

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

UNITED STATES OF AMERICA : **CRIMINAL NO. 10- 257**

v. : **DATE FILED: 4-22-10**

SHATONYA DENNIS : **VIOLATION:**
: **18 U.S.C. § 1029(b)(2) (conspiracy to**
: **commit access device fraud - 1 count)**
: **18 U.S.C. § 1029(a)(2) (access device**
: **fraud - 1 count)**
: **18 U.S.C. § 1028A(a)(1), (c)(4)**
: **(aggravated identity theft - 1 count)**
: **18 U.S.C. § 2 (aiding and abetting)**

INFORMATION

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to this information:

1. Defendant SHATONYA DENNIS worked as a waitress at T.G.I. Friday's restaurant on City Line Avenue in Philadelphia, Pennsylvania.
2. Bank of America did business in interstate commerce.
3. A skimming device, or skimmer, is a device that is capable of reading and recording the information stored on the magnetic strips of credit or debit cards, and is capable of transferring that information to another electronic storage device, such as a computer, by use of connecting cables.
4. An encoding device, or encoder, is a device that is capable of reading the information stored on the magnetic strips of credit or debit cards and also writing information to the magnetic strips on credit or debit cards.

5. From in or about August 2008, to in or about April 2009, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

SHATONYA DENNIS

conspired and agreed, together and with Michael Lewis, charged elsewhere, S.W., and others known to the United States Attorney, to commit an offense against the United States, that is, to knowingly and with intent to defraud traffic in and use unauthorized credit card and debit card numbers during a one-year period, and by such conduct obtain something of value aggregating \$1,000 or more during that period, in violation of Title 18, United States Code, Section 1029(a)(2).

MANNER AND MEANS

It was part of the conspiracy that:

6. Defendant SHATONYA DENNIS used a skimming device at her place of employment to steal the credit and debit card numbers of unsuspecting restaurant customers and provided those stolen card numbers to Michael Lewis, who used an encoding device to record the stolen numbers onto the magnetic strips of other white plastic cards and gift cards so that he and defendant DENNIS could use the stolen numbers to buy things of value.

It was further a part of the conspiracy that:

7. In the summer of 2008, S.W., who was another employee of T.G.I. Friday's and was already using a skimming device to steal credit and debit card numbers for Michael Lewis, and who is known to the United States Attorney, recruited defendant SHATONYA DENNIS to use a skimming device for Lewis, also. S.W. showed defendant DENNIS how to use the skimming device to record people's credit and debit card numbers.

8. In or about August 2008, defendant SHATONYA DENNIS agreed to use the skimming device and began by sharing S.W.'s skimming device. Defendant DENNIS and S.W. each used the skimming device secretly to record the credit and debit card numbers of restaurant customers, and then they provided those stolen numbers to Michael Lewis.

9. After a few weeks, Michael Lewis had a new skimming device delivered to defendant SHATONYA DENNIS. Defendant DENNIS continued to use it to steal customers' card numbers. When she had stolen numbers loaded onto the skimming device, she delivered it to Lewis.

10. Using an encoding device, Michael Lewis transferred the stolen card numbers from defendant SHATONYA DENNIS'S skimming device to the magnetic strips on white plastic cards and gift cards so that the stolen numbers could be used to make purchases.

11. Michael Lewis paid defendant SHATONYA DENNIS with gift cards he had encoded with stolen credit and debit card numbers, which defendant DENNIS used to go shopping and buy things of value.

12. In or about April 2009, after defendant SHATONYA DENNIS had left her employment at T.G.I. Friday's, defendant DENNIS, with the assistance of another person known to the grand jury, recruited another woman to use the skimming device Michael Lewis had given to defendant DENNIS at this other woman's place of employment, a restaurant, to steal customers' credit and debit card numbers. After this woman had recorded some credit and debit card numbers on the skimming device, defendant DENNIS delivered the skimming device to Lewis. Lewis paid defendant DENNIS for this work with a gift card encoded with a stolen credit

or debit card number, which defendant DENNIS used to buy several hundred dollars worth of gift cards.

13. During the period of her involvement in the conspiracy, defendant SHATONYA DENNIS used stolen credit and debit card numbers to make and attempt to make purchases totaling approximately \$2,000.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, defendant SHATONYA DENNIS, Michael Lewis, S.W., and others known to the United States Attorney, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. From in or about August 2008, through in or about October 2008, defendant SHATONYA DENNIS used a skimming device at T.G.I. Friday's and personally stole and attempted to steal approximately 32 to 47 credit and debit card numbers, which she provided to Michael Lewis.

2. In April 2009, defendant SHATONYA DENNIS recruited another person to use the skimming device Michael Lewis had provided to defendant DENNIS, and that woman used the skimming device to steal and attempt to steal approximately eight credit and debit card numbers, which defendant DENNIS provided to Michael Lewis.

3. On or about September 25, 2008, defendant SHATONYA DENNIS used a skimming device secretly to record the Bank of America credit card number ending in 1160, in the name of a victim with the initials M.M., which she provided to Michael Lewis.

4. From on or about October 17, 2008, to on or about October 28, 2008, defendant SHATONYA DENNIS and Michael Lewis used the Bank of America credit card number ending in 1160 to make unauthorized purchases totaling \$2,005.47.

All in violation of Title 18, United States Code, Section 1029(b)(2).

COUNT TWO

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 through 4 and 6 through 13, and Overt Acts 1 through 4 of Count One are incorporated here.

2. From in or about September 2008, to in or about October 2008, in the Eastern District of Pennsylvania, and elsewhere, defendant

SHATONYA DENNIS

knowingly and with the intent to defraud used, and aided and abetted and willfully caused the use of, an unauthorized access devices, that is, a Bank of America credit card ending in 1160, to obtain things of value aggregating \$1,000 or more during a one-year period, for a total of approximately \$2,005.47, thereby affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 1029(a)(2) and 2.

COUNT THREE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 through 4 and 6 through 13, and Overt Acts 1 through 4 of Count One are incorporated here.

2. On or about September 25, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendant

SHATONYA DENNIS

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 Bank of America credit card number ending in the last four digits 1160 and the name of the person to whom that card was issued, whose initials are M.M., during and in relation to access device fraud.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(4), and 2.

**MICHAEL L. LEVY
UNITED STATES ATTORNEY**