

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA	*	CRIMINAL NO. 10-077
v.	*	SECTION: "I"
KEYONA S. DALTON	*	VIOLATION: 18 U.S.C. § 1343
	*   *   *	

**FACTUAL BASIS**

Should this matter have gone to trial, the Government would have proved beyond a reasonable doubt, through the introduction of competent testimony and admissible tangible exhibits including the testimony of special agents of the Federal Bureau of Investigation ("FBI"), employees of the American Red Cross ("Red Cross") and others, the following facts to support the allegations charged by the United States Attorney in the Indictment now pending against the defendant, **KEYONA S. DALTON**.

An employee of the Red Cross would testify that in the weeks and months after Hurricane Katrina, which struck southeastern Louisiana on August 29, 2005, the Red Cross maintained disaster recovery centers to assist victims of Hurricane Katrina. Through these recovery assistance efforts, the Red Cross provided financial assistance to residents displaced or otherwise affected by Hurricane Katrina. People affected by the storms were able to apply for a one-time only financial grant of up

to \$1,565 from the Red Cross. In order to receive these funds, applicants needed to present identification to a Red Cross representative that indicated residence in an affected zone. Applicants were also required to swear and attest that they had not received any undisclosed additional American Red Cross financial assistance at any other Red Cross assistance location.

Competent testimony would be introduced that once approved, the Red Cross made these disaster assistance funds available in one of several ways, including: (1) A personal check made payable to the applicant, issued on-site or mailed through the United States Postal Service to an address provided by the applicant; (2) A Red Cross-issued “Discover” card, issued on-site, and activated via phone by the applicant; (3) A Red Cross-issued Capital One Bank “Visa” card, issued on-site, and activated via phone by the applicant; (4) A Red Cross-issued Client Assistance Card, issued on-site, which Red Cross purchased from national banks and which operated in a manner consistent with credit/debit/ATM cards; (5) A personal check authorized by the Red Cross, issued by Paychex, Inc. and mailed through the United States Postal Service to an address provided by the applicant; (6) A Red Cross-issued Client Assistance Card, which Red Cross purchased from national banks and which operated in a manner consistent with credit/debit/ATM cards issued on-site or mailed, then activated by the applicant after approval; (7) a Western Union money wire, sent to the applicant at local Western Union outlets; (8) a traveler’s check made payable to the applicant and delivered on-site; (9) a disbursement order, which included instruments that could be cashed at a bank or used to purchase goods and services at stores and hotels, delivered to the applicant on-site; or (10) cash, delivered on-site to the applicant.

A Red Cross employee would testify that the Red Cross purchased 200,000 “gift cards” from Discover, a credit card company. These gift cards were “loaded” with a specific amount of money,

depending upon the applicant's qualifications. The cards were activated by the applicant's calling an activation hotline and were thereafter usable in a manner otherwise consistent with a debit/credit card.

Testimony by an employee of the Red Cross and admissible exhibits would be introduced to prove that the defendant, **KEYONA S. DALTON**, presented herself to Red Cross assistance centers on four (4) occasions between on or about September 16, 2005 and on or about October 6, 2005. On each visit, she applied for financial assistance and indicated that she had not received any other financial assistance from the Red Cross.

As a result of her false and fraudulent statements on these applications, **KEYONA S. DALTON** received direct financial assistance from the Red Cross totaling \$5,060 of which \$3,495 was obtained by fraud. Competent testimony and admissible exhibits would be introduced to prove that one of the four occasions that **KEYONA S. DALTON** applied for assistance was on or about October 2, 2005, when the defendant applied for and received a Discover debit/credit card, numbered XXXX-XXXX-XXXX-4427, pre-loaded with \$1,565.00 issued by Red Cross at an assistance center located within the Eastern District of Louisiana. Defendant received this assistance only after she specifically attested and swore that she had not received any other financial assistance from the Red Cross, when in fact, she knew she had received such assistance prior to October 2, 2005. Through the testimony of an employee of the Red Cross, certain documents and exhibits would be offered and introduced into evidence to prove that the defendant's fraudulent application and actions directly led to the disbursement of the Discover debit/gift card.

An employee of Discover would testify, and admissible records would be submitted to prove, that on or about October 9, 2005, the pre-loaded Discover debit/gift card, numbered XXXX-XXXX-

XXXX-4427, issued by the Red Cross to the defendant, **KEYONA S. DALTON**, was used in the Eastern District of Louisiana at a retail store, “Top Fashion” located in Hammond, Louisiana. This use, in turn, caused certain writings, signs, signals and sounds to be sent from one point of use in Hammond, Louisiana to a Discover Card data center outside the state of Louisiana, approving the transaction, and resulting in certain writings, signs, signals and sounds to be sent back to the retail store in Hammond, Louisiana, authorizing the defendant, **KEYONA S. DALTON**, to purchase items at Top Fashion located in Hammond, Louisiana.

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KEYONA S. DALTON  
Defendant

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DATE

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CYNTHIA CIMINO  
Counsel for Defendant

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DATE

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JULIA K. EVANS  
Assistant United States Attorney

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DATE