

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: OAKLAND

FILED
2014 FEB 20 A 11:29
CLERK OF DISTRICT COURT
U.S. DISTRICT COURT
OAKLAND, CALIFORNIA
JUST

UNITED STATES OF AMERICA,

v.

CR 14 92

**SEALED
BY COURT ORDER**

ROBERT THOMAS DOYLE

DEFENDANT(S).

INDICTMENT

18 U.S.C. § 1341 - Mail Fraud
18 U.S.C. § 1343 - Wire Fraud
18 U.S.C. § 1028A(a)(1) and (c)(5) - Aggravated Identity Theft

A true bill.

Nancy J. Peterson
Foreman

Filed in open court this 20th day of

February 2014

Rose Maher

ROSE MAHER

Clerk

NO BAIL ARREST WARRANT

[Signature] Bail, \$ 2000-14

1 MELINDA HAAG (CABN 132612)
2 United States Attorney

FILED
2014 FEB 20 A 11:29
RICHARD W. WICKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**SEALED
BY COURT ORDER**

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

JST

10 OAKLAND DIVISION

CR 14

92

11 UNITED STATES OF AMERICA,)

CASE NO.

12 Plaintiff,)

VIOLATIONS: 18 U.S.C. § 1341 - Mail

13 v.)

Fraud; 18 U.S.C. § 1343 - Wire Fraud;

14 ROBERT THOMAS DOYLE,)

18 U.S.C. § 1028A(a)(1) and (c)(5) -

15 Defendant.)

Aggravated Identity Theft

(OAKLAND VENUE)

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18 **INDICTMENT**

19 The Grand Jury charges:

20 **Introductory Allegations**

21 1. ROBERT THOMAS DOYLE (hereinafter defendant DOYLE), resided in Oakland,
22 California, at all relevant times.

23 2. A "means of identification" includes any name or number that may be used, alone or in
24 conjunction with other information, to identify a specific individual, including a name, Social Security
25 number, or date of birth.

26 3. The Internal Revenue Service ("IRS") is an agency of the United States within the
27 Department of the Treasury of the United States responsible for enforcing and administering the tax
28 laws of the United States.

Indictment

1 4. The electronically filed federal income tax returns identified below were transmitted to
2 the IRS's transmission centers located in either Memphis, Tennessee, or in Martinsburg, West Virginia.

3 COUNTS ONE THROUGH SIX: (18 U.S.C. §1343 - Wire Fraud)

4 5. Paragraphs 1 and 4 are re-alleged and incorporated by reference as though fully set forth
5 herein.

6 6. From on or about January 15, 2013, to on or about March 28, 2013, within the Northern
7 District of California and elsewhere, the defendant,

8 ROBERT THOMAS DOYLE,

9 having knowingly and intentionally devised and intending to devise a scheme and artifice to defraud the
10 United States, and to obtain money by means of materially false and fraudulent pretenses,
11 representations, and promises, well knowing at the time that the pretenses, representation and promises
12 were materially false and fraudulent when made, and for the purpose of executing such scheme and
13 artifice, caused to be transmitted by means of wire communication in interstate commerce, signals, and
14 writings, to wit filing false tax returns claiming refund payments.

15 The Scheme and Artifice to Defraud

16 7. Defendant DOYLE prepared and filed with the IRS false federal income tax returns that
17 contained materially false representations, including filing status, dependents, income, and credits.

18 8. As part of the scheme, DOYLE obtained the means of identification of individual
19 taxpayers through illegal means or by agreement.

20 9. DOYLE electronically filed with the IRS, false federal income tax returns using the
21 identities obtained as a part of the scheme.

22 10. As part of the scheme, Doyle recorded the names and other personal identifying
23 information used in the scheme on spreadsheets.

24 11. The false federal income tax returns filed by DOYLE requested refunds from the IRS to
25 which the taxpayers listed on the federal income tax returns were not entitled.

26 12. As part of the scheme, DOYLE requested that the IRS transmit the fraudulent refunds in
27 a manner that enabled him to exercise dominion and control over the fraudulently obtained refunds.

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The Wire Communications

13. On or about the dates listed below, for the purpose of executing the scheme described above, the defendant DOYLE, transmitted and caused to be transmitted by means of wire communication in interstate commerce the signals described below:

COUNT	DATE	WIRE COMMUNICATION - ELECTRONICALLY FILED 2012 FEDERAL INCOME TAX - FORM 1040
1	1/15/2013	Filed in the name of S.D. claiming a \$4,783 refund
2	2/10/2013	Filed in the name of H.W. claiming a \$4,473 refund
3	2/10/2013	Filed in the name of J.W. claiming a \$5,026 refund
4	3/15/2013	Filed in the name of Y.D. claiming a \$4,484 refund
5	3/19/2013	Filed in the name of L.D. claiming a \$1,877 refund
6	3/28/2013	Filed in the name of Y.M.D. claiming a \$2,882 refund

All in violation of Title 18, United States Code Section 1343.

