

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **CRIMINAL NO. 09-\_\_\_\_\_**  
 :  
**v.** : **DATE FILED:\_\_\_\_\_**  
 :  
**TREENA SMITH** : **VIOLATIONS:**  
 :  
 : **18 U.S.C. § 371 (conspiracy - 1 count)**  
 : **18 U.S.C. § 1344 (bank fraud - 1 count)**  
 : **18 U.S.C. § 1028A (aggravated identity**  
 : **theft - 10 counts)**  
 : **18 U.S.C. § 1030(a)(2)(A) (unauthorized**  
 : **access of record of financial institution - 1**  
 : **count)**  
 : **18 U.S.C. § 2 (aiding and abetting)**  
 : **Notice of forfeiture**

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

At all times material to this indictment:

1. Citizens Bank was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation, certificate number 57282.
2. Defendant TREENA SMITH was employed as a teller for Citizens Bank at a branch located in Philadelphia, Pennsylvania, where she had access to the identity information of the bank's customers, including names, social security numbers, dates of birth, and account numbers, as well as account balance information.
3. From on or about November 9, 2005 to on or about April 7, 2006, in Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendant

## **TREENA SMITH**

conspired and agreed, with others known and unknown to the grand jury, to commit offenses against the United States, that is, to knowingly execute and attempt to execute a scheme to defraud Citizens Bank, in violation of Title 18, United States Code, Section 1344, and to knowingly and without lawful authority use a means of identification of another person, during and in relation to a bank fraud, in violation of Title 18, United States Code, Section 1028A(a)(1), and (c)(5).

### **MANNER AND MEANS**

4. Defendant TREENA SMITH and her co-conspirators used stolen identification information to cash fraudulent checks on victims' Citizens Bank accounts.

5. Defendant TREENA SMITH was recruited by a person unknown to the grand jury to provide and verify names, addresses, dates of birth, account numbers, and account balances of Citizens Bank account holders.

6. Defendant TREENA SMITH used her position at Citizens Bank to improperly access computerized information for Citizens Bank account holders, which information she provided to her co-conspirators. The information provided to her co-conspirators included victim names, addresses, dates of birth, and bank account information.

7. The co-conspirators provided the stolen Citizens Bank account holder information to other individuals involved in the scheme who manufactured false photographic identifications in the name of those customers of Citizens Bank. The false identification contained the picture of individuals recruited to act as "check runners" for use in the cashing of fraudulent checks on the accounts of those Citizens Bank account holders.

8. Armed with false identification and fraudulent checks, these check-runners, including co-conspirators R.G., J.H. and P.T., known to the grand jury, posed as Citizens Bank account holders to cash checks made payable to those customers, totaling more than approximately \$300,000.

### **OVERT ACTS**

In furtherance of the conspiracy, defendant TREENA SMITH and her co-conspirators committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. From on or about November 9, 2005 to on or about December 20, 2005, defendant TREENA SMITH provided to, and verified for, co-conspirators the bank account and personal information of approximately thirty-seven Citizens Bank account holders, including names, addresses, dates of birth, social security numbers, and bank account numbers.

2. From on or about November 9, 2005 to on or about April 7, 2006, the co-conspirators provided the account and personal information received from defendant TREENA SMITH to individuals who used that information to acquire and attempt to acquire approximately \$390,039 from Citizens Bank by presenting fraudulent identification in the name of the account holders to tellers in order to cash fraudulent checks with Citizens Bank.

All in violation of Title 18, United States Code, Section 371.

## COUNT TWO

### **THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1, 2 and 4 through 8 and Overt Acts 1 and 2 of Count One are realleged here.

2. From on or about November 9, 2005 to on or about April 7, 2006, in the Eastern District of Pennsylvania and elsewhere, defendant

#### **TREENA SMITH**

knowingly executed, and attempted to execute, and aided and abetted the execution of, a scheme to defraud Citizens Bank, and to obtain monies owned by and under the care, custody and control of Citizens Bank by means of materially false and fraudulent pretenses, representations and promises.

