

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

**UNITED STATES OF AMERICA** : **CRIMINAL NO. 10-**\_\_\_\_\_

**v.** : **DATE FILED: January 7, 2010**\_\_\_\_\_

**VAUGHN PIERCE** : **VIOLATIONS:**  
**18 U.S.C. § 1344 (bank fraud - 5 counts)**  
: **18 U.S.C. § 3147 (committing an offense while  
on release - 5 counts)**  
: **18 U.S.C. § 2 (aiding and abetting)**  
**Notice of forfeiture**

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

1. At all times material to this indictment, TruMark Financial Credit Union was a financial institution, the deposits of which were insured by the National Credit Union Share Insurance Fund, charter number 66158.

2. From in or about September 2009 through in or about December 2009, in Lansdowne, in the Eastern District of Pennsylvania, and elsewhere, defendant

**VAUGHN PIERCE**

knowingly executed, and attempted to execute, and aided and abetted the execution of, a scheme to defraud TruMark Financial Credit Union, and to obtain monies owned by and under the care, custody, and control of that financial institution by means of false and fraudulent pretenses, representations, and promises.

## **THE SCHEME**

It was part of the scheme that:

3. Defendant VAUGHN PIERCE forged fraudulent checks and obtained fraudulent checks that had been forged by others unknown to the grand jury, and then caused others to deposit these fraudulent checks into established accounts with financial institutions. These checks were written on closed accounts, were stolen, or otherwise lacked sufficient funds.

4. Persons known to the grand jury then withdrew and attempted to withdraw cash based on the deposit of the fraudulent checks. The fraudulent checks were eventually dishonored.

5. In furtherance of the scheme, defendant VAUGHN PIERCE aided and abetted the deposit of the following fraudulent checks on or about the following dates:

<b>Check Number</b>	<b>Amount</b>	<b>Date of Deposit</b>
145	\$3,428	September 30, 2009
155	\$3,840	November 25, 2009

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

## **COUNT TWO**

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

1. At all times material to this indictment, TD Bank, N.A., was a financial institution, the deposits of which were insured by the FDIC, certificate number 18409.
2. In or about December 2009, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

### **VAUGHN PIERCE**

knowingly executed, and attempted to execute, and aided and abetted the execution of, a scheme to defraud TD Bank, N.A., 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, and aided and abetted the same.

### **THE SCHEME**

It was part of the scheme that:

3. Defendant VAUGHN PIERCE forged fraudulent checks and obtained fraudulent checks that had been forged by others unknown to the grand jury, and then caused others to deposit these fraudulent checks into established accounts with financial institutions. These checks were written on closed accounts, were stolen, or otherwise lacked sufficient funds.

4. Persons known to the grand jury then withdrew and attempted to withdraw cash based on the deposit of the fraudulent checks. The fraudulent checks were eventually dishonored.

5. In furtherance of the scheme, defendant VAUGHN PIERCE aided and abetted the deposit of the following fraudulent check on or about the following date:

<b>Check Number</b>	<b>Amount</b>	<b>Date of Deposit</b>
1120	\$4,216	December 9, 2009

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

### **COUNT THREE**

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

1. At all times material to this indictment, Wachovia Bank was a financial institution, the deposits of which were insured by the FDIC, certificate number 33869.
2. In or about September 2009, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

#### **VAUGHN PIERCE**

knowingly executed, and attempted to execute, and aided and abetted the execution of, a scheme to defraud Wachovia Bank, 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**

It was part of the scheme that:

3. Defendant VAUGHN PIERCE forged fraudulent checks and obtained fraudulent checks that had been forged by others unknown to the grand jury, and then caused others to deposit these fraudulent checks into established accounts with financial institutions. These checks were written on closed accounts, were stolen, or otherwise lacked sufficient funds.

4. Persons known to the grand jury then withdrew and attempted to withdraw cash based on the deposit of the fraudulent checks. The fraudulent checks were eventually dishonored.

