

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SEALED

UNITED STATES OF AMERICA

v.

CASE NO. 8:22-CR-00407-SDM-JSS
18 U.S.C. § 1349
18 U.S.C. § 1343
18 U.S.C. § 1028A(a)(1)

LESTER BEST,
ANDREA MITCHELL,
GLORIA GUTIERREZ,
ANDRE WRIGHT,
SYLVESTER ROBINSON,
NEUKENYA JOKINES,
KINYA LILLIE,
JEWELL JORDAN, and
ROZAUNDRA LILLIE

2022 NOV 29 PM 1:08
CLERK, US DISTRICT COURT
MIDDLE DISTRICT FLORIDA
TAMPA, FLORIDA

FILED

INDICTMENT

The Grand Jury charges:

COUNT ONE
(Conspiracy to Commit Wire Fraud)

A. Introduction

At times material to this Indictment:

1. HIGHER EDUCATION INSTITUTION (“HEI”) was an accredited academic institution that awarded associate degrees, certificates, and diplomas. HEI was located in the Middle District of Florida.

2. ANDREA MITCHELL (“MITCHELL”), a resident of the Middle District of Florida, was employed by HEI from in or around November 2013,

through in or around January 2019. MITCHELL served as a financial services manager whose responsibilities included, but were not limited to, student billing and student refund management, and her position afforded her access to HEI students' personal identifiable information ("PII"). MITCHELL used her position with HEI and her access to students' PII and other student data to cause the creation of false and fraudulent checks drawn on illusory outstanding balances in HEI students' sponsorship accounts and, thereby, embezzle funds from HEI.

3. LESTER BEST ("BEST"), a resident of the Middle District of Florida, obtained false and fraudulent checks caused to be created by MITCHELL, recruited coconspirators to negotiate and cause the negotiation of said checks, often transported or otherwise accompanied coconspirators to financial institutions or ATMs for the purpose of negotiating said checks, typically compensated said coconspirators for their roles in the conspiracy using fraud proceeds, and received the majority of the fraud proceeds generated by the false and fraudulent checks he obtained for his own personal enrichment.

4. GLORIA GUTIERREZ, a resident of the Middle District of Florida, negotiated, and caused to be negotiated, false and fraudulent checks caused to be created by MITCHELL and provided to her by BEST.

5. ANDRE WRIGHT, a resident of the Northern District of Georgia, negotiated, and caused to be negotiated, false and fraudulent checks caused to be created by MITCHELL and provided to him by BEST.

6. SYLVESTER ROBINSON, a resident of the Middle District of Florida, negotiated, and caused to be negotiated, false and fraudulent checks caused to be created by MITCHELL and provided to him by BEST.

7. NEUKENYA JOKINES, a resident of the Middle District of Florida, negotiated, and caused to be negotiated, false and fraudulent checks caused to be created by MITCHELL and provided to her by BEST.

8. KINYA LILLIE, a resident of the Middle District of Florida, negotiated, and caused to be negotiated, false and fraudulent checks caused to be created by MITCHELL and provided to her by BEST.

9. JEWELL JORDAN, a resident of the Middle District of Florida, negotiated, and caused to be negotiated, false and fraudulent checks caused to be created by MITCHELL and provided to her by BEST.

10. ROZAUNDRA LILLIE, a resident of the Middle District of Florida, negotiated, and caused to be negotiated, false and fraudulent checks caused to be created by MITCHELL and provided to her by BEST.

11. A student identification number (“SIN”) was a unique seven-digit number assigned to an individual as soon as he or she enrolled at HEI. A SIN was a means of identification assigned to each student and used for all internal systems within HEI. Authorized HEI employees, including MITCHELL, had access to SINS. Using a SIN, an HEI employee could access a student’s PII.

12. TUITION MANAGEMENT BUSINESS (“TMB”) was a third-party provider that offered tuition management, a student information system, payment

administration and processing, financial needs assessment, and online admissions/enrollment solutions for educational institutions.

