

SEP 04 2019

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

U.S. DISTRICT COURT
WESTERN DIST. KENTUCKY

UNITED STATES OF AMERICA

INDICTMENT

v.

DONNA BRADSHAW
TAMMY GILBERT

NO. 3:19-cr-161-DJH
18 U.S.C. § 2
18 U.S.C. § 1344
18 U.S.C. § 1343
18 U.S.C. § 1028A
18 U.S.C. § 981(a)(1)(C)
18 U.S.C. § 982(a)
18 U.S.C. § 1028(b)

The Grand Jury charges:

COUNT 1
(*Bank Fraud*)

On or about and between March 2013 and June 2015, the exact dates being unknown, in the Western District of Kentucky, Marion County, Kentucky, **DONNA BRADSHAW** and **TAMMY GILBERT**, defendants herein, aided and abetted by each other, knowingly executed a scheme and artifice to obtain money, funds, assets and property owned by and under the custody and control of Citizens National Bank, a financial institution, by means of false and fraudulent pretenses, representations and promises, to wit:

- a. **BRADSHAW** provided false and fraudulent documents to L.P., which were purportedly from the United States Occupational Safety and Health Administration (OSHA);

- b. The false and fraudulent OSHA documents led L.P. to believe that **BRADSHAW** was participating in a loan program in which mortgage payments and home repair payments were eligible for reimbursement;
 - c. On more than one occasion **GILBERT**, at **BRADSHAW**'s direction, telephoned L.P. pretending to be an OSHA representative, and confirmed **BRADSHAW**'s participation in the purported OSHA loan program;
 - d. **BRADSHAW** asked L.P. to make payments for her mortgage and home repairs, and told L.P. that OSHA would reimburse these payments;
 - e. As a result of these false and fraudulent representations, at **BRADSHAW**'s request L.P. wrote numerous checks from his Citizens National Bank account, made payable to **BRADSHAW**'s husband, T.B., purportedly for mortgage payments and repairs; and
 - f. In reality there was no OSHA loan program, and these payments were never reimbursed.
- In violation of Title 18, United States Code, Sections 2 and 1344.

The Grand Jury further charges:

COUNTS 2-5
(Wire Fraud)

On or about and between March 2013 and June 2015, the exact dates being unknown, in the Western District of Kentucky, Marion County, Kentucky, **DONNA BRADSHAW** and **TAMMY GILBERT**, defendants herein, aided and abetted by each other, devised a scheme to defraud and to obtain money by means of false and fraudulent pretenses, representations and promises, and caused writings, signs, signals, pictures, and sounds to be transmitted by means of interstate wire communications for the purpose of executing the scheme, to wit: as part of the

scheme described in Count 1 above, **BRADSHAW** and **GILBERT** caused interstate wire communications on the following occasions:

COUNT	DATE	DESCRIPTION
2	10/9/14	Citizens National Bank check 6137, account xx9116, payable to Donna Bradshaw, for \$2,800.00
3	10/2/14	Citizens National Bank check 6139, account xx9116, payable to Donna Bradshaw, for \$2,600.00
4	4/2/15	Citizens National Bank check 6262, account xx9116, payable to T.B., for \$8,890.00
5	4/20/15	Citizens National Bank check 6267, account xx9116, payable to T.B., for \$8,700.00

In violation of Title 18, United States Code, Sections 2 and 1343.

The Grand Jury further charges:

COUNT 6
(Bank Fraud)

On or about and between June 2015 and June 2016, the exact dates being unknown, in the Western District of Kentucky, Marion County, Kentucky, **DONNA BRADSHAW** and **TAMMY GILBERT**, defendants herein, aided and abetted by each other, knowingly executed a scheme and artifice to obtain money, funds, assets and property owned by and under the custody and control of Citizens National Bank, a financial institution, by means of false and fraudulent pretenses, representations and promises, to wit:

- a. **BRADSHAW** provided false and fraudulent documents to L.P., which were purportedly from T, C, & S, a law firm in Louisville;
- b. The false and fraudulent T, C, & S documents led L.P. to believe that **BRADSHAW** was the recipient of a large inheritance, but that expenses had to be paid before the inheritance could be distributed;

