

1 MELINDA HAAG (CABN 132612)  
2 United States Attorney

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SEAL  
BY COURT REPORTER

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

CW

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMAL SHAW,  
PRINCESS ROBERTS,  
DEMI SHAW, and  
ADAM PATERN,

Defendants.

C R No 12 0485

VIOLATIONS: 18 U.S.C. § 1029(b)(2) –  
Conspiracy to Attempt to Commit Access  
Device Fraud; 18 U.S.C. §§ 1029(a)(5) and  
1029 (b)(1) - Effecting and Attempting  
Transactions with an Access Device; 18  
U.S.C. § 1028A – Aggravated Identity  
Theft; 18 U.S.C. § 2 - Aiding and Abetting;  
18 U.S.C. §§ 982(a)(2)(B) and  
1029(c)(1)(C)- Access Device Forfeiture

OAKLAND VENUE

(UNDER SEAL)

INDICTMENT

The Grand Jury charges:

**COUNT ONE:** (18 U.S.C. § 1029(b)(2) – Conspiracy to Attempt to Commit Access Device  
Fraud)

1. Beginning on a date unknown to the grand jury, but no later than September 1, 2010, and  
continuing until no later than October 17, 2011, in the Northern District of California and

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1 elsewhere, the defendants,

2 JAMAL SHAW,  
3 PRINCESS ROBERTS,  
4 DEMI SHAW, and  
ADAM PATERN,

5 together with others known and unknown to the grand jury, did knowingly and with intent to  
6 defraud, effect and attempt to effect transactions, with one or more access devices issued to  
7 another person and persons, to receive payment or any other thing of value during a one-year  
8 period the aggregate value of which is equal to or greater than \$1,000, and by such conduct  
9 affected interstate commerce. In violation of Title 18, United States Code, Sections 1029(a)(5)  
10 and (b)(1).

11 Method And Means Of The Conspiracy

- 12 2. JAMAL SHAW and DEMI SHAW purchased stolen credit card account numbers  
13 belonging to other persons on the Internet from individuals, including PATERN an online  
14 supplier of stolen credit card account numbers.
- 15 3. A member of the conspiracy re-encoded the stolen credit card account numbers onto the  
16 magnetic strips of cards, including gift cards, and then distributed these re-encoded cards  
17 to other members of the conspiracy.
- 18 4. Co-conspirators, including ROBERTS, used or attempted to use the stolen credit card  
19 account numbers without the permission of the true account holders to purchase  
20 merchandise online and from various retail stores.

21 Overt Acts

- 22 5. In furtherance of the conspiracy, and to accomplish the objects thereof, the defendants  
23 and others committed the following overt acts, among others, in the Northern District of  
24 California and elsewhere:

- 25 a. From September 2, 2010, to October 17, 2011, JAMAL SHAW and DEMI  
26 SHAW purchased 157 stolen credit card account numbers from PATERN,  
27 including credit card account numbers with the last four digits ending in 1491,  
28 8553, 5392, 9242, 0517, and 3408.

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- 1 b. On April 18, 2011, ROBERTS attempted to purchase a computer for \$278.80 from  
2 a Wal-Mart store located in San Leandro, California, using a stolen Fia Visa  
3 Platinum credit card account number ending in 1491.
- 4 c. On April 18, 2011, ROBERTS attempted to purchase a computer for \$278.80 from  
5 a Wal-Mart store located in San Leandro, California, using a stolen Chase Bank  
6 Visa Platinum credit card account number ending in 8553.
- 7 d. On May 30, 2011, ROBERTS attempted to purchase a computer for \$610.80 from  
8 a Wal-Mart store located in San Leandro, California, using a stolen SunTrust Bank  
9 Mastercard Gold Check credit card account number ending in 5392.
- 10 e. On May 30, 2011, ROBERTS attempted to purchase a computer for \$610.80 from  
11 a Wal-Mart store located in San Leandro, California, using a stolen HSBC  
12 Mastercard Classic credit card account number ending in 9242.
- 13 f. On May 30, 2011, ROBERTS attempted to purchase a computer for \$610.80 from  
14 a Wal-Mart store located in San Leandro, California, using a stolen US Bank Visa  
15 credit card account number ending in 0517.
- 16 g. On May 30, 2011, ROBERTS attempted to purchase a computer for \$610.80 from  
17 a Wal-Mart store located in San Leandro, California, using a stolen Navy Federal  
18 Credit Union Visa credit card account number ending in 3408.

