

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

UNITED STATES OF AMERICA : **CRIMINAL NO. 12-_____**
v. : **DATE FILED: April 5, 2012**
CHRISTOPHER MARSHALL : **VIOLATIONS:**
: **18 U.S.C. § 371 (conspiracy -1 count)**
: **18 U.S.C. § 1344 (bank fraud - 1 count)**
: **18 U.S.C. § 1029(a)(5) (fraud in connection**
: **with access devices - 1 count)**
: **18 U.S.C. § 1028A (aggravated identity**
: **theft - 4 counts)**
: **18 U.S.C. § 2 (aiding & abetting)**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. PNC Bank was a financial institution, the deposits of which were insured by the FDIC, certificate number 6384.
2. From on or about May 10, 2011 through on or about July 26, 2011, in the Eastern District of Pennsylvania, defendant

CHRISTOPHER MARSHALL

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 PNC Bank, in violation of Title 18, United States Code, Section 1344, to knowingly and with intent to defraud effect fraudulent transactions with credit issued to other people, in violation of Title 18, United States Code, Section 1029, and to knowingly and without lawful authority use

a means of identification of another person, during and in relation to bank fraud and access device fraud, in violation of Title 18, United States Code, Section 1028A(a)(1), (c)(5).

MANNER AND MEANS

3. It was part of the conspiracy that defendant CHRISTOPHER MARSHALL and others used the names, bank account numbers, driver's license numbers and other means of identification of customers of PNC Bank to enrich themselves and defraud these banks by posing as customers of the banks at the teller windows and withdrawing funds from the customers' accounts and to fraudulently obtain retail store credit cards in the names of other individuals and make purchases with those fraudulently-obtained cards.

It was further a part of the conspiracy that:

4. Defendant CHRISTOPHER MARSHALL acted as a "check runner," posing as various bank customers to make fraudulent withdrawals from the bank accounts of those customers. In that capacity, defendant MARSHALL performed some or all of the following:

a. he received, from Co-Conspirator 1 and Co-Conspirator 2, persons known to the grand jury, and others unknown to the grand jury, personal identifying information for PNC Bank customers J.J., J.T., S.J. and J.P., including the bank customers' names, driver's license numbers, and bank account numbers;

b. he received, from Co-Conspirator 1 and Co-Conspirator 2 and others, in addition to the bank customers' account information, false photographic identification in the name of each customer;

c. he was instructed by Co-Conspirator 1 and Co-Conspirator 2 and others to make fraudulent withdrawals from the bank accounts of PNC Bank customers J.J., J.T., S.J. and J.P.;

d. he was provided, by Co-Conspirator 1 and Co-Conspirator 2 and others, transportation to and from the banks to make fraudulent withdrawals from the PNC Bank customers' accounts;

e. he gave the proceeds received from making each fraudulent withdrawal to Co-Conspirator 1 and Co-Conspirator 2; and

f. he was paid for his services by Co-Conspirator 1 and Co-Conspirator 2 for making the fraudulent withdrawals.

5. Defendant CHRISTOPHER MARSHALL fraudulently obtained and attempted to obtain, and aided and abetted the obtaining of, more than \$30,000 from the making of fraudulent withdrawals.

It was further part of the conspiracy that:

6. Defendant CHRISTOPHER MARSHALL, using the name, address, date of birth and social security number of others, provided to him by Co-Conspirator 1 and Co-Conspirator 2, as well as others unknown to the grand jury, obtained credit cards in the names of other individuals, and made purchases using the fraudulently-obtained credit cards. In that capacity, defendant MARSHALL performed some or all of the following:

a. he received from Co-Conspirator 1 and Co-Conspirator 2 and others the name, address, date of birth and social security number of P.H., S.J., and M.M., persons known to the grand jury.

b. at the direction of Co-Conspirator 1 and Co-Conspirator 2 and others, he obtained credit cards in the names of P.H., S.J., and M.M., using the information provided to him by Co-Conspirator 1 and Co-Conspirator 2;

c. at the direction of Co-Conspirator 1 and Co-Conspirator 2 and others, he made purchases, totaling more than \$9,000 with the fraudulent credit cards obtained in the names of P.H. and M.M.

OVERT ACTS

In furtherance of the conspiracy, defendant CHRISTOPHER MARSHALL and others, known and unknown to the grand jury, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. From on or about May 10, 2011 to on or about May 11, 2011, using the name, address, social security number and date of birth of P.H. provided by Co-Conspirator 1 and others, and at the direction of Co-Conspirator 1 and others, defendant CHRISTOPHER MARSHALL fraudulently obtained a Best Buy charge account in the name of P.H. and then used that fraudulently-obtained charge card to make approximately \$3,193.57 in purchases at Best Buy stores in Downingtown, Chester County, Pennsylvania and Philadelphia, Pennsylvania.

2. From on or about May 10, 2011 to on or about May 11, 2011, using the name, address, social security number and date of birth of P.H. provided by Co-Conspirator 1 and others, and at the direction of Co-Conspirator 1 and others, defendant CHRISTOPHER MARSHALL fraudulently obtained a Toys R Us charge account in the name of P.H. and then used that fraudulently-obtained charge card to make approximately \$1,813.94 in purchases at Toys R Us stores in Exton, Chester County, Pennsylvania and Philadelphia, Pennsylvania.

3. On or about June 29, 2011, using the name, address, social security number and date of birth of M.M. provided by Co-Conspirator 1 and others, and at the direction of Co-Conspirator 1 and others, defendant CHRISTOPHER MARSHALL fraudulently obtained a Best Buys charge account in the name of M.M. and then used that fraudulently-obtained charge card to make approximately \$3,653 in purchases at a Best Buy store in Willow Grove, Montgomery County, Pennsylvania.