- c. **GILBERT**, at **BRADSHAW**'s direction, telephoned L.P. pretending to be a T, C, & S representative, and confirmed **BRADSHAW**'s inheritance;
- d. **BRADSHAW** asked L.P. to pay her purported inheritance expenses, and told L.P. that she would reimburse these payments after she received her inheritance;
- e. As a result of these false and fraudulent representations, at **BRADSHAW**'s request L.P. wrote numerous checks from his Citizens National Bank account, made payable to **BRADSHAW**'s husband, T.B., purportedly for inheritance related expenses; and
- f. In reality there was no inheritance, and these payments were never reimbursed.

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

The Grand Jury further charges:

COUNTS 7-10
(Wire Fraud)

On or about and between June 2015 and June 2016, the exact dates being unknown, in the Western District of Kentucky, Marion County, Kentucky, **DONNA BRADSHAW** and **TAMMY GILBERT**, defendants herein, aided and abetted by each other, devised a scheme to defraud and to obtain money by means of false and fraudulent pretenses, representations and promises, and caused writings, signs, signals, pictures, and sounds to be transmitted by means of interstate wire communications for the purpose of executing the scheme, to wit: as part of the scheme described in Count 6 above, **BRADSHAW** and **GILBERT** caused interstate wire communications on the following occasions:

COUNT	DATE	DESCRIPTION
7	4/11/16	Citizens National Bank check 6423, account xx9116, payable to T.B., for \$6,786.00
8	4/20/16	Citizens National Bank check 6422, account xx9116, payable to T.B., for \$6,786.00

COUNT	DATE	DESCRIPTION
9	5/4/16	Citizens National Bank check 6431, account xx9116, payable to T.B., for \$28,000.00
10	5/27/16	Citizens National Bank check 6442, account xx9116, payable to T.B., for \$8,950.00

In violation of Title 18, United States Code, Sections 2 and 1343.

The Grand Jury further charges:

COUNT 11
(Aggravated Identity Theft)

On or about and between June 2015 and June 2016, the exact dates being unknown, in the Western District of Kentucky, Marion County, Kentucky, **DONNA BRADSHAW**, during and relation to the bank fraud and wire fraud described in Counts 6-10 above, knowingly transferred, possessed and used, without lawful authority, a means of identification of another person, S.T., to wit: **BRADSHAW** provided a letter to L.P. that was purportedly from the law firm T, C, & S, and purportedly signed by S.T., a named partner of that firm.

In violation of Title 18, United States Code, Section 1028A.

NOTICE OF FORFEITURE

As a result of committing offenses in violation of Title 18, United States Code, Sections 1343 and 1344 and Title 18, United States Code, Section 1028, as alleged in Counts 1 through 11 of this Indictment, felonies punishable by imprisonment for more than one year, the defendants, **DONNA BRADSHAW** and **TAMMY GILBERT**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 18, United States Code, Section 982(a) and Title 18, United States Code, Section 1028(b), any and all property constituting, or derived from, proceeds defendants obtained, directly or indirectly, as a result of the offenses, and any and

all of defendant's property used, or intended to be used, in any manner or part, to commit or to facilitate the commission of the violations alleged in Counts 1 through 11 of this Indictment.

Pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 18, United States Code, Section 982(a), and Title 18 United States Code, Section 1028(b).

A TRUE BILL.


FOREPERSON



RUSSELL M. COLEMAN
UNITED STATES ATTORNEY

RMC:DW:lb:08232019

UNITED STATES OF AMERICA v. DONNA BRADSHAW and TAMMY GILBERT

P E N A L T I E S

Counts 1 and 6: NM 30 yrs./\$1,000,000/both/NM 5 yrs. Supervised Release
Counts 2-5, 7-10: NM 20 yrs./\$250,000/both/NM 3 yrs. Supervised Release
Count 11: 2 yrs. (consecutive)/ \$250,000/both/NM 1 yr. Supervised Release
FORFEITURE

N O T I C E

ANY PERSON CONVICTED OF AN OFFENSE AGAINST THE UNITED STATES SHALL BE SUBJECT TO SPECIAL ASSESSMENTS, FINES, RESTITUTION & COSTS.

