IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI WESTERN DIVISION

UNITED STATES OF AMERICA,	)	Case No. 09-00218-01/10-CR-W-HFS
	)	
Plaintiff,	)	COUNT ONE: Defendants 1 through 10
v.	)	**Conspiracy**
	)	18 U.S.C. § 371
STEVEN JAMES PALMER, (1)	)	NMT: 5 Years Imprisonment
[DOB: 05/15/1981],	)	NMT: $250,000 Fine
a/k/a "Haze,"	)	NMT: 3 Years Supervised Release
a/k/a "DJ Haze Piffnten,"	)	Class D Felony
a/k/a "DJ Haze Gotti,"	)	
	)	COUNT TWO: Defendant 1 only
GERARD DORIEN BATES, (2)	)	**Access Device Fraud**
[DOB: 07/11/1986],	)	18 U.S.C. § 1029(a)(5)
a/k/a "Coko,"	)	NMT: 15 Years Imprisonment
	)	NMT: $250,000 Fine
SEAN FLEMING, (3)	)	NMT: 3 Years Supervised Release
[DOB: 08/09/1981],	)	Class C Felony
a/k/a "David Bravo"	)	
a/k/a "Pucci,"	)	COUNT THREE: Defendant 1 only
	)	**Aggravated Identity Theft**
ROMEYO CALAVAREY, (4)	)	18 U.S.C. § 1028A(a)(1)
[DOB: 01/07/1985],	)	Mandatory Sentence: 2 Years Imprisonment
a/k/a "Malawtic Surreal"	)	NMT: $250,000 Fine
	)	NMT: 3 Years Supervised Release
TROY SAMPSON, (5)	)	Class E Felony
[DOB: 02/18/1977],	)	
a/k/a "Alaysia Simpson,"	)	COUNTS FOUR through NINE: Defendant
	)	8 only
TYRONE JACKSON, (6)	)	**Access Device Fraud**
[DOB: 05/21/1987],	)	18 U.S.C. §§ 1029(a)(5) and 2
a/k/a "TJ Milan,"	)	NMT: 15 Years Imprisonment
	)	NMT: $250,000 Fine
ALEXANDER LEWIS, (7)	)	NMT: 3 Years supervised Release
[DOB: 11/25/1984],	)	Class C Felony
a/k/a "Mike Gotti,"	)	

TERMAIN BRICE, (8) [DOB: 08/16/1978]	COUNTS TEN through FIFTEEN: Defendant 8 only **Aggravated Identity Theft** 18 U.S.C. §§ 1028A(a)(1) and 2 Mandatory Sentence: 2 Years Imprisonment NMT: $250,000 Fine NMT: 3 Years Supervised Release Class E Felony
SIMON P. CARTER, (9) [DOB: 04/29/1979], a/k/a "Simmone"	
and	
KAREEM NELSON, (10) [DOB: 01/12/1979], a/k/a "Mutley"	Maximum Punishment if Convicted on All Counts: Defendant Palmer (1): Not less than 2 years imprisonment Not more than 27 years imprisonment $750,000 Fine Not more than 3 years Supervised Release Order of Restitution $100 Mandatory Special Assessment (Each Count) Defendant Brice (8): Not less than 2 years imprisonment Not more than 102 years imprisonment $3,250,000 Fine Not more than 3 years Supervised Release Order of Restitution $100 Mandatory Special Assessment (Each Count) Defendants 2 through 7, 9 and 10 Not more than 5 years imprisonment $250,000 Fine Not more than 3 years supervised release Order of Restitution $100 Mandatory Special Assessment Each Count
Defendants.	

THIRD SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT ONE
(Conspiracy)

1. Between on or about August 20, 2008, and continuing to on or about March 27, 2010, in the Western District of Missouri and elsewhere, **STEVEN JAMES PALMER**, **GERARD DORIEN BATES**, **SEAN FLEMING**, **ROMEYO CALAVAREY**, **TROY SAMPSON**, **TYRONE JACKSON**, **ALEXANDER LEWIS**, **TERMAIN BRICE, SIMON CARTER**, and **KAREEM NELSON**, defendants herein, did knowingly and with intent to defraud, conspire and agree with each other and with others known and unknown to the Grand Jury, to commit violations of Title 18, United States Code, Sections 1343 (Wire Fraud), 1029(a)(5)(Access Device Fraud), and 1028A(a)(1)(Aggravated Identity Theft), by devising and executing a scheme and artifice to defraud, which was to obtain stolen access device information consisting of credit and debit card numbers, together with the matching cardholder names, expiration dates, security codes, billing addresses, and other means of identification, without the knowledge and without the authority of the cardholders, hereinafter "identity theft victims," and without lawful authority, and then transmitting and causing to be transmitted false and fraudulent pretenses, representations, and promises, namely the stolen access device information belonging to the identity theft victims, to make online purchases at Internet websites of the reservation systems of United States domestic airline industry, including United Airlines, Delta Air Lines, US Airways, American Airlines, Northwest Airlines, Southwest Airlines, Continental Airlines,