4. On or about June 29, 2011, using the name, address, social security number and date of birth of M.M. provided by Co-Conspirator 1 and others, and at the direction of Co-Conspirator 1 and others, defendant CHRISTOPHER MARSHALL fraudulently obtained a Toys R Us charge account in the name of M.M. and then used that fraudulently-obtained charge card to make approximately \$953 in purchases at a Toys R Us store in Willow Grove, Montgomery County, Pennsylvania.

5. On or about July 11, 2011, defendant CHRISTOPHER MARSHALL, at the direction of Co-Conspirator 1 and Co-Conspirator 2 and others, using fraudulent identification in the name of PNC Bank customer J.J., made a fraudulent withdrawal in the amount of approximately \$9,000 against the PNC Bank account of J.J. at a PNC Bank branch located in Hazelton, Pennsylvania.

6. On or about July 12, 2011, defendant CHRISTOPHER MARSHALL, at the direction of Co-Conspirator 1 and Co-Conspirator 2 and others, using fraudulent identification in the name of PNC Bank customer J.T., made a fraudulent withdrawal in the amount of approximately \$9,000 against the PNC Bank account of J.T. at a PNC Bank branch located in Tannersville, Pennsylvania.

7. On or about July 18, 2011, defendant CHRISTOPHER MARSHALL, at the direction of Co-Conspirator 1 and Co-Conspirator 2 and others, using fraudulent identification in the name of PNC Bank customer S.J., made two fraudulent withdrawals, totaling approximately \$12,000 against the PNC Bank account of S.J. at PNC Bank branches located in Hanover Township and South Bethlehem, Pennsylvania.

8. On or about July 18, 2011, using the name, address, social security number and date of birth of S.J. provided by Co-Conspirator 1 and Co-Conspirator 2 and others, and at the direction of Co-Conspirator 1 and Co-Conspirator 2 and others, defendant CHRISTOPHER MARSHALL fraudulently obtained a Target charge account and a Best Buy charge account in the name of S.J.

9. On or about July 26, 2011, defendant CHRISTOPHER MARSHALL, at the direction of Co-Conspirator 1 and Co-Conspirator 2 and others, using fraudulent identification in the name of PNC Bank customer J.P., attempted to make a fraudulent withdrawal in the amount of approximately \$4,000 against the PNC Bank account of J.P. at a PNC Bank branch located in Mahoning Valley, Pennsylvania.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 and 3 through 5, and Overt Acts 5 through 7 and 9 of Count One are incorporated here.

2. From on or about July 11, 2011 to or about July 26, 2012, in the Eastern District of Pennsylvania and elsewhere, defendant

CHRISTOPHER MARSHALL

knowingly executed and attempted to execute, and aided and abetted the execution of, a scheme to defraud PNC 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

3. Defendant CHRISTOPHER MARSHALL used stolen account information and false identification documents of J.J., J.T., and J.P., account holders of PNC Bank, to fraudulently withdraw and attempt to withdraw money from the account of those account holders, and share the proceeds with Co-Conspirator 1 and Co-Conspirator 2 and others.

4. In furtherance of the scheme, having been driven from Philadelphia, Pennsylvania by one of his co-conspirators, defendant CHRISTOPHER MARSHALL made and attempted to make the following fraudulent transactions:

<u>DATE</u>	<u>LOCATION</u>	<u>ACCOUNT HOLDER</u>	<u>AMOUNT OF FRAUDULENT WITHDRAWAL</u>
07/11/11	Hazeltown, PA	J.J.	\$9,000
07/12/11	Tannersville, PA	J.T.	\$9,000

<u>DATE</u>	<u>LOCATION</u>	<u>ACCOUNT HOLDER</u>	<u>AMOUNT OF FRAUDULENT WITHDRAWAL</u>
07/26/11	Mahoning Valley, PA	J.P.	\$4,000 attempt

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

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 3 and 6, and Overt Acts 3 and 4 of Count One are incorporated here.
2. On or about June 29, 2011, in the Eastern District of Pennsylvania, defendant

CHRISTOPHER MARSHALL

knowingly and with the intent to defraud, effected transactions with one or more access devices, that is, a Best Buy credit card and a Toys R Us credit card in the name of M.M. to obtain things of value aggregating \$1,000 or more during a one-year period, for a total of at least \$4,000, thereby affecting interstate commerce.

In violation of Title 18, United States Code, Section 1029(a)(5).

COUNTS FOUR THROUGH SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

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

CHRISTOPHER MARSHALL

knowingly and without lawful authority, used, and aided and abetted the 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 or access device fraud:

<u>COUNT</u>	<u>DATE</u>	<u>ACCOUNT HOLDER</u>
4	06/29/11	M.M.
5	07/11/11	J.J.
6	07/12/11	J.T.
7	07/26/11	J.P.

All in violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(4), (c)(5) 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 and 1344, set forth in this information, defendant

CHRISTOPHER MARSHALL

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 \$39,613.

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

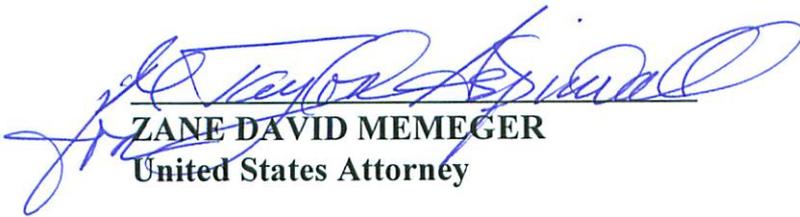
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot 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:

GRAND JURY FOREPERSON



ZANE DAVID MEMEGER
United States Attorney