



**Department of Justice**  
**U.S. Attorney's Office**  
**Southern District of Texas**

Donald J. DeGabrielle Jr. • United States Attorney

<b>FOR IMMEDIATE RELEASE</b>	<b>ANGELA DODGE</b>
<b>THURSDAY, APRIL 10, 2008</b>	<b>PUBLIC AFFAIRS OFFICER</b>
<a href="http://WWW.USDOJ.GOV/USAO/TXS">WWW.USDOJ.GOV/USAO/TXS</a>	<b>(713) 567-9388</b>

## **TWO MORE TEXAS RESIDENTS INDICTED FOR DEFRAUDING FEMA**

(HOUSTON, Texas) - A federal grand jury has returned two separate indictments charging James T. Leggett, 31, of Houston, and Amber Gutierrez, 33, of Galveston, with fraudulently obtaining Hurricane Rita disaster assistance, United States Attorney Don DeGabrielle announced today.

In response to Hurricanes Katrina and Rita, FEMA provided eligible households with an expedited payment of \$2,000 to assist victims with immediate food, shelter and clothing needs, with additional rental assistance payments to be made over time. To qualify for the emergency assistance, the damaged home in the disaster area must be where the applicant usually lives and where the applicant was residing at the time of the disaster. In the Houston area, FEMA contracted with the City of Houston to administer a portion of FEMA's housing assistance program whereby the City of Houston would provide direct rental assistance payments on behalf of those displaced by the storm and then obtain reimbursement from FEMA.

The indictments, both returned March 31, each charge Leggett and Gutierrez with submitting false claims, while Leggett faces the additional charge of theft of government property. Specifically, Leggett is accused of filing a disaster assistance claim using an address at which he did not reside at the time of Hurricane Rita and which was not damaged by the storm. He is also charged with obtaining housing assistance through FEMA's contract with the City of Houston for more than a year after the landfall of the hurricane. Gutierrez's indictment alleges she applied for FEMA assistance under the fictitious name of "Amber Dent" and fraudulently listed an address that was not damaged and at which she did not reside during Hurricane Rita.

Leggett made his initial appearance and arraignment before United States Magistrate Judge Frances H. Stacy yesterday and was released on a \$20,000 bond. Gutierrez is still at large and a warrant for her arrest has been issued. Anyone having information about the whereabouts of

Gutierrez is asked to contact the Department of Homeland Security - Office of Inspector General Hurricane Relief Fraud Hotline at their toll free number listed below.

The false claim charges in both cases carries a maximum punishment of five years imprisonment and a fine of up to \$250,000. The theft of government property charge in the Leggett case carries a statutory maximum punishment of 10 years imprisonment and a fine of up to \$250,000.

With the return of these indictments, a total of 74 individuals have been charged in the Southern District of Texas with fraud relating to Hurricane Katrina or Rita.

Both cases were investigated by the Department of Homeland Security - Office of Inspector General, with assistance from Federal Protective Services. These cases are being prosecuted by Assistant United States Attorney Jason Varnado.

The United States Attorney's Office for the Southern District of Texas is a member of the Department of Justice's Hurricane Katrina Fraud Task Force, created by the Attorney General of the United States to deter, detect and prosecute unscrupulous individuals who try to take advantage of the Hurricane Katrina and Rita disasters. Headed by Assistant Attorney General Alice S. Fisher, the Task Force is comprised of federal, state and local law enforcement investigating agencies and the United States Attorney's Offices in the Gulf Coast region and nationwide.

Anyone suspecting criminal activity involving disaster assistance programs can make an anonymous report by calling the toll-free Hurricane Relief Fraud Hotline, 1-866-720-5721, 24 hours a day, seven days a week until further notice. Information can also be e-mailed to the inspector general at [dhsorghotline@dhs.gov](mailto:dhsorghotline@dhs.gov) or sent by surface mail, with as many details as possible, to:

Department of Homeland Security  
Washington, DC. 20528  
Attn: Office of Inspector General, Hotline

**An indictment or superseding indictment is a formal accusation of criminal conduct, not evidence. A defendant is presumed innocent unless and until convicted through due process of law.**

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