



Department of Justice

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Northern District of Georgia

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FEMA FRAUDSTER INDICTED AFTER BEING “VICTIM” IN FIVE STATES

30 Fraudulent Claims in Disaster Relief for Hurricanes, Tornado, Flood

ATLANTA, GA - DESIMA JAMES, 30, of Atlanta, Georgia, has been indicted by a federal grand jury on felony charges for fraudulently obtaining FEMA assistance funds intended for the victims of several different federally declared disasters. JAMES was arraigned today before United States Magistrate Judge Alan Baverman, who set a bond hearing for Wednesday, March 31, 2010.

United States Attorney Sally Quillian Yates said of the case, “In just a few months, this defendant claimed to be a victim of five different natural disasters in five different states. He is accused of filing over 30 fraudulent claims with FEMA, using different names, fake social security numbers, and various addresses to enable him to escape detection and steal over \$30,000 in disaster relief that was intended for real victims. He has now been caught and will be called to answer for this extensive fraud.”

“This investigation is an excellent example of a partnership between federal law enforcement agencies to bring down a nationwide fraud scheme. The Postal Inspection Service aggressively pursues all crimes using the U.S. Mail to further a fraudulent scheme, but is especially vigilant with regard to any scheme that attempts to profit from natural disasters such as these destructive hurricanes,” said Martin D. Phanco, Inspector in Charge of the Atlanta Division, U.S. Postal Inspection Service.

According to United States Attorney Yates, the charges and other information presented in court: From September through December 2005, JAMES allegedly filed over 30 fraudulent claims for disaster relief with FEMA, claiming to have been a victim of Hurricane Katrina in Louisiana, Hurricane Rita in Louisiana and Texas, Hurricane Wilma in Florida, severe storms and flooding in New Hampshire, and a tornado and severe storms in Indiana. In making these claims, JAMES allegedly represented that he was living at various addresses in Louisiana, Texas, Florida, New Hampshire, and Indiana, when in fact he did not live at the claimed addresses during the time of the declared disasters. The indictment alleges that in addition to filing claims under his real name and social security number, JAMES also allegedly filed claims under the names “James

Desima,” “Terrell James,” and “James Terell,” and used different social security numbers not belonging to him. Based on his misrepresentations, JAMES received over \$30,000 in disaster assistance funds from FEMA.

JAMES was indicted by a federal grand jury on the charges on January 26, 2010. The indictment charges fourteen counts of mail fraud, one count of wire fraud, seven counts of false statements, and ten counts of theft of government funds. The mail and wire fraud counts each carry a maximum sentence of up to 20 years in prison, the false statements counts each carry a maximum sentence of up to 5 years in prison, and the theft of government funds counts each carry a maximum of up to 10 years in prison. Each count carries a maximum fine of up to \$250,000.

Members of the public are reminded that the indictment only contains charges. The defendant is presumed innocent of the charges and it will be the government’s burden to prove the defendant’s guilt beyond a reasonable doubt at trial.

In September 2005, the Attorney General created the Hurricane Katrina Fraud Task Force, designed to deter, investigate and prosecute disaster-related federal crimes such as charity fraud, identity theft, procurement fraud and insurance fraud. The Hurricane Katrina Fraud Task Force – chaired by Assistant Attorney General Lanny A. Breuer of the Criminal Division – includes members from the FBI, the Federal Trade Commission, the Postal Inspector’s Office and the Executive Office of United States Attorneys, among others.

This case is being investigated by Special Agents of the U.S. Department of Homeland Security, Office of Inspector General, and Postal Inspectors with the United States Postal Inspection Service.

Assistant United States Attorney Stephen H. McClain is prosecuting the case.

For further information please contact Sally Q. Yates, United States Attorney, or Charysse L. Alexander, Executive Assistant United States Attorney, through Patrick Crosby, Public Affairs Officer, U.S. Attorney's Office, at (404) 581-6016. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is www.usdoj.gov/usao/gan.