



*United States Attorney
Southern District of New York*

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**FBI AGENT INDICTED IN MANHATTAN FEDERAL COURT
FOR ALLEGED FALSE STATEMENTS MADE IN CONNECTION
WITH USE OF CONFIDENTIAL SOURCE**

PREET BHARARA, United States Attorney for the Southern District of New York, and JAMES E. TOMLINSON, the Special Agent-in-Charge of the New York Field Office of the Department of Justice Office of the Inspector General ("DOJ-OIG"), announced the unsealing of a federal indictment charging ADRIAN BUSBY, a Special Agent of the Federal Bureau of Investigation ("FBI"), with making false statements in connection with his use of a confidential source of information in 2008 and 2009. BUSBY voluntarily surrendered to authorities in El Paso, Texas, this morning, and will be arraigned there in federal court on these charges later today.

According to the Indictment unsealed in Manhattan federal court today:

Beginning in late 2007, BUSBY was the case agent in a mortgage fraud investigation being conducted by the New York Division of the FBI. In connection with this investigation, on January 10, 2008, BUSBY sought and received official authorization to use an individual as an FBI confidential source of information (the "Confidential Source"). The Confidential Source was designated as such from January 10, 2008, through September 18, 2008. Beginning in 2008, BUSBY allegedly engaged in an intimate relationship with the Confidential Source.

On February 5, 2008, the Confidential Source was arrested by the New York City Police Department and prosecuted by the Queens County District Attorney's Office for identity theft and related charges. It is alleged that BUSBY actively assisted with her criminal defense, and met with her defense attorney on multiple occasions. In December 2009, during the Confidential Source's trial, BUSBY provided her defense attorney with confidential, law enforcement-sensitive reports ("Reports") related to her case, among other documents, in violation of FBI regulations. On December 15, 2009, after a jury trial, the Confidential Source was convicted.

Beginning in January 2008, and continuing through at least December 2009, BUSBY allegedly made numerous false statements regarding the Confidential Source and the steps he took to assist her in connection with her trial. First, on January 10, 2008, in a "Confidential Human Source (CHS) Opening Communication," BUSBY falsely stated that the Confidential Source was not the subject or target of any criminal investigation, when, as he well knew, she was the subject or target of an investigation being conducted by the New York City Police Department and the Queens County District Attorney's Office. Second, in a December 22, 2009, FBI report, BUSBY falsely stated that he had not intentionally provided the defense attorney with the Reports, when in fact, he had.

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BUSBY, 37, of El Paso, Texas, was charged with two counts of making false statements. Each count carries a maximum sentence of five years in prison, a fine of the greater of \$250,000, or twice the gross gain or loss from the offense.

Mr. BHARARA praised the investigative work of the DOJ-OIG, and thanked the Queens County District Attorney's Office for their assistance with the investigation.

This case is being prosecuted by the Office's Public Corruption Unit. Assistant U.S. Attorney GLEN G. MCGORTY is in charge of the prosecution.

The charges contained in the Indictment are merely accusations and the defendant is presumed innocent unless and until proven guilty.

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