#### **THE SCHEME**

3. From on or about November 9, 2005 to on or about December 20, 2005 defendant TREENA SMITH improperly acquired personal and account information for Citizens Bank accounts belonging to H.W., L.B., J.T., A.M., R.M., C.L., M.L., R.D., N.S., J.C., G.B., M.S., A.P., C.E., M.C., M.E., A.B., S.E., H.D.W., J.L., J.S., D.D., C.C., C.P.C., K.D., A.I.B., A.T.W., K.P., A.W., F.S., R.F., Db.D., Ad.B., J.E., Ca.C., and L.M.

4. Defendant TREENA SMITH then provided that personal and account information to co-conspirators, known and unknown to the grand jury, who forwarded the information to others who used it to fraudulently take and attempt to take approximately \$390,039 from Citizens Bank by cashing fraudulent checks on accounts belonging to H.W., L.B., J.T., A.M., R.M., C.L., M.L., R.D., N.S., J.C., G.B., M.S., A.P., C.E., M.C., M.E., A.B., S.E.,

H.D.W., J.L., J.S., D.D., C.C., C.P.C., K.D., A.I.B., A.T.W., K.P., A.W., F.S., R.F., Db.D., Ad.B., J.E., Ca.C., and L.M.

5. In furtherance of the scheme, other individuals cashed or attempted to cash the following counterfeit checks:

<u>DATE</u>	<u>LOCATION</u>	<u>VICTIM ACCOUNT HOLDER</u>	<u>AMOUNT</u>
11/18/05	western PA	H.W.	\$4,627
11/18/05	western PA	H.W.	\$4,651
11/18/05	western PA	L.B.	\$4,633
11/18/05	western PA	L.B.	\$4,633 attempt
11/18/05	western PA	J.T.	\$4,684 attempt
12/02/05	DE	A.M.	\$4,631 attempt
12/02/05	DE	R.M.	\$4,623 attempt
12/04/05	Brookhaven, PA	T.M.	\$2,904
12/04/05	DE	T.M.	\$4,602
12/05/05	VT	C.L.	\$4,654
12/05/05	NH	C.L.	\$4,611
12/05/05	VT	M.L.	\$4,655
12/05/05	NH	M.L.	\$4,609
12/05/05	VT	R.D.	\$4,652
12/06/05	VT	R.D.	\$4,631
12/06/05	VT	N.S.	\$4,536
12/06/05	VT	N.S.	\$4,536
12/06/05	VT	J.C.	\$4,631
12/06/05	VT	J.C.	\$4,607
12/06/05	VT	G.B.	\$4,622

12/06/05	VT	G.B.	\$4,614
12/06/05	VT	G.B.	\$4,674
12/06/05	VT	G.B.	\$4,633
12/06/05	VT	M.S.	\$4,649
12/06/05	VT	M.S.	\$4,661
12/23/05	Philadelphia, PA	A.P.	\$4,733
12/23/05	Philadelphia, PA	A.P.	\$4,708
12/23/05	Exton, PA	A.P.	\$4,715
12/30/05	Brookhaven, PA	C.E.	\$4,631
12/30/05	DE	C.E.	\$4,609
01/06/06	DE	M.C.	\$4,651
01/06/06	DE	M.C.	\$4,631 attempt
01/06/06	DE	M.E.	\$4,631 attempt
01/06/06	Brookhaven, PA	Al.B.	\$4,609
01/06/06	DE	Al.B.	\$4,634
01/12/06	OH	S.E.	\$4,835
01/12/06	OH	S.E.	\$4,851
01/12/06	OH	S.E.	\$4,829
01/12/06	OH	S.E.	\$4,861
01/12/06	OH	H.D.W.	\$4,851
01/12/06	OH	H.D.W.	\$4,827
01/12/06	OH	H.D.W.	\$4,814
01/12/06	OH	H.D.W.	\$4,863
01/12/06	OH	H.D.W.	\$4,813
01/12/06	OH	H.D.W.	\$4,871
01/13/06	OH	J.L.	\$4,857

