

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

**UNITED STATES OF AMERICA** : **CRIMINAL NO.** \_\_\_\_\_  
**v.** : **DATE FILED:** \_\_\_\_\_  
**CHARLES PELZER** : **VIOLATIONS:**  
a/k/a "Tim Moxi" : **18 U.S.C. § 1029 (unauthorized use of**  
a/k/a "Tim Mori" : **access device - 6 counts)**  
a/k/a "Tim Max" : **18 U.S.C. § 1029 (attempted unauthorized**  
: **use of access device - 1 count)**  
: **18 U.S.C. § 1344 (bank fraud - 2 counts)**  
: **18 U.S.C. § 1028A (aggravated identity**  
: **theft - 6 counts)**  
: **18 U.S.C. § 2 (aiding and abetting)**  
: **Notice of forfeiture**

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

From on or about August 22, 2007 to on or about August 28, 2007, in the Eastern District of Pennsylvania, the District of New Jersey, and elsewhere, defendant

**CHARLES PELZER,  
a/k/a "Tim Moxi"  
a/k/a "Tim Mori"  
a/k/a "Tim Max"**

knowingly and with the intent to defraud used, and aided and abetted and willfully caused the use of, an unauthorized access device, that is, an American Express credit card ending with 33002, in the name D.F., to obtain things of value aggregating \$1,000 or more during a one-year period, for a total of at least \$8,856, thereby affecting interstate and foreign commerce.

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

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

From on or about August 22, 2007 to on or about August 28, 2007, in the Eastern District of Pennsylvania, the District of New Jersey, and elsewhere, defendant

**CHARLES PELZER,  
a/k/a "Tim Moxi"  
a/k/a "Tim Mori"  
a/k/a "Tim Max"**

knowingly and without lawful authority possessed and used, and aided and abetted the possession and use of, a means of identification of another person, that is, the name of D.F., during and in relation to a credit card fraud scheme.

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

**COUNT THREE**

**THE GRAND JURY CHARGES THAT:**

From on or about August 22, 2007 to on or about August 28, 2007, in the Eastern District of Pennsylvania, the District of New Jersey, and elsewhere, defendant

**CHARLES PELZER,  
a/k/a “Tim Moxi”  
a/k/a “Tim Mori”  
a/k/a “Tim Max”**

knowingly and with the intent to defraud used, and aided and abetted and willfully caused the use

of, an unauthorized access device, that is, an American Express credit card ending with 71005, in the name P.P., to obtain things of value aggregating \$1,000 or more during a one-year period, for a total of at least \$8,750, thereby affecting interstate and foreign commerce.

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

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

From on or about August 22, 2007 to on or about August 28, 2007, in the Eastern District of Pennsylvania, the District of New Jersey, and elsewhere, defendant

**CHARLES PELZER,  
a/k/a "Tim Moxi"  
a/k/a "Tim Mori"  
a/k/a "Tim Max"**

knowingly and without lawful authority possessed and used, and aided and abetted the possession and use of, a means of identification of another person, that is, the name of P.P., during and in relation to a credit card fraud scheme.

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

## COUNT FIVE

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

At all times material to this indictment:

1. Wachovia Bank was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation (“FDIC”), certificate number 33869
2. From on or about August 10, 2007 through on or about August 13, 2007, in Philadelphia, in the Eastern District of Pennsylvania, the District of Maryland, and elsewhere, defendant

**CHARLES PELZER,  
a/k/a “Tim Max”  
a/k/a “Tim Mori”**

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

### **THE SCHEME**

3. Defendant CHARLES PELZER used counterfeit cashier’s checks drawn from Wachovia Bank to purchase hardwood flooring from Cherokee Floors
4. Defendant CHARLES PELZER personally accepted deliveries of the hardwood flooring in Philadelphia, Pennsylvania.
5. When accepting the deliveries of hardwood flooring, defendant CHARLES PELZER signed the invoice as “Tim Moxi”, “Tim Mori,” or “Tim Max.”
6. In furtherance of the scheme, defendant CHARLES PELZER fraudulently used counterfeit cashier’s checks to purchase hardwood flooring on the following dates:

<b>DATE</b>	<b>BANK</b>	<b>CHECK NO.</b>	<b>CHECK AMOUNT</b>
August 10, 2007	Wachovia Bank	890392	\$4,331.25
August 16, 2007	Wachovia Bank	890421	\$8,316.00

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

**COUNT SIX**

**THE GRAND JURY FURTHER CHARGES THAT:**

At all times material to this indictment:

1. Bank of America was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation (“FDIC”), certificate number 3510.
2. From on or about August 3, 2007 through on or about August 6, 2007, in Philadelphia, in the Eastern District of Pennsylvania, the District of New Jersey, and elsewhere, defendant

**CHARLES PELZER,  
a/k/a “Tim Max”  
a/k/a “Tim Mori”**

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

**THE SCHEME**

3. Defendant CHARLES PELZER used counterfeit cashier’s checks drawn from Bank of America to purchase hardwood flooring from Woodhaven Lumber
4. Defendant CHARLES PELZER personally accepted deliveries of the hardwood flooring in Philadelphia, Pennsylvania.
5. When accepting the deliveries of hardwood flooring, defendant CHARLES PELZER signed the invoice as “Tim Moxi”, “Tim Mori,” or “Tim Max.”
6. In furtherance of the scheme, defendant CHARLES PELZER fraudulently used counterfeit cashier’s checks to purchase hardwood flooring on the following dates:

<b>DATE</b>	<b>BANK</b>	<b>CHECK NO.</b>	<b>CHECK AMOUNT</b>
August 3, 2007	Bank of America	495088	\$8,462.16
August 6, 2007	Bank of America	495144	\$8,462.16

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

**COUNT SEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

From on or about February 5, 2008 to on or about February 6, 2008, in the Eastern District of Pennsylvania, and elsewhere, defendant

**CHARLES PELZER,  
a/k/a “Tim Moxi”  
a/k/a “Tim Mori”  
a/k/a “Tim Max”**

knowingly and with the intent to defraud used, and aided and abetted and willfully caused the use

of, an unauthorized access device, that is, an American Express credit card ending with 81000, in the name P.C., to obtain things of value aggregating \$1,000 or more during a one-year period, for a total of at least \$9,394, thereby affecting interstate and foreign commerce.

