

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	: Criminal No. 11-
	:
v.	: Hon.
	:
KIM S. MORRIS	: 18 U.S.C. §§ 1344 & 2
a/k/a "Kim Morris,"	:
a/k/a "Kim S. Morris-Burchell"	: 31 U.S.C. § 5324

INFORMATION

COUNT ONE - BANK FRAUD

(Title 18, United States Code, Section 1344 and 2)

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

1. At all times relevant to this Information, Wells Fargo Bank, N.A. was a financial institution as defined in Title 18, United States Code, Section 20, whose deposits were insured by the Federal Deposit Insurance Corporation.

2. From on or about January 11, 2008 through on or about July 26, 2009, in Essex County, in the District of New Jersey and elsewhere, defendant

KIM S. MORRIS,
a/k/a "Kim Morris," a/k/a "Kim S. Morris-Burchell,"

did knowingly and intentionally execute and attempt to execute a scheme and artifice to defraud a financial institution, namely Wells Fargo Bank, N.A., and to obtain moneys, funds, assets and other property owned by, and under the custody and control of, the financial institution, namely Wells Fargo Bank, N.A., by

means of false and fraudulent pretenses, representations and promises, as more fully set forth below.

The Object of the Scheme

3. The principal object of the scheme was for defendant KIM S. MORRIS, a/k/a "Kim Morris," a/k/a "Kim S. Morris-Burchell," to defraud Wells Fargo Bank, N.A. by obtaining a mortgage loan for the purchase of property in Upper Montclair, New Jersey, based upon false information in a loan application.

The Means and Methods of the Scheme

4. It was part of the scheme that defendant KIM S. MORRIS, a/k/a "Kim Morris," a/k/a "Kim S. Morris-Burchell," applied for a mortgage loan from Wells Fargo Bank, N.A. for the purchase of a property in Upper Montclair, New Jersey by submitting a loan application that falsely inflated the personal income of defendant KIM S. MORRIS, a/k/a "Kim Morris," a/k/a "Kim S. Morris-Burchell."

5. It was further part of the scheme that defendant KIM S. MORRIS, a/k/a "Kim Morris," a/k/a "Kim S. Morris-Burchell," falsified the name of her employer on the loan application.

6. It was further part of the scheme that defendant KIM S. MORRIS, a/k/a "Kim Morris," a/k/a "Kim S. Morris-Burchell," falsified the length of her employment, mentioned in paragraph 5 above, on the loan application.

7. It was further part of the scheme that, in reliance upon defendant KIM S. MORRIS', a/k/a "Kim Morris'," a/k/a "Kim S.

Morris-Burchell's," fraudulent misrepresentations, Wells Fargo Bank, N.A., extended a mortgage loan to defendant KIM S. MORRIS, a/k/a "Kim Morris," a/k/a "Kim S. Morris-Burchell," in the amount of \$624,000.

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNT TWO - STRUCTURING
(Title 31, United States Code, Section 5324, and Title 18, United States Code, Section 2)

1. At all times relevant to this Information, Title 31, United States Code, Section 5325, and Title 31, Code of Federal Regulations, Section 103.29 (now Section 1010.415), required that financial institutions record certain information and verify identification whenever they issue or sell a money order for \$3,000 or more in currency. Contemporaneous purchases of the same or different types of instruments totaling \$3,000 or more are treated as one purchase for purposes of this requirement. Multiple purchases of such monetary instruments on the same business day by or on behalf of the same person are treated as a single purchase for purpose of this requirement. These records must be made available to the Secretary of the Treasury upon request.

2. At all times relevant to this Information, the United States Post Office, MoneyGram, and Western Union were financial institutions within the meaning of Title 31, United States Code, Sections 5312 and 5325, and Title 31, Code of Federal Regulations, Sections 103.11 (now Section 1010.100) and 103.29 (now Section 1010.415).

3. From in or about March 2008 through in or about June 2009, in Essex County, in the District of New Jersey, defendant

KIM S. MORRIS,
a/k/a "Kim Morris," a/k/a "Kim S. Morris-Burchell,"

for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5325, knowingly structured and assisted in structuring, and attempted to structure and assist in structuring, transactions with domestic financial institutions by purchasing money orders in amounts under \$3,000 in United States currency, including, but not limited to, the following transactions:

a. From on or about March 10, 2008 through on or about June 26, 2009, defendant KIM S. MORRIS, a/k/a "Kim Morris," a/k/a "Kim S. Morris-Burchell," purchased approximately \$84,855.55 in postal and commercial money orders, which were then sent to Wells Fargo Bank, N.A., to pay her mortgage loan.

b. Defendant KIM S. MORRIS, a/k/a "Kim Morris," a/k/a "Kim S. Morris-Burchell," structured the purchase of those money orders so that no single purchase exceeded the \$3,000 identification threshold, which resulted in the purchase of approximately 110 separate money orders from on or about March 10, 2008 through on or about June 26, 2009. Those money orders ranged in amounts from approximately \$124.41 to approximately \$1,000.

In violation of Title 31, United States Code, Sections 5324(a)(3) and 5324(d)(1) and Title 18, United States Code, Section 2.

FIRST FORFEITURE ALLEGATION (BANK FRAUD)

1. The allegations contained in Count One of this Information are hereby realleged and incorporated by reference as though set forth in full herein for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 982(a)(2).

2. The United States hereby gives notice to defendant KIM S. MORRIS, a/k/a "Kim Morris," a/k/a "Kim S. Morris-Burchell," that, upon conviction of the offense charged in Count One of this Information, the government will seek forfeiture, in accordance with Title 18, United States Code, Section 982(a)(2), of any and all property, real or personal, constituting, or derived from or indirectly, as a result of the offense, including but not limited to a sum of money equal to at least \$624,000 in United States currency.

3. If by any act or omission of defendant KIM S. MORRIS, a/k/a "Kim Morris," a/k/a "Kim S. Morris-Burchell," any of the property subject to forfeiture described in paragraph 2 herein:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party,
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty,

the United States of America will be entitled to forfeiture of substitute property up to the value of the property described above in paragraph 2, pursuant to Title 21, United States Code, Section 853(p), and incorporated by Title 18, United States Code, Section 982(b)(1).

SECOND FORFEITURE ALLEGATION (STRUCTURING)

1. The allegations contained in Count Two of this Information are hereby realleged and incorporated by reference as though set forth in full herein for the purpose of alleging forfeiture pursuant to Title 31, United States Code, Section 5317(c).

2. The United States hereby gives notice to defendant KIM S. MORRIS, a/k/a "Kim Morris," a/k/a "Kim S. Morris-Burchell," that, upon conviction of the offense charged in Count Two of this Information, the government will seek forfeiture, in accordance with Title 31, United States Code, Section 5317(c)(1), of any and all property, real or personal, involved in that offense, including but not limited to a sum of money equal to at least \$84,855.55 in United States currency.

3. If by any act or omission of defendant KIM S. MORRIS, a/k/a "Kim Morris," a/k/a "Kim S. Morris-Burchell," any of the property subject to forfeiture described in paragraph 2 herein:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party,
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty,

the United States of America will be entitled to forfeiture of substitute property up to the value of the property described above in paragraph 2, pursuant to Title 21, United States Code, Section 853(p), and incorporated by Title 31, United States Code, Section 5317(c)(1)(B).

PAUL J. FISHMAN
United States Attorney