

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

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|---------------------------------|----------|---|
| UNITED STATES OF AMERICA | : | CRIMINAL NO. <u>09-</u> |
| v. | : | DATE FILED: |
| NEFERTITI RANDALL | : | VIOLATIONS: |
| | : | 18 U.S.C. § 1344 (bank fraud – 2 counts) |
| | : | 18 U.S.C. § 1028A (aggravated identity theft – 4 counts) |
| | | Notice of forfeiture |

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Citibank was a a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation, certificate no. 7213.
2. Citibank issued credit cards to qualified applicants, who were then authorized to use the cards to make purchases and cash withdrawals. Citibank paid out money to the merchants or banks where the credit cards were used and then billed the credit card account holders.
3. At the request of the credit card holder, Citibank at times issued replacement cards, duplicate cards and processed change of address requests.
4. From in or about April 2008 through in or about February 2009, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

NEFERTITI RANDALL

knowingly executed, and attempted to execute, a scheme to defraud Citibank, and to obtain monies owned by and under the care, custody, and control of Citibank by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

It was part of the scheme that:

5. Defendant NEFERTITI RANDALL, without authorization, obtained credit card numbers for Citibank account holders A.R., S.R., Ni. R. and Na. R., among others.

6. Defendant NEFERTITI RANDALL then used these stolen Citibank credit card numbers to make personal expenditures. In each case, defendant NEFERTITI RANDALL posed as the actual Citibank account holder and charged the expenditures to their card holder's account.

7. The vendors then billed Citibank for the purchases that defendant NEFERTITI RANDALL had made with the stolen credit card account numbers, and Citibank advanced the funds to the vendors.

8. On or about each of the dates set forth below, defendant NEFERTITI RANDALL obtained money from Citibank, using the identities of the following victims, totaling approximately \$16,993.

| Date(s) | Account Holder(s) | Last Four Digits of Card Number | Amount |
|----------------|--------------------------|--|---------------|
| April 2008 | A.R. | 2481 | \$3,800 |
| Sept. 2008 | S.R. | 6877 | \$1,503 |
| Sept. 2008 | S.R. | 2037 | \$2,552 |
| Nov. 2008 | S.R. and J.R. | 9773 | \$129 |

| | | | |
|-----------|-----------------|------|---------|
| Nov. 2008 | A.R. | 1709 | \$2,000 |
| Dec. 2008 | Na.R. | 0859 | \$3,300 |
| Jan. 2009 | Ni.R. and Na.R. | 3171 | \$3,351 |
| Jan. 2009 | Ni.R. | 8169 | \$2,158 |

All in violation of Title 18, United States Code, Section 1344.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Capital One was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation, certificate no. 33954.

2. Capital One issued credit cards to qualified applicants, who were then authorized to use the cards to make purchases and cash withdrawals. Capital One paid out money to the merchants or banks where the credit cards were used and then billed the credit card account holders.

3. At the request of the credit card holder, Capital One at times issued replacement cards, duplicate cards and processed change of address requests.

4. In or about October 2008, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

NEFERTITI RANDALL

knowingly executed, and attempted to execute, a scheme to defraud Capital One, and to obtain monies owned by and under the care, custody, and control of Capital One by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

It was part of the scheme that:

5. Defendant NEFERTITI RANDALL, without authorization, obtained credit card numbers for Capital One account holders L.M. and S.R.

6. Defendant NEFERTITI RANDALL then used these stolen Capital One credit card numbers to make personal expenditures. In each case, defendant NEFERTITI

RANDALL posed as the actual Capital One account holder and charged the expenditures to their card holder's account.

7. The vendors then billed Capital One for the purchases that defendant NEFERTITI RANDALL had made with the stolen credit card account numbers, and Capital One advanced the funds to the vendors.

8. On or about each of the dates set forth below, defendant NEFERTITI RANDALL obtained money from Capital One, using the identities of the following victims, totaling approximately \$3,136.

| Date(s) | Account Holder | Last Four Digits of Card Number | Amount |
|----------------|-----------------------|--|---------------|
| Oct. 2008 | L.M. and M.M. | 1969 | \$3,036 |
| Oct. 2008 | S.R. | 0427 | \$100 |

All in violation of Title 18, United States Code, Section 1344.

COUNTS THREE THROUGH SIX

THE GRAND JURY FURTHER CHARGES THAT:

In or about the months listed below, in Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendant

NEFERTITI RANDALL

knowingly and without lawful authority possessed and used a means of identification of, another person, that is, the name, address and credit card number of each person listed below, during and in relation to a bank fraud, each offense constituting a separate count:

| Count | Date | Victim(s) |
|--------------|----------------|------------------|
| 3 | April 2008 | A.R. |
| 4 | September 2008 | S.R. |
| 5 | October 2008 | L.M. and M.M. |
| 6 | January 2009 | Ni.R. and Na.R. |

All in violation of Title 18, United States Code, Section 1028A(a)(1), (c)(5).

NOTICE OF FORFEITURE

1. As a result of the violations of Title 18, United States Code, Section 1344, described in Counts One and Two of this indictment, defendant

NEFERTITI RANDALL

shall forfeit to the United States of America, any property, real or personal, which constitutes or is derived from proceeds traceable to any offense constituting “specified unlawful activity,” that is, bank fraud, including, but not limited to the following:

- (a) The sum of \$20,129.00 in United States currency (forfeiture money judgment).

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 28, United States Code, Section 2461(c), 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).

A TRUE BILL:

GRAND JURY FOREPERSON

LAURIE MAGID
United States Attorney