COUNTS SEVEN THROUGH EIGHT: (18 U.S.C. § 1341 - Mail Fraud)

14. Paragraphs 1 through 12 above are realleged and by this reference fully incorporated herein.

15. From on or about January 14, 2013, to on or about March 28, 2013, within the Northern District of California and elsewhere, the defendant,

ROBERT THOMAS DOYLE,

having knowingly and intentionally devised and intending to devise a scheme and artifice to defraud the United States, and to obtain money by means of materially false and fraudulent pretenses, representations, and promises, well knowing at the time that the pretenses, representation and promises were materially false and fraudulent when made, and for the purpose of executing such scheme and artifice, caused the use of the United States mails or by private or commercial interstate carrier in that he mailed from Oakland, California, to the IRS Service Center located in Fresno, California the tax returns

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1 identified below:

COUNTS	DATE MAILED	FEDERAL INCOME TAX RETURN
7	1/14/13	2011 Form 1040 in the name R.W. seeking a \$2,815 refund
8	1/14/13	2012 Form 1040 in the name R.W. seeking a \$3,024 refund

6 All in violation of Title 18, United States Code, Section 1343.

7 COUNTS NINE THROUGH SIXTEEN: (18 U.S.C. § 1028A(a)(1) and (c)(5) - Aggravated Identity Theft)

9 16. On or about the dates identified below, within the Northern District of California, the
10 defendant,

11 ROBERT THOMAS DOYLE,

12 during and in relation to a felony violation of Title 18, United States Code Section 1343, knowingly
 13 transferred, possessed and used without lawful authority a means of identification of another person
 14 during and in relation to the offenses in this Indictment identified as related counts below, that is, he
 15 knowingly transferred, possessed and used the names and Social Security numbers of actual persons,
 16 listed by their initials below, to commit wire fraud by attempting to obtain the fraudulent income tax
 17 refunds identified below:

COUNT	DATE OF OFFENSE	INDIVIDUAL	RELATED COUNT
9	1/15/2013	S.D.	1
10	2/10/2013	H.W.	2
11	2/10/2013	J.W.	3
12	3/15/2013	Y.D.	4
13	3/19/2013	L.D.	5
14	3/28/2013	Y.M.D.	6
15	1/25/2013	R.W.	7
16	1/25/2013	R.W.	8

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Indictment

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All in violation of Title 18, United States Code Sections 1028A(a)(1) and (c)(5).

A True Bill

DATED: February 20, 2014

Nancy J. Peterson
FOREPERSON

MELINDA HAAG
United States Attorney

J. Douglas Wilson
J. DOUGLAS WILSON
Chief, Criminal Division

Approved as to Form

Thomas Moore
THOMAS MOORE
Assistant United States Attorney
Chief, Tax Division

AO 257 (Rev. 8/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

18 U.S.C. § 1341 - Mail Fraud
18 U.S.C. § 1343 - Wire Fraud
18 U.S.C. § 1028A(a)(1) and (c)(5) -
Aggravated Identity Theft

Petty
 Minor
 Misdemeanor
 Felony

SEALED BY COURT ORDER

PENALTY:

18 U.S.C. § 1341-20 yrs prison, \$250k fine, 5 yrs superv. release, \$100 assess.; 18 U.S.C. § 1343-20 yrs prison, \$250k fine, 5 yrs superv. release, \$100 assess.; 18 U.S.C. § 1028A(a) (1)-2 yrs prison, \$250k fine, 2 yrs superv. rel., \$100 assess.

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

INTERNAL REVENUE SERVICE

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCP/20, 21 or 40. Show District

this is a re prosecution of charges previously dismissed which were dismissed on motion of:

U.S. Atty Defense

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM
MELINDA HAAG

U.S. Atty Other U.S. Agency

Name of Asst. U.S. Atty (if assigned) THOMAS MOORE, AUSA, Chief Tax.

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

DEFENDANT - U.S. **ROBERT THOMAS DOYLE**

DISTRICT COURT NUMBER

CR 14

JST 92

DEFENDANT

IS NOT IN CUSTODY

- 1) Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) is a Fugitive
- 3) is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
 - 5) On another conviction
 - 6) Awaiting trial on other charges
- } Fedl State
If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No } If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance
Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____