer, power tools, a laptop computer, and 186 cartons of cigarettes.

Judge Damrell, in sentencing the defendant, said that TRUONG's offense and his criminal history showed that TRUONG was a "liar and a thief," and "a menace to society."

Judge Damrell sentenced TRUONG to a term well in excess of the range recommended by the Sentencing Guidelines. Judge Damrell remarked that up until today, TRUONG had avoided serious consequences for his crimes, but that "the buck stops here."

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