AirTran Airways, Virgin America Airlines, Spirit Airlines, and Frontier Airlines, in order to effect financial transactions, which were the purchase of airline tickets, by which **STEVEN JAMES PALMER, GERARD DORIEN BATES**, **SEAN FLEMING**, **ROMEYO CALAVAREY**, **TROY SAMPSON**, **TYRONE JACKSON**, **ALEXANDER LEWIS, TERMAIN BRICE, SIMON CARTER**, and **KAREEM NELSON**, received things of an aggregate value equal to or exceeding $1,000 during a one year period, and the transactions affected interstate commerce.

2. The object of the conspiracy was to create a nationwide "black market" for the sale of airline tickets by using stolen credit and debit card information of the identity theft victims to make online purchases of airline tickets. **STEVEN JAMES PALMER, GERARD DORIEN BATES**, **SEAN FLEMING**, **ROMEYO CALAVAREY, TYRONE JACKSON**, **ALEXANDER LEWIS, TERMAIN BRICE, SIMON CARTER**, and **KAREEM NELSON**, worked together and with others known and unknown to the grand jury to obtain stolen credit card information to make online purchases of airline tickets and the confirmation codes for the tickets, which they forwarded to their customers, including **TROY SAMPSON**, who were the passengers purchasing the tickets at a deep discount of their true value, knowing that the tickets could not be legitimately purchased at that cost. Thus, **STEVEN JAMES PALMER, GERARD DORIEN BATES**, **SEAN FLEMING**, **ROMEYO CALAVAREY, TYRONE JACKSON, ALEXANDER LEWIS, TERMAIN BRICE, SIMON CARTER**, and **KAREEM NELSON**, profited from the scheme by purchasing the stolen credit and debit card information

of the identity theft victims at a nominal cost, then using the stolen information to purchase the airline tickets at no cost to the conspirators, and then selling the confirmation codes of the airline tickets to customers of the conspirators, including **TROY SAMPSON** and **KAREEM NELSON**, for prices usually between $100 and $250 per ticket, or sometimes for free.

MANNER AND MEANS

3. The manner and means by which the conspiracy was sought to be accomplished included, among others, the following:

a. The conspirators used cellular telephones, email accounts, and other forms of electronic communication and storage, to communicate with each other and their customers in furtherance of the conspiracy and to transfer, possess, and use stolen credit and debit card information and means of identification of the identity theft victims to make fraudulent purchases of airline tickets. The instrumentalities of the electronic communication and storage included:

Email Accounts

bangolsen@aol.com	gotthaze@yahoo.com
discdisney@aol.com	discdisney@yahoo.com
ilovehaze@live.com	hazegpiffnten@gmail.com
gbates770@yahoo.com	gerardbates@gmail.com
toifrancis@live.com	diordoll07@yahoo.com

chulomia@me.com		dbravo718@gmail.com
chulomia@mac.com		Seanblze99@aol.com
prettyboyromeyo@yahoo.com		twistedtj@tmail.com
lewisalexander@ymail.com		zaramgt@yahoo.com
romeyoc@gmail.com		termainbrice@gmail.com
phearian@yahoo.com		

Telephone Numbers

313-903-4779	646-884-1166	407-690-1305
305-627-3034	786-406-9056	917-449-8933
347-479-3674	347-546-7072	347-449-5507
914-582-1607	917-356-1450	

b. The conspirators obtained stolen credit and debit card information belonging to identity theft victims in the United States from a common source in Bangladesh ("Bangladesh source"), and other sources known and unknown to the grand jury, including **ALEXANDER LEWIS**, via electronic messaging to their electronic communication and storage devices, for a fee.

c. **ALEXANDER LEWIS** had the ability to supply stolen credit card information to the conspiracy by stealing credit and debit card numbers,

and the corresponding means of identification of the cardholders, from his places of employment, namely hotels in the Atlanta, Georgia, metro area.

d. Other conspirators, known and unknown to the grand jury, including **KAREEM NELSON**, provided customers to the conspiracy who flew as passengers on airline tickets fraudulently purchased with stolen credit card information.

e. Using the Internet connectivity of the conspirators' computers and cellular phones, and Internet Service Providers at airports, hotels, libraries, FedEx/Kinkos stores, and other public Internet connections, and also Internet connections at private residences, and voice calls, the conspirators were able to access the reservation systems of the domestic airlines industry to make purchases of airline tickets using stolen credit and debit card information belonging to the identity theft victims.

f. Several of the conspirators, including **STEVEN PALMER, GERARD BATES, SEAN FLEMING, ROMEYO CALAVAREY, TYRONE JACKSON,** and **TERMAIN BRICE**, had access to the merchant identification number belonging to a mattress company, "Sleepy's," in White Plains, New York, which they used to call a credit card verification service, "Elavon," in Knoxville, Tennessee, and in doing so the conspirators could check the stolen credit card numbers to determine

whether or not the card numbers were valid and could be used to purchase airline tickets, and that the means of identification of the cardholder matched the card number being checked.

g. Upon successfully purchasing airline tickets in this manner, the conspirators would obtain confirmation numbers for the tickets, which their customers could use to obtain boarding passes allowing them to board aircraft as if a ticket had been legitimately purchased. In addition, the conspirators would book tickets for themselves using the stolen credit and debit card information belonging to the identity theft victims.