19 All in violation of Title 18, United States Code, Section 1029(b)(2).

20 **COUNT TWO:** (18 U.S.C. § 1029(a)(5), 1029(b)(1) and 2 – Effecting and Attempting  
21 Transactions with an Access Device and Aiding and Abetting)

22 6. On or about April 18, 2011 and May 30, 2011, in the Northern District of California, the  
23 defendants,

24 JAMAL SHAW,  
25 PRINCESS ROBERTS, and  
DEMI SHAW,

26 knowingly and with intent to defraud, in an offense affecting interstate commerce, did effect and  
27 attempt to effect transactions, with one or more access devices issued to another person and  
28 persons, to receive payment and other things of value during a one-year period the aggregate value

INDICTMENT

of which is equal to or greater than \$1,000, [to wit, ROBERTS used gift cards re-encoded with stolen credit card account numbers, purchased by JAMAL SHAW from PATTERN to effect and attempt transactions at various Wal-Mart stores to purchase merchandise worth more than \$1,000, without authorization from the credit card account holders.] In violation of Title 18, United States Code, Sections 1029(a)(5), 1029(b)(1), 1029(b)(2) and 2.

**COUNT THREE:** (18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft)

7. The allegations contained in Count One are incorporated by reference.

8. On or about April 18, 2011, in the Northern District of California, the defendant,  
JAMAL SHAW,  
did knowingly transfer, possess, or use, without lawful authority, a means of identification of another person; specifically, an unauthorized access device with account number ending 1491, that he knew was issued to a real person, during and in relation to a felony violation of 18 U.S.C. § 1029(b)(5). In violation of Title 18, United States Code, Section 1028A(a)(1).

**COUNT FOUR:** (18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft)

9. The allegations contained in Count One are incorporated by reference.

10. On or about May 30, 2011, in the Northern District of California, the defendant,  
JAMAL SHAW,  
did knowingly transfer, possess, or use, without lawful authority, a means of identification of another person; specifically, an unauthorized access device with account number ending 5392, that he knew was issued to a real person, during and in relation to a felony violation of 18 U.S.C. § 1029(b)(5). In violation of Title 18, United States Code, Section 1028A(a)(1).

**COUNT FIVE:** (18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft)

11. The allegations contained in Count One are incorporated by reference.

12. On or about April 18, 2011, in the Northern District of California, the defendant,  
DEMI SHAW,  
did knowingly transfer, possess, or use, without lawful authority, a means of identification of another person; specifically, an unauthorized access device with account number ending 8553, that she knew was issued to a real person, during and in relation to a felony violation of 18 U.S.C.

§ 1029(b)(5). In violation of Title 18, United States Code, Section 1028A(a)(1).

**COUNT SIX:** (18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft)

13. The allegations contained in Count One are incorporated by reference.

14. On or about May 30, 2011, in the Northern District of California, the defendant,

DEMI SHAW,

did knowingly transfer, possess, or use, without lawful authority, a means of identification of another person; specifically, an unauthorized access device with account number ending 9242, that she knew was issued to a real person, during and in relation to a felony violation of 18 U.S.C. § 1029(b)(5) as alleged in Count One, incorporated by reference.

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

**FORFEITURE ALLEGATION:** (18 U.S.C. §§ 982(a)(2)(B), 1029(c)(1)(C) - Access Device Fraud Forfeiture)

15. The allegations contained in Counts One through Two of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. §§ 982(a)(2)(B) and 1029(c)(1)(C).

16. Upon conviction of one or more of the offenses alleged in Counts One through Two of this Indictment, the defendants,

JAMAL SHAW,  
PRINCESS ROBERTS,  
DEMI SHAW, and  
ADAM PATERN,

shall forfeit to the United States of America, pursuant to 18 U.S.C. §§ 982(a)(2)(B) and 1029(c)(2)(C), any property constituting, or derived from, proceeds the person obtained directly or indirectly, as the result of such violation and any personal property used or intended to be used to commit the offense.

17. If any of the property described above, as a result of any act and omission of the defendant(s):

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred and sold to, and deposited with, a third party;

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- 1 c. has been placed beyond the jurisdiction of the court;  
2 d. has been substantially diminished in value; and  
3 e. has been commingled with other property which cannot be divided without  
4 difficulty,

5 it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as  
6 incorporated by Title 18, United States Code, Sections 982(b)(1) and 1029(c)(2), to seek forfeiture  
7 of any other property of said defendants up to the value of the above-described forfeitable  
8 property.

9 DATED:

A TRUE BILL.

10 June 21, 2012

11   
12 FOREPERSON

14 MELINDA HAAG  
15 United States Attorney

16   
17 By: MAUREEN BESSETTE  
18 Chief, Oakland Branch

19  
20 (Approved as to form:   
21 TAMARA WEBER  
22 Special Assistant United States Attorney