MELINDA HAAG (CABN 132612)
United States Attorney

FILED
OCT 25 2012
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
BRITTANY LEBON,
Defendant.

Criminal No. CR12-00775 YGR

VIOLATIONS: 18 U.S.C. § 1344(1) and (2) - Bank Fraud; 18 U.S.C. § 1028A - Aggravated Identity Theft

OAKLAND VENUE

INDICTMENT

The Grand Jury charges:

At all relevant times to this indictment:

INTRODUCTORY ALLEGATIONS

1. From July 2001 to August 26, 2011, BRITTANY LEBON was employed at Fremont Paving Company ("Fremont Paving") located in Newark, California.

2. Patelco Credit Union ("Patelco") was a financial institution whose deposits were insured by the National Credit Union Share Insurance Fund. Fremont Paving had a business account at Patelco.

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3. LEBON had a personal checking account at Operating Engineers Federal Credit Union.

The Scheme to Defraud

4. At a time unknown to the grand jury but at least by on or about July 13, 2011, and continuing until on or about August 26, 2011, LEBON printed Fremont Paving checks made payable to "Operating Engineers" without authority and forged the signature of her supervisor, D.L., on the same checks. LEBON negotiated the forged checks at Patelco and instructed Patelco to deposit the funds into her bank account at Operating Engineers Federal Credit Union.

5. To hide the fraud, LEBON altered Fremont Paving's computer payroll records to falsely show that the unauthorized checks she printed and subsequently negotiated were legitimately issued to other company vendors.

COUNTS ONE THROUGH TEN: (18 U.S.C. § 1344(1) and (2) - Bank Fraud)

6. The allegations set forth above in Paragraphs One through Five are realleged and incorporated herein.

7. On or about the dates set forth below in the Northern District of California, and elsewhere, the defendant,

BRITTANY LEBON,

did knowingly execute and attempt to execute, a material scheme and artifice to defraud a financial institution, that is, Patelco Credit Union, to obtain money and other property owned by, and under the custody and control of that financial institution, by means of materially false and fraudulent pretenses, representations, and promises, in that she knowingly negotiated checks that she knew were fraudulent:

[illegible]	[illegible]	Check Amount	Check Number
1	7/13/2011	$4,855.35	14089
2	7/21/2011	$4,988.95	14150
3	7/22/2011	$3,828.11	14163
4	7/26/2011	$3,305.51	14158
5	7/27/2011	$4,358.95	14162

6	8/01/2011	$4,601.10	14191
7	8/04/2011	$2,544.21	14209
8	8/10/2011	$4,196.15	14214
9	8/12/2011	$3,141.22	14231
10	8/18/2011	$4,678.45	14251

Each in violation of Title 18, United States Code, Sections 1344(1) and (2).

COUNT ELEVEN: (18 U.S.C. § 1028A - Aggravated Identity Theft)

8. The allegations set forth above in Paragraphs One through Five are realleged and incorporated herein.

9. On or about July 13, 2011, in the Northern District of California, the defendant,

BRITTANY LEBON,

did knowingly possess and use, without lawful authority, a means of identification of another person, specifically, the name D.L., that she knew belonged to a real person, during and in relation to a felony violation of Title 18, United States Code, Sections 1344(1) and (2).

All in violation of Title 18, United States Code, Section 1028A.

COUNT TWELVE: (18 U.S.C. § 1028A - Aggravated Identity Theft)

10. The allegations set forth above in Paragraphs One through Five are realleged and incorporated herein.

11. On or about August 18, 2011, in the Northern District of California, the defendant,

BRITTANY LEBON,

did knowingly possess and use, without lawful authority, a means of identification of another person, specifically, the name D.L., that she knew belonged to a real person, during and in

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relation to a felony violation of Title 18, United States Code, Sections 1344(1) and (2).

All in violation of Title 18, United States Code, Section 1028A.

DATED: October 25, 2012

A TRUE BILL.

10/25/12

FOREPERSON

MELINDA HAAG
United States Attorney

By: MAUREEN BESSETTE
Chief, Oakland Branch

(Approved as to form: Tamara Weber)
TAMARA WEBER
Special Assistant United States Attorney