OVERT ACTS

4. In furtherance of the conspiracy and to effect the objects of the conspiracy, the following overt acts, among others, were committed in the Western District of Missouri and elsewhere, and such acts were done without the authority of the identity theft cardholder victims described below, and without lawful authority, and were in and affected interstate commerce:

a. On or about August 20, 2008, defendant **STEVEN JAMES PALMER** accessed the online reservations website of Continental Airlines to book two airline tickets for his customers, "Alaysia Simpson" and Bobby Huggins, to fly from the Fort Lauderdale Hollywood International Airport in Florida to the Kansas City International Airport in the Western District of Missouri. "Alaysia Simpson" was an alias used by **TROY SAMPSON**.

Both tickets were purchased with a Citibank VISA credit card, without the authority of the cardholder, identity theft victim JG of Brooklyn, New York. The email address used for the two tickets was bangolsen@aol.com, which was an email account registered through an IP address of the Optimum Online Internet connection at **STEVEN JAMES PALMER**'s residence in Brooklyn, New York.

b. On or about August 22, 2008, defendant **STEVEN JAMES PALMER** accessed the website for Continental Airlines to book two airline tickets for his customers, "Alaysia Simpson" and Bobby Huggins, to fly from the Kansas City International Airport in the Western District of Missouri to the Louis Armstrong New Orleans Airport in Louisiana. Both tickets were purchased with an American Express Card, without the authority of the cardholder, identity theft victim HK of Butler, Pennsylvania. The email addresses used for the two tickets was bangolsen@aol.com. "Alaysia Simpson" was an alias used by **TROY SAMPSON**.

c. Between on or about September 7, 2008, and on or about October 3, 2008, **STEVEN JAMES PALMER**, used a United Missouri Bank VISA card issued to identity theft victim PP of Jefferson City, Missouri, in the Western District of Missouri, to fraudulently purchase twenty-one airline tickets for **STEVEN JAMES PALMER**, "Alaysia Simpson," (alias for

TROY SAMPSON), Bobby Huggins, and other customers for flights on Frontier Airlines, Continental Airlines, Delta Air Lines, United Airlines, American Airlines, and US Airways. The total of the fraudulent charges was $9,815.66. The email address used to book the United Airlines tickets was bangolsen@aol.com, and the contact telephone number given was 646-884-1166, which was subscribed to by **STEVEN JAMES PALMER**. One of the United tickets was for passenger "Steven Palmer."

d. On or about September 30, 2008, FP of Douglasville, Georgia, called a Bank of America call center in Hunt Valley, Maryland, to request a balance transfer involving her Bank of America VISA card number ending in 8179. The Bank of America employee she spoke with was **TYRONE JACKSON**. Without the authority of the cardholder, and without lawful authority, **TYRONE JACKSON** stole the Bank of America VISA card number ending in 8179, and other means of identification of FP, and transferred the information to the conspiracy for use in booking airline tickets. The stolen information was immediately put to use on September 30, 2008, to book two airline tickets, as follows:

Date	Passenger	Route	Airline	Amount
09/30/08	Gerard Johnson	Phoenix to Detroit	Frontier	$ 342.19
09/30/08	Charles Sweeney	Phoenix to Detroit	Frontier	$ 342.19

e. On or about October 1, 2008, an unknown member of the conspiracy booked tickets on Spirit Airlines for **GERARD DORIEN BATES** and **SEAN FLEMING** for two flights departing the Los Angeles International Airport that same day. The Spirit ticket for **GERARD DORIEN BATES** was for travel from Los Angeles to Detroit, Michigan and the ticket for **SEAN FLEMING** was for travel from Los Angeles to Fort Lauderdale, Florida. The tickets were purchased with the same Bank of America VISA card ending in 8179, without the authority of the cardholder, FP, of Douglasville, Georgia. The email address used for the booking of the ticket for **GERARD DORIEN BATES** was gbates770@yahoo.com. The email address used for the booking of the ticket for **SEAN FLEMING** was sfleming770@yahoo.com. The same day, October 1, 2008, the Bank of America VISA card ending in 8179 was used without the authority of the cardholder, FP, to make online bookings for two sets of tickets on United Airlines for Marcus Maddox and Kevin Pulley to fly from the Kansas City International Airport in the Western District of Missouri, to Chicago, and continuing to Detroit. The email address used for these two sets of tickets was mmaddox770@yahoo.com.

