

UNITED STATES DISTRICT COURT

for the

District of New Jersey

United States of America
v.

JOHN U. SIMON

Defendant(s)

Case No.

20-mj-2094

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 2018 through June 2020 in the county of Atlantic and Warren in the District of New Jersey, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Row 1: 18 U.S.C. Section 1029(b)(2), Conspiracy to Traffic in Unauthorized Access Devices (as more fully described in Attachment A)

This criminal complaint is based on these facts:

See Attachment B- Affidavit of Probable Cause

X Continued on the attached sheet.

Michael Inemer (handwritten signature)

Complainant's signature

Special Agent Michael Inemer, USSS

Printed name and title

Sworn to before me and signed in my presence.

Date: July 16, 2020

Joel Schneider (handwritten signature)

Judge's signature

City and state: Camden, New Jersey

Honorable Joel Schneider, U.S.M.J.

Printed name and title

CONTENTS APPROVED

UNITED STATES ATTORNEY

/s/ Patrick C. Askin

BY: _____
PATRICK C. ASKIN
Assistant United States Attorney

July 15, 2020

Date: _____

ATTACHMENT A

(Conspiracy to Traffic Unauthorized Access Devices)

From in or about November 2018 through in or about June 2020, in the District of New Jersey and elsewhere, the defendants,

JOHN SIMON and
ASHLEY KEELEY

knowingly and with the intent to defraud, did conspire with each other and others to traffic in one or more unauthorized access devices during a one-year period, and by such conduct, obtained things of value aggregating to \$1,000 or more during that period, such conduct having an effect on interstate commerce, all in violation of Title 18, United States Code, Section 1029(a)(2).

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

ATTACHMENT B
AFFIDAVIT OF PROBABLE CAUSE

I, MICHAEL INEMER, being duly sworn, states the following under oath:

1. I am a Special Agent with the United States Secret Service (“USSS”) currently assigned to the Atlantic City Resident Office and have been for approximately three years. Prior to my employment with the USSS, I was a police officer of the Philadelphia Police Department for approximately six years. My duties and responsibilities as special agent of the USSS include the investigation of white collar and financial crimes such as identity theft, bank fraud, false identification, access device fraud and check fraud. I have received training and participated in all of the aforementioned disciplines.

2. This affidavit is made in support of an application for a criminal complaint and warrant for the arrest of John U. Simon (“SIMON”) and Ashley Keeley (“KEELEY”), for engaging in a conspiracy to commit access device (credit card) fraud by possessing fourteen (14) or more counterfeit or unauthorized access devices, twenty-five (25) fraudulent identifications and nine (9) ledger books containing multiple personal identifiers to include social security numbers and credit/debit card information for numerous victims.

3. I have personally participated in this investigation and I am aware of the facts contained herein based upon on my personal knowledge, in addition to meeting with other law enforcement officers

possessing knowledge of this investigation from their participation. This affidavit is being submitted for the limited purpose of establishing probable cause to arrest SIMON and KEELEY, therefore, I have not included every fact known to me concerning this expansive investigation. I have set forth only those facts and circumstances that are necessary to establish probable cause for this offense as to these offenders.

4. On November 30, 2018, KEELEY, SIMON'S girlfriend, met with officers from the Brigantine Police Department ("BPD") regarding a temporary restraining order against SIMON, which had been previously issued in Montgomery County, Pennsylvania. KEELEY advised investigators that SIMON was in possession of a firearm; specifically a pistol, and that SIMON was currently located inside 241 B 35th Street South in Brigantine, New Jersey. KEELEY explained that she and SIMON resided there together and that SIMON stole the firearm from his mother. (At the time, Keeley had a protection from abuse order against Simon from a Pennsylvania court).

