

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

UNITED STATES OF AMERICA

v.

INFORMATION

KEVIN R. GRIFFIN

5:16 cr 29/RH

THE UNITED STATES ATTORNEY CHARGES:

COUNT ONE

A. INTRODUCTION

At all times material to this Information:

1. The Bank of Bonifay (“BOB”) was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation (“FDIC”).
2. On or about May 7, 2010, BOB became a division of First Federal Bank of Florida (“FFBF”), a financial institution, the deposits of which were insured by the FDIC.
3. The defendant, **KEVIN R. GRIFFIN**, was employed by BOB in Marianna, Florida, as a loan officer.

B. THE CHARGE

Between on or about January 26, 2010, and on or about January 4, 2012, in the Northern District of Florida, the defendant,

KEVIN R. GRIFFIN,

did knowingly and willfully execute and attempt to execute a scheme to obtain monies, funds, credits, assets, and other property owned by and under the custody and control of The Bank of Bonifay and First Federal Bank of Florida, federally insured financial institutions, by means of materially false and fraudulent pretenses, representations, and promises.

C. THE SCHEME

It was part of the scheme that:

1. The defendant, **KEVIN R. GRIFFIN**, made and caused to be made false and fraudulent representations in loan applications and loan documents in order to make it falsely appear that borrowers qualified for loans.
2. **KEVIN R. GRIFFIN** caused BOB to issue loans and to disburse loan proceeds to borrowers based upon loan applications and loan documents that falsely represented the loans were secured by assets of third parties.
3. **KEVIN R. GRIFFIN** caused falsely made and forged documents, including assignments of deposit, to be included in loan applications and in the books and records of BOB.

4. **KEVIN R. GRIFFIN** caused BOB to issue loans and disburse loan proceeds to borrowers without requiring the borrowers to complete a loan application or to demonstrate the borrowers' ability to repay the loans.

5. **KEVIN R. GRIFFIN** embezzled and made unauthorized withdrawals from the accounts of BOB customers and used these monies to: fund the loans of other BOB customers, to pay the debts of third parties, to make payments on his own personal loans and extensions of credit, to repay monies that he had embezzled from the accounts of BOB customers, and to fraudulently conceal the fact that he had caused BOB to make loans to unqualified borrowers.

6. When BOB customers complained about unauthorized withdrawals from their accounts, **KEVIN R. GRIFFIN** falsely represented that these withdrawals were the result of a bank error.

7. By this conduct, **KEVIN R. GRIFFIN** embezzled, fraudulently obtained, and attempted to fraudulently obtain approximately \$629,095.06 in monies, funds, and credits owned by and under the custody and control of BOB and FFBF.

D. EXECUTION OF THE SCHEME

For the purpose of executing and attempting to execute this fraudulent scheme, the defendant, **KEVIN R. GRIFFIN**, did knowingly and willfully cause a cashier's check in the amount of \$23,761.50 to be drawn on a BOB bank account

in the name of H.D. and deposited into **KEVIN R. GRIFFIN**'s personal line of credit at SunTrust Bank on or about June 17, 2011.

In violation of Title 18, United States Code, Section 1344(2).

CRIMINAL FORFEITURE

The allegations contained in Count One of this Information are hereby realleged and incorporated by reference for the purpose of alleging forfeiture. From his engagement in the violation alleged in Count One of this Information, the defendant,

KEVIN R. GRIFFIN,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), and Title 28, United States Code, Section 2461(c), any and all of the defendant's right, title, and interest in any property, real and personal, constituting, and derived from, proceeds obtained, directly and indirectly, as a result of such violation.

If any of the property described above as being subject to forfeiture, as a result of acts or omissions of the defendant:

- i. cannot be located upon the exercise of due diligence;
- ii. has been transferred, sold to, or deposited with a third party;
- iii. has been placed beyond the jurisdiction of this Court;
- iv. has been substantially diminished in value; or

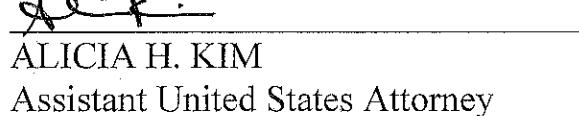
v. has been commingled with other property that cannot be subdivided without difficulty,

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property.



CHRISTOPHER P. CANOVA
United States Attorney

October 14, 2016
DATE



ALICIA H. KIM
Assistant United States Attorney

11/18/16
DATE