f. On or about October 16, 2008, defendant **STEVEN JAMES PALMER** used his Optimum Online Internet connection at his residence in Brooklyn,

New York, to register an email account "ilovehaze@live.com" and gave his registration name as "Steven Palmer." The same day, **SEAN FLEMING** created the email account "chulomia@me.com" and gave his alternate email address as "seanblze69@aol.com." The billing name used to register the new email address was "David Bravo." The IP address used to register the new email address was assigned to the residence of TD, of Newark, New Jersey.

g. On or about October 28, 2008, defendant **STEVEN JAMES PALMER** accessed the website for Delta Air Lines to book two airline tickets for his customer, "Alaysia Simpson" (alias for **TROY SAMPSON**), to fly from the New York LaGuardia airport to Atlanta, Georgia, then a second flight from Atlanta to the Kansas City International Airport in the Western District of Missouri, on October 31, 2008. Both tickets were purchased with an American Express Card, without the authority of the cardholder, identity theft victim RW of Tulsa, Oklahoma. The email addresses used for the two tickets were gotthaze@yahoo.com and bangolsen@aol.com. The IP address used to book the tickets was the Optimum Online IP address assigned to the residence of **STEVEN JAMES PALMER** in Brooklyn, New York.

h. On or about January 14, 2009, **STEVEN JAMES PALMER**, used his Optimum Online Internet connection at his residence in Brooklyn, New York, to register an email account "toifrancis@live.com" and gave his registration name as "Martin Palmer."

i. On or about March 25, 2009, the Bangladesh source sent an email to an email address used by **ROMEYO CALAVAREY**, prettyboyromeyo@yahoo.com, which contained five stolen sets of VISA credit card numbers, including the means of identification of the cardholders and the VISA credit card numbers, expiration dates, security codes, billing addresses, cardholder contact information, and email addresses of the cardholders. The same day, **ROMEYO CALAVAREY** forwarded the sets of stolen VISA numbers to an email account used by **SEAN FLEMING**, chulomia@me.com.

j. On or about April 9, 2009, **ROMEYO CALAVAREY** sent an email to **SEAN FLEMING** which contained six sets of stolen MasterCard credit card numbers, including the means of identification of the cardholders and the MasterCard credit card numbers, expiration dates, security codes, billing addresses, cardholder contact information, and email addresses of the cardholders. **ROMEYO CALAVAREY** sent the email using the screen name "Romeyo c" and the email address

prettyboyromeyo@yahoo.com. **SEAN FLEMING** received the email at chulomia@me.com. Later the same day, **SEAN FLEMING** sent an email to **ROMEYO CALAVAREY** which contained the same six sets of MasterCard credit card numbers, with a message in the subject line of the email header stating: "None of those work." The email header contained the **SEAN FLEMING** screen name "Pucci" and his email address chulomia@me.com, as the sender of the email and a **ROMEYO CALAVAREY** email address prettyboyromeyo@yahoo.com as the recipient of the email. A digital "carbon copy" of the email was sent to the Bangladesh source. Later the same day, the Bangladesh source sent five sets of MasterCard information and one American Express Card, along with the means of identification of the cardholders to prettyboyromeyo@yahoo.com. The list was then forwarded to chulomia@me.com, screen name "Pucci."

k. On or about April 16, 2009, **SEAN FLEMING** sent an email message to **ROMEYO CALAVAREY** containing nine sets of stolen American Express Card information, including means of identification of each cardholder, along with the American Express Card numbers, expiration dates, security codes, billing address, and contact telephone numbers. **SEAN FLEMING** used the screen name "Pucci" and the email address

dbravo718@gmail.com to transmit the email. **ROMEYO CALAVAREY** used the screen name "Romeyo calavarey Malawtic Surreal" and the email address prettyboyromeyo@yahoo.com to receive it.

l. On or about April 29, 2009, **SIMON CARTER** sent a Western Union electronic funds transfer from Brooklyn, New York to a Bangladesh conspirator "Mohammed Solaiman" in Dhaka, Bangladesh, in the amount of $200, which converted to 13,475.23 Takas, the currency of Bangladesh, as payment for stolen credit card information and corresponding means of identification belonging to the cardholders sold by the Bangladesh conspirator to **SIMON CARTER** and his co-conspirators.

m. On or about May 5, 2009, **ALEXANDER LEWIS**, using his email account lewisalexander@ymail.com, sent an email message to chulomia@me.com, used by **SEAN FLEMING**. The email message contained a stolen CitiBank MasterCard number ending in 8214 belonging to PM of Canton, Georgia. Within a week, **SEAN FLEMING** used the the stolen MasterCard number and means of identification of PM to book four tickets on United Airlines, four tickets on Spirit Airlines, three tickets on Frontier Airlines, five tickets on Delta Air Lines, and one ticket on Virgin America Airlines for customers of the conspiracy. The total in fraudulent charges on the PM MasterCard was $7,228.98.

