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FILED
U.S. DISTRICT COURT
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DISTRICT OF UTAH

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

BY _____
DEPUTY CLERK

<p>UNITED STATES OF AMERICA,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>CYNTHIA ANDREWS (AKA CINDY ANDREWS) & CURTIS ANDREWS,</p> <p style="text-align: center;">Defendants.</p>	<p style="text-align: center;"><u>INDICTMENT</u></p> <p>Vio. Counts 1-7: 18 U.S.C. § 1344 (Bank Fraud)</p> <p>Vio. Count 8: 18 U.S.C § 1343 (Wire Fraud)</p> <p>Case: 2:18-cr-00159 Assigned To : Shelby, Robert J. Assign. Date : 3/21/2018 Description: USA v. Andrews et al</p>
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The Grand Jury Charges:

**COUNTS 1-7
18 U.S.C § 1344
[Bank Fraud]**

SCHEME AND ARTIFICE TO DEFRAUD

1. Beginning on or about June 2013 and continuing until February 2015 in the Central Division of the District of Utah and elsewhere,

CYNTHIA ANDREWS and
CURTIS ANDREWS,

the Defendants herein, together, did knowingly devise and execute and attempt to execute a scheme and artifice to defraud a financial institution, and to obtain moneys and funds owned by and under the custody and control of said financial institution by means of false pretenses, representations, and promises, and the scheme and artifice consisted of conduct including:

2. CYNTHIA ANDREWS and CURTIS ANDREWS knowingly executed a scheme to defraud G.S. and P.S. (true individuals whose identities are known to the grand jury), CYNTHIA ANDREWS' elderly relatives, by gaining their trust and under the guise of caring for the elderly couple, CYNTHIA ANDREWS convinced G.S. to share his personal banking information, to wit, Zions Bank Account #xxx0370 and a Champion Mortgage reverse mortgage account loan #xxx7659.

3. CYNTHIA ANDREWS and CURTIS ANDREWS, without authorization from G.S. and P.S. then utilized G.S. and P.S.'s Zions Bank account information to set up an online account.

4. CYNTHIA ANDREWS and CURTIS ANDREWS, without authorization from G.S. and P.S. utilized a Line of Credit Draw Request Form from G.S. and P.S.'s Reverse Mortgage, that contained G.S. and P.S.'s authentic signatures and then replicated and altered the form in order to make unauthorized draws from the Reverse Mortgage line of credit.

5. In execution of the scheme and artifice to defraud, CYNTHIA ANDREWS and CURTIS ANDREWS used G.S.'s and P.S.'s personal identifying information to fax forged and altered authorizations to the Champion Mortgage's Reverse Mortgage Servicing Department to draw from G.S. and P.S.'s Champion Reverse Mortgage Line of Credit.

6. In doing so, CYNTHIA ANDREWS and CURTIS ANDREWS knowingly sent and knowingly caused to be sent by wire the moneys from the Champion Mortgage Reverse

Mortgage line of credit, whose servicing department was located in Lansing, Michigan.

7. In execution of the scheme and artifice to defraud, CYNTHIA ANDREWS and CURTIS ANDREWS used G.S. and P.S.'s personal identifying information to make unauthorized online transfers from G.S.'s and P.S.'s Zions Bank online account #xxx0370 to CYNTHIA and CURTIS ANDREWS' joint bank account, Zions Bank Account #xxx7682 and through means of such online transfers obtained and attempted to obtain funds from Zions Bank, an FDIC Insured financial institution.

8. In executing the scheme and artifice to defraud, and in furtherance thereof CYNTHIA ANDREWS and CURTIS ANDREWS knowingly sent and knowingly caused to be sent by wire the moneys from the aforementioned online transfers from Champion Mortgage. In making such online transfers of funds and causing the electronic processing of payments process to occur, involving the Federal Reserve, CYNTHIA and CURTIS ANDREWS used and caused to be used interstate wire communications, in violation of 18 U.S.C. § 1343 (Wire Fraud).