13. COLLEGE SAVINGS PROGRAM (“CSP”) was a college savings program offered in the state of Florida. CSP offered individuals the opportunity to develop a college savings plan for an intended beneficiary. The savings plan could be used to pay, among other expenses, the following: tuition, fees, certain room and board expenses, textbooks, specified supplies and equipment and internet service, and special needs services incurred in connection with enrollment or attendance.

14. “Student sponsorship accounts” were bank accounts set up by third party providers, such as TMB and CSP. When a student enrolled with HEI and was assigned a SIN, that student’s SIN was also linked to any corresponding student sponsorship account. When a student required funds for class enrollment, textbooks, or other school-related expenses, funds were withdrawn from the student’s sponsorship account to cover those costs.

15. ONLINE PLATFORM, SOFTWARE AND DATABASE (“OPS”) was an enterprise resource planning system that provided secure access to information that various institutions needed to manage assets and information. HEI used OPS to store and access, in addition to other information, the following: financial information, admissions information, student registration information, and financial aid information. OPS also maintained students’ PII, including names, SINs, addresses, and account balances. Each HEI employee had a unique HEI-

assigned username and self-created password which granted that employee access to OPS's database.

16. Financial Institution #1, headquartered in North Carolina, had computer servers used for processing financial transactions, including cash withdrawals, which servers were located outside the State of Florida.

17. Financial Institution #2, headquartered in Virginia, had computer servers used for processing financial transactions, including check deposits, which servers were located outside the State of Florida.

18. Financial Institution #3, headquartered in Georgia, had computer servers used for processing financial transactions, including check deposits, which servers were located outside the State of Florida.

B. The Conspiracy

19. From an unknown date, but at least as early as in or around November 2017, and continuing through in or around January 2019, in the Middle District of Florida and elsewhere, the defendants,

LESTER BEST,
ANDREA MITCHELL,
GLORIA GUTIERREZ,
ANDRE WRIGHT,
SYLVESTER ROBINSON,
NEUKENYA JOKINES,
KINYA LILLIE,
JEWELL JORDAN, and
ROZAUNDRALILLIE,

did knowingly and voluntarily combine, conspire, confederate, and agree with each other and others, both known and unknown to the Grand Jury, to commit wire fraud, in violation of 18 U.S.C. § 1343.

C. Manner and Means of the Conspiracy

20. The manner and means by which the defendants sought to accomplish the object and purpose of the conspiracy included, among others, the following:

a. It was part of the conspiracy that conspirators would and did use, and cause to be used, MITCHELL's position with HEI and her access to students' PII and other student data to embezzle funds from HEI.

b. It was further part of the conspiracy that MITCHELL would and did use, and cause to be used, SINS of current and former HEI students in order to access the students' sponsorship accounts, identify refunds made by HEI to TMB or CSP, and locate entries in OPS of illusory outstanding balances in HEI students' sponsorship accounts.

c. It was further part of the conspiracy that MITCHELL would and did aggregate, and cause to be aggregated, illusory outstanding balances in HEI students' sponsorship accounts to create the appearance of funds to back false and fraudulent checks.

d. It was further part of the conspiracy that BEST would and did recruit coconspirators, including, but not limited to, GUTIERREZ, WRIGHT, ROBINSON, JOKINES, KINYA LILLIE, JORDAN, and ROZAUNDRALILLIE, to negotiate false and fraudulent checks.

e. It was further part of the conspiracy that MITCHELL would and did change, and cause to be changed, the names of payees on false and fraudulent checks from either TMB or CSP to the names of coconspirators.

f. It was further part of the conspiracy that MITCHELL would and did cause HEI to create false and fraudulent checks drawn on illusory outstanding balances in HEI students' sponsorship accounts.

g. It was further part of the conspiracy that MITCHELL would and did cause HEI to issue false and fraudulent checks made payable to various coconspirators, none of whom were HEI students at the time.

h. It was further part of the conspiracy that BEST would and did deliver, and cause to be delivered, false and fraudulent checks to coconspirators, including, but not limited to, GUTIERREZ, WRIGHT, ROBINSON, JOKINES, KINYA LILLIE, JORDAN, and ROZAUNDRA LILLIE.