5. In furtherance of the scheme, defendant VAUGHN PIERCE aided and abetted the deposit of the following fraudulent check on or about the following date:

<b>Check Number</b>	<b>Amount</b>	<b>Date of Deposit</b>
143	\$4,316	September 25, 2009

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

## **COUNT FOUR**

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

1. At all times material to this indictment, Bank of America, N.A., was a financial institution, the deposits of which were insured by the FDIC, certificate number 3510.
2. In or about December 2009, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

### **VAUGHN PIERCE**

knowingly executed, and attempted to execute, and aided and abetted the execution of, a scheme to defraud Bank of America, N.A., 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**

It was part of the scheme that:

3. Defendant VAUGHN PIERCE forged fraudulent checks and obtained fraudulent checks that had been forged by others unknown to the grand jury, and then caused others to deposit these fraudulent checks into established accounts with financial institutions. These checks were written on closed accounts, were stolen, or otherwise lacked sufficient funds.
4. Persons known to the grand jury then withdrew and attempted to withdraw cash based on the deposit of the fraudulent checks. The fraudulent checks were eventually dishonored.

5. In furtherance of the scheme, defendant VAUGHN PIERCE aided and abetted the deposit the following fraudulent check on or about the following date:

<b>Check Number</b>	<b>Amount</b>	<b>Date of Deposit</b>
1119	\$3,846	December 9, 2009

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

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. At all times material to this indictment, American Heritage Federal Credit Union was a financial institution, the deposits of which were insured by the National Credit Union Share Insurance Fund, charter number 5621.
2. In or about October 2009, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

**VAUGHN PIERCE**

knowingly executed, and attempted to execute, and aided and abetted the execution of, a scheme to defraud American Heritage Federal Credit Union, and to obtain monies owned by and under the care, custody, and control of that financial institution by means of false and fraudulent pretenses, representations, and promises.

**THE SCHEME**

It was part of the scheme that:

3. Defendant VAUGHN PIERCE forged fraudulent checks and obtained fraudulent checks that had been forged by others unknown to the grand jury, and then caused others to deposit these fraudulent checks into established accounts with financial institutions. These checks were written on closed accounts, were stolen, or otherwise lacked sufficient funds.

4. Persons known to the grand jury then withdrew and attempted to withdraw cash based on the deposit of the fraudulent checks. The fraudulent checks were eventually dishonored.

5. In furtherance of the scheme, defendant VAUGHN PIERCE aided and abetted the deposit the following fraudulent check on or about the following date:

<b>Check Number</b>	<b>Amount</b>	<b>Date of Deposit</b>
144	\$3,428	October 21, 2009

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

**COUNTS SIX THROUGH TEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. From on or about December 18, 2008, through on or about December 9, 2009, defendant VAUGHN PIERCE was on release under Title 18, United States Code, Chapter 207, pursuant to an order dated December 18, 2008, of the United States District Court for the Eastern District of Pennsylvania, which order notified defendant VAUGHN PIERCE of the potential effect of committing an offense while on pretrial release.

2. On or about the dates listed below, defendant

**VAUGHN PIERCE,**

while released under Title 18, United States Code, Chapter 207, committed the offense of bank fraud and aided and abetted the same, in violation of Title 18, United States Code, Sections 1344 and 2:

<b>COUNT</b>	<b>BANK(S)</b>	<b>DATE</b>
6	Wachovia Bank	September 25, 2009
7	TruMark Financial Credit Union	September 30, 2009
8	American Heritage Federal Credit Union	October 21, 2009
9	TruMark Financial Credit Union	November 25, 2009
10	TD Bank, N.A. Bank of America, N.A.	December 9, 2009

All in violation of Title 18, United States Code, Sections 3147(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, Section 1344, set forth in this indictment, defendant

**VAUGHN PIERCE**

shall forfeit to the United States of America any property that constitutes, or is derived from, proceeds obtained directly or indirectly from the commission of such offenses, including, but not limited to, the sum of \$3,551.00.

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(s) 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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**GRAND JURY FOREPERSON**

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**MICHAEL L. LEVY**  
**United States Attorney**