9. It was further part of the scheme and artifice to defraud that CYNTHIA ANDREWS and CURTIS ANDREWS appropriated approximately \$333,000.00 of G.S. and P.S.'s money from Zions Bank Account #xxx0370, Key Bank IRA Rollover Account #xxx5668, Zions Bank Visa Card ending in #xxx7119, and Champion Mortgage Reverse Line of Credit Account #xxx7659 for their own personal use and enjoyment, including illegally purchasing OxyContin.

10. It was further part of the scheme and artifice to defraud that CYNTHIA ANDREWS and CURTIS ANDREWS made the following unauthorized transfers for the purpose of obtaining money under the custody and control of a financial institutions described in the counts below, and did aid and abet each other in the same:

Count	On or About Date	Transaction	Amount of Transaction
1	10/15/2013	Unauthorized online transfer from G.S. and P.S.'s Zion's Bank Account #xxx0370 to Zions Bank Account #xxx7682	\$500.00
2	10/17/2013	Unauthorized online transfer from G.S. and P.S.'s Zion's Bank Account #xxx0370 to Zions Bank Account #xxx7682	\$1000.00
3	10/22/2013	Unauthorized online transfer from G.S. and P.S.'s Zion's Bank Account #xxx0370 to Zions Bank Account #xxx7682	\$1000.00
4	7/28/2014	Unauthorized online transfer from G.S. and P.S.'s Zion's Bank Account #xxx0370 to Zions Bank Account #xxx7682	\$1000.00
5	12/08/2014	Unauthorized online transfer from G.S. and P.S.'s Zion's Bank Account #xxx0370 to Zions Bank Account #xxx7682	\$1000.00
6	12/08/2014	A second unauthorized online transfer on the same day from G.S. and P.S.'s Zion's Bank Account #xxx0370 to Zions Bank Account #xxx7682	\$1000.00
7	1/8/2015	Unauthorized online transfer from G.S. and P.S.'s Zion's Bank Account #xxx0370 to Zions Bank Account #xxx7682	\$800.00

in violation of 18 U.S. C. § 1344.

COUNT 8
18 U.S.C § 1343
[Wire Fraud]

11. The allegations set forth above are incorporated herein by reference and realleged as though fully set forth herein.
12. On or about February 18, 2014, in the Central Division of the District of Utah and elsewhere, the defendants

CYNTHIA ANDREWS and

CURTIS ANDREWS,

aided and abetted each other and in furtherance of the scheme and artifice to defraud and to obtain money by means of materially false and fraudulent pretenses, representations and promises knowingly used and caused to be used the transmission of writings, signs, and signals in interstate commerce, that is: wire communications and the electronic processing of an online transfer from the Champion Reverse Mortgage Servicing Department in Lansing, Michigan to Zions Bank in Salt Lake City, Utah, to wit, CYNTHIA ANDREWS and CURTIS ANDREWS faxed a fraudulent authorization causing \$10,000.00 to be drawn from a reverse mortgage line of credit from victims G.S. and P.S., account ending in #xxx6059, and identified by Reference number ending in #xxx4857, and transferred to Zions Bank Account #xxx0370, all in violation of 18 U.S.C. § 1343 (Wire Fraud).

NOTICE OF INTENT TO SEEK FORFEITURE

Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), upon conviction of any offense in violation of 18 U.S.C. §§ 1343 and 1344, as set forth in this Indictment, the defendants shall forfeit to the United States of America any property, real or personal, that constitutes or is derived from proceeds traceable to the scheme to defraud. The property to be forfeited includes, but is not limited to, the following:

- A money judgment equal to the value of any property, real or personal, constituting or derived from proceeds traceable to the scheme to defraud.

SUBSTITUTE ASSETS

If any of the above-described forfeitable property, as a result of any act or omission of the defendants,

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C.

§ 2461(c), to seek forfeiture of any other property of said defendants up to the value of the above-forfeitable property.

A TRUE BILL:



FOREPERSON OF THE GRAND JURY

JOHN W. HUBER
United States Attorney



RUTH HACKFORD-PEER
Assistant United States Attorney