



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA	)	Criminal No.	1:18-CR-337 (MAD)
)		
v.	)	Indictment	
)		
KEVIN R. PALMER,	)	Violations:	18 U.S.C. § 1341
	)		[Mail Fraud];
	)		18 U.S.C. §§ 1349, 1341
	)		[Mail Fraud Conspiracy]
)		
	)	13 Counts	
)		
Defendant.	)	County of Offense:	Albany

THE GRAND JURY CHARGES:

At all times relevant to this Indictment:

1. The defendant, **KEVIN R. PALMER**, resided in Georgia.
2. R.H. and D.H. were an elderly, married couple residing in Albany County, New

York.

The Scheme to Defraud

Manner and Means

3. From at least January 2017 through in or about November 2017, in the Northern District of New York and elsewhere, the defendant, **KEVIN R. PALMER**, and others, devised and intended to devise a scheme and artifice to defraud elderly victims by soliciting “tax” and “fee” payments for tax refunds, lottery and sweepstakes winnings and inheritances under false pretenses, and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises.

4. It was part of the scheme and artifice to defraud that from at least January 2017 through in or about November 2017, the defendant, **KEVIN R. PALMER**, and others, mailed to

elderly victims documents that falsely stated that the elderly victims had received or won tax refunds, lottery and sweepstakes prizes, and inheritances, and were required to pay fees and taxes in order to claim their money when, as the defendant then well knew, these persons were not entitled to any money, and there were no fees and taxes due. In response to these false representations, victims sent payments to the defendant, **KEVIN R. PALMER**, and others.

Overt Acts

5. On or about July 19, 2017, the defendant, **KEVIN R. PALMER**, and others, mailed a letter to R.H. in Albany County, New York. The letter falsely purported to be from the U.S. Department of the Treasury, and falsely informed R.H. that he had won a \$22 million prize from the International Gaming Commission. The letter falsely informed R.H. that he would have to send a payment of \$86,554.00 in order to claim the prize.

6. On or about August 18, 2017, the defendant, **KEVIN R. PALMER**, and others, mailed a letter to R.H. in Albany County, New York. The letter falsely purported to be from the U.S. Department of the Treasury, and falsely informed R.H. that he had won a \$22 million prize from the International Gaming Commission. The letter falsely informed R.H. that he would have to send a payment of \$90,000.00 in order to claim the prize.

7. On or about September 22, 2017, the defendant, **KEVIN R. PALMER**, and others, mailed a letter to R.H. in Albany County, New York. The letter falsely purported to be from the Department of the Treasury, Internal Revenue Service, and falsely informed R.H. that he needed to immediately send a \$50,000 payment to an address in Tucker, Georgia, in order to receive a tax refund.

8. On or about September 22, 2017, the defendant, **KEVIN R. PALMER**, and others, mailed a letter to R.H. in Albany County, New York. The letter falsely purported to be from Bank

of America, and falsely informed R.H. that he needed to pay taxes to the Internal Revenue Service in order to gain access to a \$22 million sweepstakes prize that had been deposited into R.H.'s account by the American Sweepstakes and Promotion Company.

9. From at least January 2017 through in or about November 2017, the defendant, **KEVIN R. PALMER**, and others, spoke to R.H. and D.H. by phone, and provided to R.H. and D.H. several addresses in Georgia to which to mail checks as payments for the refunds, winnings, and inheritances that R.H. and D.H. had been falsely promised.

COUNT 1
[Conspiracy to Commit Mail Fraud]

10. Paragraphs 1 through 9 are hereby realleged and incorporated as if fully set forth herein.

11. From at least January 2017 through in or about November 2017, in the Northern District of New York and elsewhere, the defendant, **KEVIN R. PALMER**, and others, conspired to commit mail fraud by devising and intending to devise a scheme and artifice to defraud, and for obtaining money by means of materially false and fraudulent pretenses, representations and promises, and for the purpose of executing such scheme and artifice, knowingly causing to be placed in a post office and authorized depository for mail matter, certain matters and things to be sent and delivered by the Postal Service, and causing to be deposited certain matters and things to be sent and delivered by private and commercial interstate carriers, and knowingly taking and receiving therefrom certain matters and things, in violation of Title 18, United States Code, Section 1341. All in violation of Title 18, United States Code, Section 1349.

COUNTS 2-13
[Mail Fraud]

12. Paragraphs 1 through 9 are hereby realleged and incorporated as if fully set forth herein.

13. For the purpose of executing such scheme and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, the defendant, **KEVIN R. PALMER**, and others, on or about the following dates, caused to be deposited, took and received the following matters and things that were sent and delivered by the Postal Service, and by private and commercial interstate carriers, that is:

<u>Count</u>	<u>Date</u>	<u>Matter or Thing</u>	<u>From</u>	<u>To</u>
2	June 15, 2017	Check in the amount of \$3,500.00	R.H. and D.H. Albany, New York	Georgia
3	June 26, 2017	Check in the amount of \$33,786.00	R.H. and D.H. Albany, New York	Georgia
4	July 8, 2017	Check in the amount of \$28,751.00	R.H. and D.H. Albany, New York	Georgia
5	July 8, 2017	Check in the amount of \$28,751.00	R.H. and D.H. Albany, New York	Georgia
6	July 25, 2017	Check in the amount of \$28,851.00	R.H. and D.H. Albany, New York	Georgia
7	July 25, 2017	Check in the amount of \$28,851.00	R.H. and D.H. Albany, New York	Georgia
8	July 25, 2017	Check in the amount of \$28,852.00	R.H. and D.H. Albany, New York	Georgia
9	August 25, 2017	Check in the amount of \$30,000.00	R.H. and D.H. Albany, New York	Georgia

10	August 25, 2017	Check in the amount of \$30,000.00	R.H. and D.H. Albany, New York	Georgia
11	August 25, 2017	Check in the amount of \$30,000.00	R.H. and D.H. Albany, New York	Georgia
12	November 3, 2017	Check in the amount of \$25,000.00	R.H. and D.H. Albany, New York	Georgia
13	November 3, 2017	Check in the amount of \$25,000.00	R.H. and D.H. Albany, New York	Georgia

All in violation of Title 18, United States Code, Section 1341.

Dated: October 10, 2018

A TRUE BILL, name redacted



/ Grand Jury Foreperson

GRANT C. JAQUITH
United States Attorney

By: 

Michael Barnett
Assistant United States Attorney
Bar Roll No. 519140