SPECIAL ASSESSMENTS

18 U.S.C. § 3013 requires that a special assessment shall be imposed for each count of a conviction of offenses committed after November 11, 1984, as follows:

Misdemeanor:	\$ 25 per count/individual	Felony:	\$100 per count/individual
	\$125 per count/other		\$400 per count/other

F I N E S

In addition to any of the above assessments, you may also be sentenced to pay a fine. Such fine is due immediately unless the court issues an order requiring payment by a date certain or sets out an installment schedule. You shall provide the United States Attorney's Office with a current mailing address for the entire period that any part of the fine remains unpaid, or you may be held in contempt of court. 18 U.S.C. § 3571, 3572, 3611, 3612

Failure to pay fine as ordered may subject you to the following:

1. **INTEREST** and **PENALTIES** as applicable by law according to last date of offense.

For offenses occurring after December 12, 1987:

No **INTEREST** will accrue on fines under \$2,500.00.

INTEREST will accrue according to the Federal Civil Post-Judgment Interest Rate in effect at the time of sentencing. This rate changes monthly. Interest accrues from the first business day following the two week period after the date a fine is imposed.

PENALTIES of:

10% of fine balance if payment more than 30 days late.

15% of fine balance if payment more than 90 days late.

2. Recordation of a **LIEN** shall have the same force and effect as a tax lien.
3. Continuous **GARNISHMENT** may apply until your fine is paid.

18 U.S.C. §§ 3612, 3613

If you **WILLFULLY** refuse to pay your fine, you shall be subject to an **ADDITIONAL FINE** of not more than the greater of \$10,000 or twice the unpaid balance of the fine; or **IMPRISONMENT** for not more than 1 year or both. 18 U.S.C. § 3615

RESTITUTION

If you are convicted of an offense under Title 18, U.S.C., or under certain air piracy offenses, you may also be ordered to make restitution to any victim of the offense, in addition to, or in lieu of any other penalty authorized by law. 18 U.S.C. § 3663

APPEAL

If you appeal your conviction and the sentence to pay your fine is stayed pending appeal, the court shall require:

1. That you deposit the entire fine amount (or the amount due under an installment schedule during the time of your appeal) in an escrow account with the U.S. District Court Clerk, or
2. Give bond for payment thereof.

18 U.S.C. § 3572(g)

PAYMENTS

If you are ordered to make payments to the U.S. District Court Clerk's Office, certified checks or money orders should be made payable to the Clerk, U.S. District Court and delivered to the appropriate division office listed below:

LOUISVILLE:	Clerk, U.S. District Court 106 Gene Snyder U.S. Courthouse 601 West Broadway Louisville, KY 40202 502/625-3500
BOWLING GREEN:	Clerk, U.S. District Court 120 Federal Building 241 East Main Street Bowling Green, KY 42101 270/393-2500
OWENSBORO:	Clerk, U.S. District Court 126 Federal Building 423 Frederica Owensboro, KY 42301 270/689-4400
PADUCAH:	Clerk, U.S. District Court 127 Federal Building 501 Broadway Paducah, KY 42001 270/415-6400

If the court finds that you have the present ability to pay, an order may direct imprisonment until payment is made.

FORM DBD-34
JUN 85

No.

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UNITED STATES DISTRICT COURT
Western District of Kentucky
At Louisville

THE UNITED STATES OF AMERICA

vs.

**DONNA BRADSHAW
TAMMY GILBERT**

INDICTMENT

COUNT 1

Bank Fraud

18 U.S.C. §§2 and 1344

COUNT 2-5

Wire Fraud

18 U.S.C. §§2 and 1343

COUNT 6

Bank Fraud

18 U.S.C. §§2 and 1344

COUNT 7-10

Wire Fraud

18 U.S.C. §§2 and 1343

COUNT 11

Bank Fraud

18 U.S.C. §§1028

FORFEITURE

A true bill.

Foreperson

Filed in open court this 4th day of September, 2019.

FILED

VANESSA L. ARMSTRONG, CLERK

SEP 04 2019

Clerk

Bail, \$

U.S. DISTRICT COURT
WEST'N. DIST. KENTUCKY
