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CLERK US DISTRICT COURT  
DISTRICT OF ARIZONA

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**CR19-01973 TUC-JGZ(MSD)**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

United States of America,  
Plaintiff,

vs.

Sheldon Shaun Hibbert,  
Defendant.

**INDICTMENT**

**VIOLATIONS:**

18 U.S.C. § 1349  
(Conspiracy to Commit Mail and Wire  
Fraud)  
(Count 1)

18 U.S.C. § 1341  
(Mail Fraud)  
(Counts 2)

18 U.S.C. § 1956(h)  
(Conspiracy to Commit Money  
Laundering)  
(Count 3)

18 U.S.C. §§ 981(a)(1)(C), 982(a)(1),  
982(a)(8); 28 U.S.C. § 2461(c)  
(Forfeiture Allegation)

**VICTIM CASE**

**THE GRAND JURY CHARGES:**

**Count 1**

**Conspiracy to Commit Mail Fraud and Wire Fraud  
[18 U.S.C. §1349]**

1. From a time unknown and continuing through on or about June, 2019, in the District of Arizona, and elsewhere, the defendant, SHELDON SHAUN HIBBERT

1 (“HIBBERT”) and others known and unknown to the grand jury, knowingly and  
2 voluntarily did unlawfully combine, conspire, confederate and agree together and with  
3 each other to knowingly execute and attempt to execute a scheme or artifice to defraud  
4 and a scheme or plan to obtain money or property by means of material false or  
5 fraudulent representations, promises and the intentional concealment of material facts, in  
6 violation of Title 18, United States Code, Section 1341 (Mail Fraud) and Title 18, United  
7 States Code, Section 1343 (Wire Fraud).

8 Manner/Means of the Conspiracy/Scheme to Defraud

9 2. The primary purpose of the conspiracy and scheme to defraud was for the  
10 defendant and other co-conspirators in the conspiracy to fraudulently obtain money from  
11 various victims through a fraudulent sweepstakes or lottery scheme. In furtherance of the  
12 conspiracy and scheme to defraud, the co-conspirators would communicate through  
13 interstate commerce fraudulent letters and other communications purporting to be from  
14 the Internal Revenue Service, the “Publishers Clearing House” or other lottery. These  
15 communications falsely represented the victims had won a prize, for example  
16 \$10,000,000.00. These communications also fraudulently represented that in order to  
17 obtain these winnings, the victims were required to make arrangements to pay taxes or  
18 other fees. These representations were false and fraudulent. In reality, the co-  
19 conspirators merely made these false and fraudulent representations with the intent to  
20 defraud solely to obtain the victims’ money and without any intent to provide any prize  
21 winnings.

22 3. As an example of how the conspiracy and scheme to defraud operated,  
23 Victim W.H., a resident of Phoenix, Arizona, at the time was 78 years old when W.H.  
24 received the fraudulent communications from the co-conspirators.<sup>1</sup> The co-conspirator(s)  
25 told W.H. that W.H. had won \$10 million and a Mercedes Benz. The caller(s) instructed  
26 W.H. that in order to receive the winnings, W.H. would be required to make payment of  
27

28 <sup>1</sup> Victim W.H. has been referred to by his/her initials.

1 fees. As directed, on or about April 29, 2015, W.H. mailed a cashier's check for \$6,500  
2 made payable to defendant HIBBERT in Orlando, Florida. Victim W.H. made various  
3 other transfers of money to HIBBERT in Orlando, Florida, including the following via  
4 MoneyGram from Arizona: May 4, 2015, \$3,000; May 8, 2015, \$2,850; May 11, 2015,  
5 \$1,700; May 15, 2015, \$2,500; and May 18, 2015, \$730. W.H. also made other money  
6 transfers to other "money runners" in addition to HIBBERT. W.H. never received any  
7 legitimate money or prize winnings from the co-conspirators. As a result, W.H. lost  
8 approximately \$700,000 from this scheme to defraud. Other victims of the lottery fraud  
9 scheme also sent money to defendant HIBBERT.

10 4. As an essential part of the conspiracy, as indicated, the co-conspirators  
11 caused to be issued mailings and interstate wire communications in furtherance of the  
12 conspiracy all in violation of Title 18, United States Code, Section 1349, enhanced by  
13 Title 18, U.S.C. § 2326, telemarketing fraud targeting persons over the age of 55.

14 **COUNT 2**  
15 **Mail Fraud**  
16 **[Title 18 U.S.C. § 1341]**

17 5. The factual allegations in paragraphs 2-3 of this indictment are re-alleged  
18 and incorporated by reference as if fully set forth herein.

19 6. On or about the dates set forth below, in the District of Arizona and  
20 elsewhere, the defendant HIBBERT, and others knowingly, willfully and with the intent  
21 to defraud, participated in, devised and intended to devise a scheme and artifice to  
22 defraud, and a scheme to obtain money or property by means of material false and  
23 materially fraudulent pretenses, statements, representations, and promises and by  
24 intentional concealment and omission of material facts.