n. On or about May 11, 2009, **ROMEYO CALAVAREY** used 347-546-7072 to exchange a series of text messages with **SIMON CARTER**, who was using 347-479-3674, to negotiate the sale of stolen credit card information from a Bangladesh source to **SIMON CARTER**. **ROMEYO CALAVAREY** sent the payee information to **SIMON CARTER** via text messaging, instructing that the purchase of the stolen credit card information be accomplished by a Western Union electronic transfer of funds to "Mohammed Solaiman" in Dhaka, Bangladesh.

o. On or about May 11, 2009, **SIMON CARTER** sent a Western Union electronic funds transfer from Brooklyn, New York to a Bangladesh conspirator "Mohammed Solaiman" in Dhaka, Bangladesh, in the amount of $250, which converted to 16,844.73 Takas, the currency of Bangladesh, as payment for stolen credit card information and corresponding means of identification belonging to the cardholders sold by the Bangladesh conspirator to **SIMON CARTER** and his co-conspirators.

p. On or about May 12, 2009, a Bangladesh conspirator using geezybeary@yahoo.com, sent an email to **ROMEYO CALAVAREY** at romeyoc@gmail.com, which contained one stolen American Express Card ending in 81002, belonging to JS of Cincinnati, Ohio, and two stolen MasterCard numbers, the first one ending in 5262, belonging to JH of

Zanesville, Ohio, and the other one ending in 4025, belonging to JP of Worthington, Kentucky. Within a few minutes, **ROMEYO CALAVAREY** forwarded the email containing the stolen credit card information to **SIMON CARTER** at zaramgt@yahoo.com.

q. On or about June 21, 2009, **STEVEN JAMES PALMER** opened a T-Mobile account for a new Google G1 Android cell phone, 407-690-1305, which he provided to the conspiracy.

r. On or about June 24, 2009, **STEVEN JAMES PALMER** and **GERARD DORIEN BATES**, relocated their scheme from Orlando, Florida, to Los Angeles, California, where **STEVEN JAMES PALMER** sublet an apartment at 6016 Carlton Way, Los Angeles, California ("the Carlton Way apartment"). The Carlton Way apartment was equipped with Internet access through an AT&T Internet Services account, which was used by **STEVEN JAMES PALMER** and **GERARD DORIEN BATES** to access the online reservation systems of Northwest Airlines and United Airlines.

s. On or about July 2, 2009, **STEVEN JAMES PALMER** received a text message on his iPhone, 646-884-1166, from 407-690-1305 (the Google G1 Android cell phone that **STEVEN JAMES PALMER** had provided to the conspiracy), which stated: "Aisha Walker (dtw 2 atl) 2morrow night @ 7p.m. last flight out!"

t. On or about July 3, 2009, a cash payment of $162.20 was made to United Airlines to purchase a one-way ticket for Aisha Walker to fly from Detroit, Michigan (airport code "DTW") to Atlanta, Georgia (airport code "ATL"). The cash payment was made at the ticket counter at the Los Angeles International Airport. The online reservation for the ticket captured the IP address at the time of the reservation, which was the AT&T account at the Carlton Way apartment. The reservation information also contained the telephone number for **GERARD DORIEN BATES**, 313-903-4779, and his email address, gerardbates@gmail.com.

u. On or about July 6, 2009, **GERARD DORIEN BATES**, left Los Angeles, California, to continue his role in the conspiracy at his residence in Detroit, Michigan. **GERARD DORIAN BATES** flew from Los Angeles to Detroit on United Airlines, using a ticket purchased with an American Express Card ending in 62001, which belonged to MW of Louisville, Kentucky. The email address that was used for the booking was gerardbates@gmail.com. The IP address used to book the ticket was the AT&T account at the Carlton Way apartment.

v. On or about July 10, 2009, **STEVEN JAMES PALMER** received an email to his account at hazegpiffnten@gmail.com, which he stored on his

iPhone, 646-884-1166. The email contained forty sets of stolen American Express Card information, including the following:

Cardholder Initials and Address	Last Five Digits of the Card
VV, North Haven, Connecticut	31007
GL, Denville, New Jersey	94009
CM, Smithtown, New York	41012
AV, Carmel, New York	25013
MC, Leesburg, Virginia	62012
DF, Las Vegas, Nevada	61007
JM, Newtown, Connecticut	44002
DL, South Lion, Michigan	91003

w. On or about July 10, 2009, the Northwest Airlines online reservation system received a ticket order for passengers Brezzy Hurst and Chrisjen Ellis to travel from the Chicago O'Hare Airport to Atlanta, Georgia, which was purchased with an American Express card ending in 31007, which belonged to VV of North Haven, Connecticut, and such purchase was without the authority of the cardholder and without lawful authority. The email address used for the booking was discdisney@yahoo.com. The IP address of the purchaser of the tickets was captured by the Northwest