5. KEELEY stated that SIMON was involved in fraud, specifically credit card fraud, and maintained credit cards and fraudulent identification cards inside their aforementioned residence. KEELEY provided investigators with several websites that SIMON accessed to purchase personal identifiers of individuals as well their specific credit and/or debit card information. KEELEY further explained that this information included names, social security numbers, phone numbers,

and e-mail addresses. KEELEY stated that SIMON typically called the banking institutions to activate the fraudulent cards and also utilized Western Union to facilitate his illicit transactions. KEELEY added that SIMON's fraud operation generated approximately \$5,000.00 to \$7,000.00 monthly in proceeds.

6. Both KEELEY and SIMON have prior arrests for offenses involving fraud. According to SIMON's criminal history, he was arrested in February 2018 for violations that included access device fraud and narcotics. He pled guilty to the fraud charge, a misdemeanor of the third degree, and was sentenced to 12 months of probation. KEELEY was arrested with SIMON in February 2018 and charged with narcotics violations. KEELEY was subsequently arrested again on November 15, 2018, in Upper Merion Township, Pennsylvania. KEELEY was charged with fraud and theft by deception. This arrest was approximately two weeks prior to KEELEY and SIMON's interaction with Brigantine Police Department on or about November 30, 2018.

7. Following KEELEY's meeting with the Brigantine Police Department, and based on her representations, Municipal Court Judge Timothy Maguire issued a Domestic Violence Restraining Order and authorized a state search warrant for the premises located at 241 B 35th Street S, 2nd Fl, Brigantine, New Jersey, for the limited purpose of seizing any firearms possessed by SIMON at his residence.

8. Also, on November 30, 2018, police travelled to 241 B 35th Street South to serve SIMON with the restraining order. Investigators discovered SIMON alone inside the residence. As they conducted their protective sweep, officers observed suspected narcotics in plain view. Investigators also observed numerous cellular phones, electronic equipment and several fraudulent drivers' licenses purporting to be official documents of New York and Maine that contained several different names along with SIMON's actual photograph. Investigators also recovered a Savage Arms, model unknown, .32 caliber, semi-automatic pistol, serial number 113591, inside a cereal box, which was located inside a kitchen cabinet. Upon the discovery of the suspected narcotics and fraudulent documents, officers secured the scene until they could obtain two additional search and seizure warrant based on the suspected contraband observed, to authorize the seizure of these items and a broader search of the residence and SIMON'S automobile. SIMON was arrested and transported to the Brigantine Police Department for processing.

9. As a result of the execution of the search warrant for SIMON'S residence in Brigantine, New Jersey on or about November 30-December 1, 2018, the following items were seized: one (1) desktop computer, six (6) laptop computers, thirty (30) cellular phones, twenty two (22) fraudulent identification cards bearing the images of SIMON and KEELEY from multiple states, three (3) thumb drives, nine (9) ledger

notebooks containing personal identifiers of multiple individuals, and eight (8) counterfeit debit/credit cards. Investigators also seized a card cutting machine, a heat seal laminator, two card readers/encoders, an embossing machine, and a Cannon Pro 100 printer.

10. During a search of SIMON's 2014 black BMW 335i sedan (Pennsylvania registration KDY-5645, which was jointly titled to Suzanne Baurkot and John SIMON), the following items were seized: three (3) fictitious drivers' licenses, twelve (12) credit/debit cards, five (5) cellular phones, one (1) laptop computer, handwritten notes containing social security numbers, a Western Union form, and a Wells Fargo bank check bearing the names William and Floriana Leary.

11. At the police station, SIMON subsequently met with detectives, signed a written waiver of his Miranda rights and gave a videotaped statement. SIMON agreed to speak with investigators about his involvement in the alleged fraudulent activity. SIMON described how he purchased stolen credit card information, including obtaining personal identifiers of unsuspecting victims online via the dark web. SIMON also discussed his process for manufacturing fraudulent identifications and credit cards by purchasing or downloading templates, printing them at appropriate sizes, cutting them and laminating the finished products. SIMON further stated that both he and KEELEY conducted Western Union and MoneyGram transactions using these manufactured products with stolen personal information. SIMON

explained that after he and KEELEY obtained their victims' identities, SIMON would then wire various amounts of money from sources such as the stolen credit cards to a fictitious person for whom he concocted an identity and created an identification. SIMON and KEELEY subsequently retrieved those diverted funds for their personal gain.