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

**COUNT EIGHT**

**THE GRAND JURY FURTHER CHARGES THAT:**

From on or about February 5, 2008 to on or about February 6, 2008, in the Eastern District of Pennsylvania, and elsewhere, defendant

**CHARLES PELZER,  
a/k/a “Tim Moxi”  
a/k/a “Tim Mori”  
a/k/a “Tim Max”**

knowingly and without lawful authority possessed and used, and aided and abetted the possession and use of, a means of identification of another person, that is, the name of P.C., during and in relation to a credit card fraud scheme.

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

**COUNT NINE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about April 30, 2008, in the Eastern District of Pennsylvania, and elsewhere, defendant

**CHARLES PELZER,  
a/k/a “Tim Moxi”  
a/k/a “Tim Mori”  
a/k/a “Tim Max”**

knowingly and with the intent to defraud attempted to use, and aided and abetted and willfully caused the attempt to use of, an unauthorized access device, that is, a Discover credit card ending with 5272, in the name A.M., to obtain things of value aggregating \$1,000 or more during a one-year period, for a total of at least \$2,256, thereby affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 1029(a)(2), (b)(1) and 2.

**COUNT TEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

From on or about August 7, 2007 to on or about August 10, 2007, in the Eastern District of Pennsylvania, the District of Maryland, and elsewhere, defendant

**CHARLES PELZER,  
a/k/a “Tim Moxi”  
a/k/a “Tim Mori”  
a/k/a “Tim Max”**

knowingly and with the intent to defraud used, and aided and abetted and willfully caused the use

of, an unauthorized access device, that is, a Mastercard credit card ending with 1411, in the name B.R, to obtain things of value aggregating \$1,000 or more during a one-year period, for a total of at least \$4,331.25, thereby affecting interstate and foreign commerce.

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

**COUNT ELEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

From on or about August 7, 2007 to on or about August 10, 2007, in the Eastern District of Pennsylvania, the District of Maryland, and elsewhere, defendant

**CHARLES PELZER,  
a/k/a "Tim Moxi"  
a/k/a "Tim Mori"  
a/k/a "Tim Max"**

knowingly and without lawful authority possessed and used, and aided and abetted the possession and use of, a means of identification of another person, that is, the name of B.R., during and in relation to a credit card fraud scheme.

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

COUNT TWELVE

THE GRAND JURY FURTHER CHARGES THAT:

From on or about August 12, 2007 to on or about August 16, 2007, in the Eastern District of Pennsylvania, the District of Maryland, and elsewhere, defendant

**CHARLES PELZER,  
a/k/a “Tim Moxi”  
a/k/a “Tim Mori”  
a/k/a “Tim Max”**

knowingly and with the intent to defraud used, and aided and abetted and willfully caused the use

of, an unauthorized access device, that is, an American Express credit card ending with 42019, in the name A.K, to obtain things of value aggregating \$1,000 or more during a one-year period, for a total of at least \$4,389.00, thereby affecting interstate and foreign commerce.

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

**COUNT THIRTEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

From on or about August 12, 2007 to on or about August 16, 2007, in the Eastern District of Pennsylvania, the District of Maryland, and elsewhere, defendant

**CHARLES PELZER,  
a/k/a "Tim Max"  
a/k/a "Tim Mori"**

knowingly and without lawful authority possessed and used, and aided and abetted the possession and use of, a means of identification of another person, that is, the name of A.K., during and in relation to a credit card fraud scheme.

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

**COUNT FOURTEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

From on or about August 12, 2007 to on or about August 16, 2007, in the Eastern District of Pennsylvania, the District of Maryland, and elsewhere, defendant

**CHARLES PELZER,  
a/k/a “Tim Max”  
a/k/a “Tim Mori”**

knowingly and with the intent to defraud used, and aided and abetted and willfully caused the use

of, an unauthorized access device, that is, an American Express credit card ending with 21003, in the name C.H to obtain things of value aggregating \$1,000 or more during a one-year period, for a total of at least \$4,389.00, thereby affecting interstate and foreign commerce.

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

**COUNT FIFTEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

From on or about August 12, 2007 to on or about August 16, 2007, in the Eastern District of Pennsylvania, the District of Maryland, and elsewhere, defendant

**CHARLES PELZER,  
a/k/a "Tim Max"  
a/k/a "Tim Mori"**

knowingly and without lawful authority possessed and used, and aided and abetted the possession and use of, a means of identification of another person, that is, the name of C.H., during and in relation to a credit card fraud scheme.

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

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 18, United States Code, Sections 1029(a)(2) and 1344, set forth in this indictment, defendant

**CHARLES PELZER,  
a/k/a “Tim Max”  
a/k/a “Tim Mori”**

shall forfeit to the United States of America any property that constitutes or is derived from gross proceeds traceable to the commission of such offenses, including, but not limited to, the sum of \$61,600.

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) and 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)(2)(A).

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

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**MICHAEL L. LEVY**  
**UNITED STATES ATTORNEY**