Airlines website, and at the time of the transaction it was assigned to the Carlton Way apartment.

x. On or about July 10, 2009, the Northwest Airlines online reservation system received a ticket order for passengers Dedhane Francis and David Francis to travel from New York's LaGuardia Airport to Birmingham, Alabama, which was purchased with an American Express card ending in 94009, which belonged to GL of Denville, New Jersey, and such purchase was without the authority of the cardholder and without lawful authority. The email address used for the booking was toifrancis@live.com. The IP address of the purchaser of the tickets was captured by the Northwest Airlines website, and at the time of the transaction it was assigned to the Carlton Way apartment.

y. On or about July 10, 2009, **GERARD DORIEN BATES**, using 313-903-4779, sent a text message to **STEVEN JAMES PALMER**, who was using 646-884-1166, requesting the purchase of an airline ticket for: "Lashawn Bailey (clt to atl) @ 3:10p.m. on delta operated northwest airlink!"

z. On or about July 11, 2009, the Northwest Airlines online reservation system received a ticket order for passenger Lashawn Daniels to travel from CLT (Charlotte, North Carolina) to ATL (Atlanta, Georgia), which was purchased with an American Express card ending in 41012, which

belonged to CM of Smithtown, New York, and such purchase was without the authority of the cardholder and without lawful authority. The email address used for the booking was toifrancis@live.com. Approximately five hours later, **GERARD DORIEN BATES**, using 313-903-4779, sent a text message to **STEVEN JAMES PALMER**, who was using 646-884-1166, which stated: "U spelled her name wrong on delta lashawn bailey not daniels!!"

aa. On or about July 11, 2009, **GERARD DORIEN BATES**, using 313-903-4779, sent a text message to **STEVEN JAMES PALMER**, who was using 646-884-1166, requesting the purchase of an airline ticket for: "Chelly Massie & Tanisha Owens (DTW to ATL) @ 4:00p.m. or 5p.m.on Delta or United."

bb. On or about July 11, 2009, the Northwest Airlines online reservation system received a ticket order for passengers Chelly Massie and Tanisha Owens to travel from DTW (Detroit, Michigan) to ATL (Atlanta, Georgia), which was purchased with an American Express card ending in 25013, which belonged to AV of Carmel, New York, and such purchase was without the authority of the cardholder and without lawful authority. The email address used for the booking was gerardbates@gmail.com. The IP address of the purchaser of the tickets was captured by the Northwest

Airlines website, and at the time of the transaction it was assigned to the Carlton Way apartment.

cc. On or about July 11, 2009, the Northwest Airlines online reservation system received a ticket order for passenger Bridget Scott to travel from New York's LaGuardia Airport to Birmingham, Alabama, which was purchased with an American Express card ending in 62012, which belonged to MC of Leesburg, Virginia, and such purchase was without the authority of the cardholder and without lawful authority. The email address used for the booking was bangolsen@aol.com. The IP address of the purchaser of the tickets was captured by the Northwest Airlines website, and at the time of the transaction it was assigned to the Carlton Way apartment.

dd. On or about July 11, 2009, the Northwest Airlines online reservation system received a ticket order for passengers Dedhane Francis and David Francis to travel from New York's LaGuardia Airport to Birmingham, Alabama, which was purchased with an American Express card ending in 62012, which belonged to MC of Leesburg, Virginia, and such purchase was without the authority of the cardholder and without lawful authority. The email address used for the booking was bangolsen@aol.com. The IP address of the purchaser of the tickets was captured by the Northwest

Airlines website, and at the time of the transaction it was assigned to the Carlton Way apartment.

ee. On or about July 11, 2009, **STEVEN JAMES PALMER**, using 646-884-1166, sent a text message to **GERARD DORIEN BATES**, using 313-903-4779. The text message transmitted a means of identification of DF, a resident of Las Vegas, Nevada, together with DF's American Express Card number ending in 61007, and the expiration date and security code for that access device, without the authority of the cardholder and without lawful authority.

ff. On or about July 11, 2009, **GERARD DORIEN BATES** used 313-903-4779, to send a text message to **STEVEN JAMES PALMER**, at 646-884-1166, which stated: "Marlon Thomas and Tracy Thomas roundtrip from Las Vegas to Buffalo on Sunday July 12th on the earliest possible flight. And returning Tuesday July 14th in the evening. I need a one way ticket for Aniah Thomas, on the same flight going to Buffalo, NY."

gg. On or about July 12, 2009, DF's American Express Card ending in 61007 was used, without authority, to book a ticket via the Internet website "Expedia.com," for a United Airlines ticket for passenger Marlon Thomas to fly from Las Vegas, Nevada, to Buffalo, New York, with a stop in Chicago, Illinois, on July 12, 2009.