i. It was further part of the conspiracy that often BEST would and did transport and/or accompanying coconspirators to financial institutions and ATMs for the purpose of said coconspirators negotiating false and fraudulent checks.

j. It was further part of the conspiracy that coconspirators, including, but not limited to, GUTIERREZ, WRIGHT, ROBINSON, JOKINES, KINYA LILLIE, JORDAN, and ROZAUNDRA LILLIE, would and did negotiate, and cause to be negotiated, false and fraudulent checks—usually by cashing or depositing the checks—and would and did give most or all of the fraud proceeds from the checks to BEST.

k. It was further part of the conspiracy that typically BEST would and did compensate coconspirators for their roles in the conspiracy using fraud proceeds from false and fraudulent checks negotiated.

l. It was further part of the conspiracy that conspirators would and did use fraud proceeds from false and fraudulent checks negotiated to pay personal expenses and otherwise for their personal enrichment.

m. It was further part of the conspiracy that the conspirators would and did perform acts and make statements to misrepresent, hide and conceal, and cause to be misrepresented, hidden and concealed, the purpose of the conspiracy and the acts committed in furtherance thereof.

All in violation of 18 U.S.C. § 1349.

COUNTS TWO THROUGH TWENTY-THREE
(Wire Fraud)

Introduction

1. The allegations contained in Section A of Count One of this Indictment are hereby realleged and incorporated by reference as if fully set forth herein.

A. The Scheme and Artifice

2. From at least as early as in or around November 2017, and continuing through in or around January 2019, in the Middle District of Florida and elsewhere, the defendants,

LESTER BEST,
ANDREA MITCHELL,
GLORIA GUTIERREZ,
ANDRE WRIGHT,

SYLVESTER ROBINSON,
NEUKENYA JOKINES.
KINYA LILLIE,
JEWELL JORDAN, and
ROZAUNDRA LILLIE,

knowingly devised and intended to devise a scheme and artifice to defraud, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises about material facts.

B. Manner and Means of the Scheme and Artifice

3. The allegations contained in Section C of Count One of this Indictment are hereby realleged and incorporated by reference as if fully set forth herein.

C. Execution of the Scheme and Artifice

4. On or about the date set forth below in each count, in the Middle District of Florida and elsewhere, the defendants,

LESTER BEST,
ANDREA MITCHELL,
GLORIA GUTIERREZ,
ANDRE WRIGHT,
SYLVESTER ROBINSON,
NEUKENYA JOKINES,
KINYA LILLIE,
JEWELL JORDAN, and
ROZAUNDRA LILLIE,

for the purpose of executing the aforementioned scheme and artifice, knowingly and intentionally transmitted and caused to be transmitted by means of wire communication in interstate and foreign commerce the writings, signs, signals, pictures, and sounds described below, each transmission constituting a separate count:

Count	Date of Wire	Defendants	Description of Wire
TWO	12-02-2017	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDRA LILLIE	An interstate wire effectuating ROZAUNDRA LILLIE's negotiation of HEI check #0354083 and corresponding cash withdrawal of \$1,140.46 from the HEI account ending in -6491 at Financial Institution #1
THREE	12-09-2017	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDRA LILLIE	An interstate wire effectuating KINYA LILLIE's negotiation of HEI check #0354305 and corresponding cash withdrawal of \$2,144.44 from the HEI account ending in -6491 at Financial Institution #1
FOUR	12-11-2017	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDRA LILLIE	An interstate wire effectuating ROZAUNDRA LILLIE's negotiation of HEI check #0354317 and corresponding cash withdrawal of \$1,575.55 from the HEI account ending in -6491 at Financial Institution #1
FIVE	12-11-2017	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDRA LILLIE	An interstate wire effectuating JEWELL JORDAN's negotiation of HEI check #0354304 and corresponding cash withdrawal of \$3,575.53 from the HEI account ending in -6491 at Financial Institution #1