01/13/06	OH	J.L.	\$4,873
01/13/06	OH	J.S.	\$4,867
01/13/06	OH	J.S.	\$4,877
01/13/06	OH	D.D.	\$4,852
02/02/06	MI	C.C.	\$4,861
02/02/06	MI	C.C.	\$4,835
02/02/06	MI	C.C.	\$4,811
02/02/06	MI	C.C.	\$4,852
02/02/06	MI	C.P.C.	\$4,851
02/02/06	MI	C.P.C.	\$4,831
02/02/06	MI	K.D.	\$4,857
02/02/06	MI	K.D.	\$4,824
02/02/06	MI	K.D.	\$4,834
02/02/06	MI	A.B.	\$4,825
02/02/06	MI	A.B.	\$4,855
02/03/06	MI	A.T.W.	\$4,851
02/03/06	MI	A.T.W.	\$4,864
02/03/06	MI	A.T.W.	\$4,855
02/03/06	MI	K.P.	\$4,861
02/03/06	MI	A.W.	\$4,831
02/03/06	MI	A.W.	\$4,805
02/03/06	MI	A.W.	\$1,500
02/13/06	IN	F.S.	\$ unknown attempt
02/14/06	IN	R.F.	\$4,813
02/14/06	IN	R.F.	\$4,509 attempt
02/14/06	IN	R.F.	\$4,509 attempt

02/14/06	IN	Db.D.	\$4,852
02/14/06	IN	Db.D.	\$1,200
02/14/06	IN	Db.D.	\$4,864 attempt
02/14/06	IN	Db.D.	\$1,200 attempt
04/06/06	NH	Ad.B.	\$4,611
04/06/06	NH	Ad.B.	\$4,607
04/06/06	NH	Ad.B.	\$4,521
04/06/06	NH	Ad.B.	\$4,557
04/06/06	NH	J.E.	\$4,602
04/06/06	NH	J.E.	\$4,623
04/06/06	NH	Ca.C	\$4,509
04/06/06	NH	Ca.C	\$200
04/06/06	NH	Ca.C	\$4,619
04/06/06	NH	Ca.C	\$200
04/07/06	NH	L.M.	\$4,610
04/07/06	NH	L.M.	\$200
04/07/06	NH	L.M.	\$4,610
04/07/06	NH	L.M.	\$300

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

**COUNTS THREE THROUGH TWELVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about the dates set forth below, in the Eastern District of Pennsylvania and elsewhere, defendant

**TREENA SMITH**

knowingly and without lawful authority, transferred, possessed and used, and aided and abetted the transfer, possession and use of, a means of identification of another person, that is, the name and personal identifying information of the persons indicated below, each person constituting a separate count, during and in relation to bank fraud.

<u>COUNT</u>	<u>DATE</u>	<u>ACCOUNT HOLDER</u>
3	11/25/05	Al.B.
4	11/26/05	A.B.
5	12/01/05	K.D.
6	12/01/05	Db.D.
7	12/02/05	J.E.
8	12/02/05	A.T.W.
9	12/02/05	C.C.
10	12/03/05	J.S.
11	12/06/05	J.L.
12	12/06/05	S.E.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5) and 2.

**COUNT THIRTEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

From on or about November 9, 2005 to on or about December 20, 2005, in the Eastern District of Pennsylvania, defendant

**TREENA SMITH**

intentionally accessed a protected computer and exceeded authorized access, and thereby obtained information contained in a financial record of a financial institution, that is, Citizens Bank.

In violation of Title 18, United States Code, Section 1030(a)(2)(A).

## **NOTICE OF FORFEITURE**

### **THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 18, United States Code, Sections 371 and 1344, set forth in this information, defendant

**TREENA SMITH**

shall forfeit to the United States of America any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offenses, as charged in this information, including, but not limited to, the sum of \$344,353.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

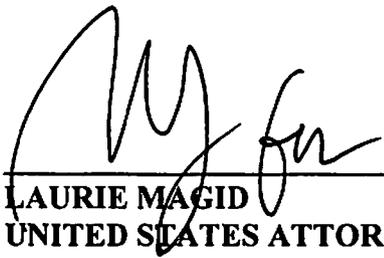
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot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

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b),

incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(2).

**A TRUE BILL:**



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**LAURIE MAGID**  
**UNITED STATES ATTORNEY**

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**GRAND JURY FOREPERSON**