

Department of Justice

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Western District of New York

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GASPORT WOMAN PLEADS GUILTY TO CREDIT CARD FRAUD

BUFFALO, N.Y. - U.S. Attorney William J. Hochul, Jr. announced today that Ellen Flack, 34, of Gasport, N.Y., pleaded guilty to knowingly using an unauthorized access device. The charge carries a maximum penalty of 10 years in prison, a fine of \$250,000 or both.

Assistant U.S. Attorney Russell T. Ippolito, Jr., who is handling the prosecution, stated that between September 22, 2011, and January 6, 2012, Flack conspired with three others to defraud American Express ("AMEX") by obtaining forty-two fraudulent AMEX credit cards in the names of 37 individuals who resided outside the state of New York. the defendant, and one or more of her associates, posing as individuals who had AMEX credit cards, fraudulently used the credit cards to make unauthorized ATM withdrawals at local area banks and unauthorized purchases at various retail stores in the Lockport, NY area. Flack and her associates illegally obtained cash and merchandise totaling \$50,654.53.

The prosecution of Flack's associates continues. Joshua and Krista Dunkelberger pleaded guilty to a similar charge on May 18, 2012 and are awaiting sentencing.

The plea is the culmination of an investigation by the U.S. Postal Inspection Service, under the direction of Inspector-in-Charge Robert Bethel.

Sentencing is scheduled for August 31, 2012 at 1 p.m. before Judge Arcara.