25 **Use of the Mails**

26 7. On or about the dates listed below, within the District of Arizona, and  
27 elsewhere, the defendant, for the purpose of executing the aforesaid scheme and artifice  
28 to defraud, and attempting to do so, did knowingly cause to be delivered by mail certain

mail matter, that is, mailings of fraudulently obtained proceeds by the Postal Service, or a private or commercial interstate carrier, according to the directions thereon as described in each count below:

COUNT	DATE	DESCRIPTION OF MAILING
2	04/29/15	Mailing of \$6,500 cashier's check from W.H. payable to Sheldon Hibbert in Orlando, Florida

All in violation of Title 18, United States Code, Section 1341, enhanced by Title 18, U.S.C. § 2326, Telemarketing Fraud targeting persons over the age of 55.

### COUNT 3

#### **Conspiracy to Commit Money Laundering [Title 18 U.S.C. § 1956(h)]**

8. The factual allegations in paragraphs 2-3 of this indictment are re-alleged and incorporated by reference as if fully set forth herein.

9. From a time unknown through June, 2019, within the District of Arizona and elsewhere, defendant HIBBERT, and others known and unknown to the grand jury, did knowingly and willfully combine, conspire, and agree together, with each other and others to commit the following offense against the United States:

#### **Objects of the Conspiracy**

a. Concealment money laundering in violation of Title 18, United States Code, § 1956(a)(1)(B)(i).

10. The manner and means employed by the defendant HIBBERT and others in the conspiracy, to effect the objects of the conspiracy, were as follows:

a. knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, the defendant and others knowingly conducted, knowingly caused to be conducted, and attempted to conduct financial transactions through interstate commerce,

1 which in fact involved the proceeds of specified unlawful activity, that is,  
2 Mail and Wire Fraud, in violation of Title 18 U.S.C. §§ 1341 and 1343,  
3 knowing that the transactions were designed in whole or in part to conceal  
4 and disguise the nature, location, source, ownership and the control of the  
5 proceeds of some form of unlawful activity in violation of Title 18, United  
6 States Code, Section 1956(a)(1)(B)(i).

7 11. The defendant and others entered into a conspiracy to use various  
8 individuals to include the defendant to receive proceeds derived from the lottery fraud  
9 scheme to disguise the nature, location, source, ownership and control of the fraudulent  
10 proceeds. The defendant entered into a conspiracy to launder the fraudulent proceeds  
11 from the lottery fraud scheme, in part, to disguise the nature, location, source, ownership,  
12 and control of such fraudulent proceeds so the proceeds could be distributed amongst the  
13 members of the conspiracy.

14 12. All in violation of Title 18 United States Code, Section 1956(h).

15  
16 **FORFEITURE ALLEGATION**

17 Upon conviction of an offense in violation of Title 18, United States Code, Section  
18 1349, the defendant, HIBBERT, shall forfeit to the United States of America, pursuant to  
19 Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code,  
20 Section 2461(c), any property, real or personal, which constitutes or is derived from  
21 proceeds traceable to the offense.

22 Upon conviction of an offense in violation of Title 18, United States Code, Section  
23 1349 and/or 1341, the defendant, HIBBERT, shall forfeit to the United States of  
24 America, pursuant to Title 18, United States Code, Section 982(a)(8), any real or personal  
25 property --

26 a. used or intended to be used to commit, to facilitate, or to promote the  
27 commission of such offenses; and  
28

1           b.     constituting, derived from, or traceable to the gross proceeds obtained  
2           directly or indirectly as a result of the offenses.

3           Upon conviction of an offense in violation of Title 18, United States Code, Section  
4     1956, the defendant, HIBBERT, shall forfeit to the United States of America, pursuant to  
5     Title 18, United States Code, Section 982(a)(1), any property, real or personal, involved  
6     in such offense, and any property traceable to such property.

7           The property to be forfeited includes, but is not limited to, at least \$17,280 in U.S.  
8     currency, or a sum of money equal to the amount of proceeds obtained as a result of the  
9     offenses.

10          If any of the forfeitable property, as a result of any act or omission of the  
11     defendant: (1) cannot be located upon the exercise of due diligence; (2) has been  
12     transferred or sold to, or deposited with, a third party; (3) has been placed beyond the  
13     jurisdiction of the court; (4) has been substantially diminished in value; or (5) has been  
14     commingled with other property which cannot be divided without difficulty; it is the  
15     intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as  
16     incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United  
17     States Code, Section 2461(c), to seek forfeiture of any other property of said defendant  
18     up to the value of the above forfeitable property, including but not limited to all property,  
19     both real and personal, owned by the defendant.

20          All pursuant to Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(1),  
21     982(a)(8), 982(b)(1), Title 28, United States Code, Section 2461(c), and Rule 32.2(a),  
22     Federal Rules of Criminal Procedure.

A TRUE BILL

**/s/**

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Presiding Juror

MICHAEL BAILEY  
United States Attorney  
District of Arizona

**REDACTED FOR  
PUBLIC DISCLOSURE**

**/s/**

Assistant U.S. Attorney

Dated: July 24, 2019