Count	Date of Wire	Defendants	Description of Wire
SIX	1-19-2018	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDRA LILLIE	An interstate wire transfer of \$5,000 from NEUKENYA JOKINES' account ending in -4139 to LESTER BEST's account ending in -4100, both at Financial Institution #2
SEVEN	1-22-2018	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, SYLVESTER ROBINSON, NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDRA LILLIE	An interstate wire effectuating SYLVESTER ROBINSON's negotiation of HEI check #0355089 and corresponding cash withdrawal of \$3,967.23 from the HEI account ending in -6491 at Financial Institution #1
EIGHT	1-27-2018	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, SYLVESTER ROBINSON, NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDRA LILLIE	An interstate wire effectuating JEWELL JORDAN's negotiation of HEI check #0355198 and corresponding cash withdrawal of \$5,365.04 from the HEI account ending in -6491 at Financial Institution #1
NINE	2-06-2018	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, SYLVESTER ROBINSON, NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDRA LILLIE	An interstate wire effectuating KINYA LILLIE's negotiation of HEI check #0355846 and corresponding cash withdrawal of \$8,267.60 from the HEI account ending in -6491 at Financial Institution #1

Count	Date of Wire	Defendants	Description of Wire
TEN	2-06-2018	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, SYLVESTER ROBINSON, NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDRA LILLIE	An interstate wire effectuating ROZAUNDRA LILLIE's negotiation of HEI check #0356043 and corresponding cash withdrawal of \$7,227.41 from the HEI account ending in -6491 at Financial Institution #1
ELEVEN	2-06-2018	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, SYLVESTER ROBINSON, NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDRA LILLIE	An interstate wire effectuating SYLVESTER ROBINSON's negotiation of HEI check #0356095 and corresponding cash withdrawal of \$6,933.33 from the HEI account ending in -6491 at Financial Institution #1
TWELVE	2-07-2018	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, SYLVESTER ROBINSON, NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDRA LILLIE	An interstate wire effectuating JEWELL JORDAN's negotiation of HEI check #0355817 and corresponding cash withdrawal of \$8,468.97 from the HEI account ending in -6491 at Financial Institution #1
THIRTEEN	2-07-2018	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, SYLVESTER ROBINSON, NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDRA LILLIE	An interstate wire effectuating GLORIA GUTIERREZ's negotiation of HEI check #0355746 and corresponding cash withdrawal \$8,097.61 from the HEI account ending in -6491 at Financial Institution #1

Count	Date of Wire	Defendants	Description of Wire
FOURTEEN	2-13-2018	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, ANDRE WRIGHT, SYLVESTER ROBINSON, NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDR LILLIE	An interstate wire effectuating ANDRE WRIGHT's negotiation of HEI check #0355537 and corresponding cash withdrawal of \$8,542.04 from the HEI account ending in -6491 at Financial Institution #1
FIFTEEN	2-17-2018	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, ANDRE WRIGHT, SYLVESTER ROBINSON, NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDR LILLIE	An interstate wire effectuating ANDRE WRIGHT's negotiation of HEI check #0356599 and corresponding cash withdrawal of \$8,011.05 from the HEI account ending in -6491 at Financial Institution #1
SIXTEEN	2-24-2018	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, ANDRE WRIGHT, SYLVESTER ROBINSON, NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDR LILLIE	An interstate wire effectuating KINYA LILLIE's negotiation of HEI check #0357118 and corresponding cash withdrawal of \$4,509.31 from the HEI account ending in -6491 at Financial Institution #1
SEVENTEEN	4-04-2018	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, ANDRE WRIGHT, SYLVESTER ROBINSON, NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDR LILLIE	An interstate wire effectuating ANDRE WRIGHT's negotiation of HEI check #0358238 and corresponding cash withdrawal of \$3,737.40 from the HEI account ending in -6491 at Financial Institution #1