hh. On or about July 12, 2009, Tracy Thomas was booked on the same United Airlines flight as Marlon Thomas to fly from Las Vegas, Nevada, to Buffalo, New York, with a stop in Chicago, Illinois. The American Express Card number used to purchase the Tracy Thomas ticket ended in 44002, which belonged to JM of Newtown, Connecticut, and was used without the authority of the cardholder and without lawful authority.

ii. On or about July 12, 2009, Aniah Thomas was booked on the same United Airlines flight as Marlon and Tracy Thomas to fly from Las Vegas, Nevada, to Buffalo, New York, with a stop in Chicago, Illinois. The American Express Card number used to purchase the Aniah Thomas ticket ended in 91003, which belonged to DL of South Lion, Michigan, and was used without the authority of the cardholder and without lawful authority. The source IP address for the Internet bookings of the Aniah Thomas, Marlon Thomas, and Tracy Thomas flights from Las Vegas to Buffalo was 98.149.171.74, which was a Time/Warner Roadrunner account for Lavinia Welch of Valley Village, California.

jj. On or about July 12, 2009, **STEVEN JAMES PALMER** sent an text message to the Bangladesh source for stolen credit card information which informed the Bangladesh source that **STEVEN JAMES PALMER** had sent Western Union payment information to an email account for the

Bangladesh source, and **STEVEN JAMES PALMER** requested an additional batch of 30 sets of stolen credit card information, for which **STEVEN JAMES PALMER** would pay the Bangladesh source $500.

kk. On or about July 12, 2009, **STEVEN JAMES PALMER** received an email to his account at hazegpiffnten@gmail.com, which he stored on his iPhone, 646-884-1166. The email contained thirty-three sets of stolen American Express Card information, including the following:

Cardholder Name and Address	Last Five Digits of the Card
PD, Manahawkin, New Jersey	51003
JC, Potomac Falls, Virginia	92036

ll. On or about July 13, 2009, **GERARD BATES**, using the email account gerardbates@gmail.com, forwarded an email to the **STEVEN PALMER** email account, hazegpiffnten@gmail.com, stating: "Kenneth Ellison Kenya Chavis Going to Houston." Later the same day, a second email was forwarded in the same manner, which stated: La shawn Bailey Chelly Massie Tanisha Owens Leaving tomorrow evening to Charlotte all three." Later the same day, the Northwest Airlines website reservation system received online orders to purchase tickets, from an IP address assigned at that time to the Carlton Way apartment, in Los Angeles, California. The first two tickets purchased in this fashion were for passengers Kenneth

Ellison and Kenya Chavis to fly from Atlanta, Georgia, to Houston, Texas, and the method of payment was an American Express card ending in 51003, which belonged to PD of Manahawkin, New Jersey. The American Express Card was used without the authority of the cardholder and without lawful authority. Less than an hour later, three tickets were purchased in the same fashion for passengers Chelly Massie, Tanisha Owens, and Lashawn Bailey, to fly from Atlanta, Georgia, to Charlotte, North Carolina, on the same Northwest flight, and the method of payment was an American Express Card ending in 92036, which belonged to JC of Potomac Falls, Virginia. The email address given by the purchaser for all five flights was gerardbates@gmail.com.

mm. On or about November 22, 2009, **TERMAIN BRICE**, used the Verizon internet connection at his residence, 1019 Burke Avenue, Bronx, New York, to make three attempts to purchase a United Airlines ticket for **KAREEM NELSON**, who was requesting to fly from White Plains, New York, to Atlanta. The three tickets were attempted to be charged to the American Express accounts of: RS of Ridgefield, Washington, ending in 53000; BH of Kansas City, Missouri, ending in 81005; and RB of Grove City, Ohio, ending in 03004.

nn. On or about March 25, 2010, **TERMAIN BRICE**, used his cell phone, 917-449-8933, to exchange text messages and voice calls regarding five passengers to travel from Atlanta, Georgia, to Kansas City, Missouri, on Delta Air Lines. Three of the passengers were booked using a stolen Discover Card number ending in 8447, belonging to KT of Grapeland, Texas, and the other two passengers were booked using a stolen Discover Card number ending in 5369, belonging to KH of Windsor, Connecticut.

oo. On or about March 27, 2010, **TERMAIN BRICE**, used his cell phone, 917-449-8933, to exchange text messages regarding two passengers to travel from Kansas City, Missouri, to Houston, Texas on Delta Air Lines. Both passengers were booked using a stolen Discover Card number ending in 7484, belonging to MB of Evansville, Indiana.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO
(Access Device Fraud)

On or about October 28, 2008, in the Western District of Missouri and elsewhere, **STEVEN JAMES PALMER,** did knowingly and with intent to defraud, effect financial transactions using an access device consisting of an American Express Card number ending in 2016, without the authority of the cardholder, RW, of Tulsa, Oklahoma, by which **STEVEN JAMES PALMER** intended to receive things of an aggregate value of at least $1,000 during

a one-year period, consisting in part of a Delta Airlines ticket for Troy Sampson to travel from Atlanta, Georgia, to Kansas City, Missouri, and which transactions affected interstate commerce; all in violation of Title 18, United States Code, Sections 1029(a)(5) and 1029(b)(1).