12. SIMON stated that he and KEELEY utilized computers and cellular phones and committed fraudulent purchases and conducted wire transfers. SIMON further stated that he and KEELEY also contacted the credit card companies of the victims and obtained fraudulent authorizations.

13. On or about January 18, 2019, pursuant to a New Jersey state search warrant, Sergeant Stan Yates of the Atlantic County Prosecutor's Office conducted a forensic search on all of the electronic and digital storage devices listed that had been seized pursuant to the searches conducted on November 30, 2018. Sergeant Yates' forensic analysis identified the following: numerous photographs of fraudulent identification cards from various states, templates for manufacturing driver's licenses, passport photos, credit cards, multiple screenshots of personal credit card account information including social security numbers, date of birth, and address information, barcodes, bank transfers, western union transfers, bitcoin activity, Dark Web activity, and miscellaneous photos and videos of SIMON.

14. On June 8, 2020 SIMON and KEELEY were arrested at 1211 Park Avenue, Alpha, New Jersey, the location where SIMON was residing since December 2019. The Phillipsburg Police Department arrested SIMON and KEELEY pursuant to arrest warrants issued out of Bethlehem, Pennsylvania. On or about May 29, 2020, SIMON and KEELEY were charged in state court in Pennsylvania with identity theft, receiving stolen property, access device fraud, criminal conspiracy and theft by deception.

15. On June 9, 2020, a federal search warrant, authorized by Hon. Tonianne J. Bongiovanni, United States Magistrate Judge, was executed at 1211 Park Avenue, Alpha, New Jersey. Recovered items included notebooks containing personally identifiable information of over 200 people, a laminator, approximately 44 fraudulent identifications with images of SIMON or KEELEY and various names listed, a card printer, print stock, instant polaroid camera, money counter, computers and a cellular telephone. Also found in the notebooks with personally identifiable information were journal entries and gift card numbers. A list "Best Call Spoofers 2019" contained websites to allow the caller to hide or change the number that shows up on a caller-ID feature and a list of "2019 List of Instore Pickup order online."

16. The journal entries from KEELEY included notes to SIMON, her mother and also entries not directed to anyone specifically. A review of the notebook indicated that KEELEY was writing the entries. The

following are two examples of this from the notebook: One entry, from March 13, 2020 states “Yuppp that’s me today Ashley Ann Keeley!!” and another entry, undated, starts “Good Afternoon Christine, My name is Ashley Keeley.”

17. Another diary entry, dated January 18, 2020 states “we sit at home or wherever together, do drugs, run W.U. (a reference to Western Union) to make money to go gamble it and come home and repeat. I’m just as guilty of it as you are.” It is believed that “run W.U” means perpetrate fraud at Western Union, sending money from the stolen personally protected information accounts through Western Union for pickup by KEELEY and SIMON using the fraudulent identifications. An entry from March 13, 2020 states “I sit at home “Nana’s house with my fiancé committing credit card fraud, stealing from stores, letting my teeth rot outa my mouth.” Based on the investigation, it is believed that KEELEY is referring to 1211 Park Avenue, the location of the seizure of the evidence during the second search warrant as “Nana’s house”. Of the fake identifications recovered at 1211 Park Avenue, approximately 24 of them contained KEELEY’s photograph with various names listed.

This affidavit was sworn out via telephone, in compliance with Federal Rule of Criminal Procedure 4.1.

Michael Inemer
MICHAEL J. INEMER
Special Agent
United States Secret Service

Subscribed and sworn before me
this 16th day of July, 2020.

Paul Schindler
I
United States Magistrate Judge