Count	Date of Wire	Defendants	Description of Wire
EIGHTEEN	4-06-2018	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, ANDRE WRIGHT, SYLVESTER ROBINSON, NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDR A LILLIE	An interstate wire effectuating GLORIA GUTIERREZ's negotiation of HEI check #0358536 and corresponding cash withdrawal of \$4,934.93 from the HEI account ending in -6491 at Financial Institution #1
NINETEEN	5-03-2018	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, ANDRE WRIGHT, SYLVESTER ROBINSON, NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDR A LILLIE	An interstate wire effectuating LESTER BEST's deposit of HEI check #0358218 in the amount of \$3,314.96, made payable to BEST via a coconspirator's endorsement, into BEST's account ending in -4100 at Financial Institution #2
TWENTY	8-10-2018	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, ANDRE WRIGHT, SYLVESTER ROBINSON, NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDR A LILLIE	An interstate wire effectuating GLORIA GUTIERREZ's negotiation of HEI check #0362643 and corresponding cash withdrawal of \$6,073.76 from the HEI account ending in -6491 at Financial Institution #1
TWENTY-ONE	9-21-2018	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, ANDRE WRIGHT, SYLVESTER ROBINSON, NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDR A LILLIE	An interstate wire transfer in the amount of \$5,000 from NEUKENYA JOKINES' account ending in -4139 to LESTER BEST's account ending in -4100, both at Financial Institution #2

Count	Date of Wire	Defendants	Description of Wire
TWENTY-TWO	10-11-2018	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, ANDRE WRIGHT, SYLVESTER ROBINSON, NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDRA LILLIE	An interstate wire transfer in the amount of \$3,500 from NEUKENYA JOKINES' account ending in -4139 to LESTER BEST's account ending in -4100, both at Financial Institution #2
TWENTY-THREE	2-06-2019	LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, SYLVESTER ROBINSON, NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, and ROZAUNDRA LILLIE	An interstate wire transfer of \$22,986 from HEI's account ending in -6491 at Financial Institution #1 to SYLVESTER ROBINSON's account ending in -4498 at Financial Institution #3

In violation of 18 U.S.C. § 1343.

COUNTS TWENTY-FOUR AND TWENTY-FIVE
(Aggravated Identity Theft)

A. Introduction

1. The allegations contained in Sections A and C of Count One of this Indictment are hereby realleged and incorporated by reference as if fully set forth herein.

B. The Charges

2. On or about the dates listed below in each count, in the Middle District of Florida and elsewhere, the defendant,

ANDREA MITCHELL,

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, specifically, the SIN belonging to each HEI-1 student referenced below, during and in relation to the felony violation 18 U.S.C. § 1343 (wire fraud), knowing that such means of identification belonged to an actual person:

Count	Date	Victim	Means of Identification
TWENTY- FOUR	12-06-2017	E.E.	Student Identification Number
TWENTY- FIVE	12-06-2017	D.M.	Student Identification Number

In violation of 18 U.S.C. §§ 1028A(a)(1) and 2.

FORFEITURE

1. The allegations contained in Counts One through Twenty-Three are incorporated by reference for the purpose of alleging forfeiture pursuant to the provisions of 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2462(c).
2. Upon conviction of a violation of 18 U.S.C. § 1343 and/or 18 U.S.C. § 1349, the defendants shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property constituting, or derived from, proceeds the person obtained directly or indirectly, as a result of such violation.
3. If any of the property described above, as a result of any act or omission of the defendant:
 - a. cannot be located upon the exercise of due diligence;

- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value;
- e. has been commingled with other property which cannot be divided without difficulty;

the United States shall be entitled to forfeiture of substitute property under the provisions of 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).

A TRUE BILL,



Foreperson

ROGER B. HANDBERG
United States Attorney

By:



Candace Garcia Rich
Assistant United States Attorney

By:



Rachelle DesVaux Bedke
Assistant United States Attorney
Chief, Economic Crimes Section

No.

UNITED STATES DISTRICT COURT
Middle District of Florida
Tampa Division

THE UNITED STATES OF AMERICA

vs.

LESTER BEST, ANDREA MITCHELL, GLORIA GUTIERREZ, ANDRE WRIGHT, SYLVESTER ROBINSON,
NEUKENYA JOKINES, KINYA LILLIE, JEWELL JORDAN, AND ROZAUNDR A LILLIE

INDICTMENT

Violations: 18 U.S.C. §§ 1349, 1343, and 1028A(a)(1)

A true bill,



Foreperson

Filed in open court this 29th day
of November, 2022.

Clerk

Bail \$ _____