COUNT THREE
(Aggravated Identity Theft)

On or about October 28, 2008, in the Western District of Missouri, and elsewhere **STEVEN JAMES PALMER** did knowingly and without lawful authority transfer, use, and possess one or more means of identification, consisting of an American Express Card number ending in 2016, of another person, namely RW of Tulsa, Oklahoma, during and in relation to a felony offense, that being access device fraud as defined by Chapter 47, Title 18, United States Code, Section 1029(a)(5), by effecting financial transactions consisting of the purchase of airline tickets, the aggregate cost of which was in excess of $1,000 in a one-year period, using the stolen American Express Card number ending in 2016, and other identifying information of RW of Tulsa, Oklahoma, without his knowledge and authority, which actions were in and affected interstate commerce; all in violation of Title 18, United States Code, Section 1028A(a)(1).

COUNTS FOUR through NINE
(Access Device Fraud)

1. The Grand Jury incorporates by reference paragraphs one through four of Count One of the Indictment as if fully set forth herein.

2. On or about the dates alleged below, in the Western District of Missouri and elsewhere, in furtherance of the conspiracy to commit access device fraud and aggravated identity theft and to accomplish the goals of the conspiracy's scheme to defraud the airlines, the credit and debit card issuers and their cardholders, who were the identity theft victims, defendants **TERMAIN BRICE** and his accomplices did knowingly and with intent to defraud, effect and attempt to effect financial transactions using access devices consisting of the accounts described in each count below and issued in the names of the identity theft victims below, by which **TERMAIN BRICE** and his accomplices received things of an aggregate value equal to and exceeding $1,000 during a one-year period, and which transactions affected interstate commerce, as follows:

Counts	Dates	Amount	Credit Issuer	ID Theft Victim
4	11/22/2009	$502.20	American Express	RS, Ridgefield, WA
5	11/22/2009	$502.20	American Express	BH, Kansas City, MO
6	11/22/2009	$502.20	American Express	RB, Grove City, OH
7	03/25/2010	$1,088.10	Discover Card	KT, Grapeland, TX
8	03/25/2010	$725.40	Discover Card	KH, Windsor, CT
9	03/27/2010	$651.80	Discover Card	MB, Evansville, IN

All in violation of Title 18, United States Code, Sections 1029(a)(5) and 2.

COUNTS TEN through FIFTEEN
(Aggravated Identity Theft)

1. The Grand Jury incorporates by reference paragraphs one through four of Count One of the Indictment as if fully set forth herein.

2. On or about the dates listed below, in the Western District of Missouri and elsewhere, in furtherance of the conspiracy to commit access device fraud and aggravated identity theft and to accomplish the goals of the conspiracy's scheme to defraud the airlines, the credit and debit card issuers and their cardholders, who were the identity theft victims, by transferring, possessing, and using means of identification of the identity theft victims consisting of stolen credit and debit card numbers, together with the cardholder names, expiration dates, security codes, and billing addresses to effect and attempt to effect transactions with access devices issued to the identity theft victims to receive payment and things of value, consisting of confirmation codes for airline tickets, the passenger seats associated with each ticket confirmation code, and payments of money from customers requesting the tickets, the aggregate value of which was in excess of $1,000 during a one-year period, **TERMAIN BRICE**, defendant herein, did knowingly and without lawful authority transfer, use, and possess one or more means of identification of other persons, as identified in each count below, during and in relation to a predicate felony offense, that being access device fraud as defined by Chapter 47, Title 18, United States Code, Section 1029(a)(5), and such actions were in or affected interstate commerce, as follows:

Counts	Dates	Airline Tickets Purchased:	ID Theft Victims
10-12	11/22/09	White Plains, NY to Atlanta, GA	RS, Ridgefield, WA BH, Kansas City, MO RB, Grove City, OH
13-14	03/25/10	Atlanta, GA to Kansas City, MO	KT, Grapeland, TX KH, Windsor, CT
15	03/27/10	Kansas City, MO Los Angeles, California	MB, Evansville, IN

All in violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.

A TRUE BILL.

_/s/ David W. Lewis, Jr._____
FOREPERSON OF THE GRAND JURY

_/s/ John E. Cowles / /s/ Matt Hiller__
John E. Cowles #11797 and Matt Hiller
Assistant United States Attorneys

__5/5/10_____
Date