

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



UNITED STATES OF AMERICA

v.

TERESA DENISE SCHNEIDER

1:18CR 228 -1

The Grand Jury charges:

COUNT ONE

1. At all times material herein, an individual whose initials are R.D. was a resident and citizen of Durham County, in the Middle District of North Carolina, and was a retired medical doctor.

2. At all times material herein, R.D. was limited by conditions relating to his age including limited mobility and hearing. R.D. died on October 12, 2013, of natural causes at the age of 90.

3. At all times material herein, R.D. held retirement funds through a revocable trust of which he served as trustee (the "R.D. Trust"). Also, at all times material herein, R.D. held retirement funds through a trust in the name of his deceased wife whose initials are E.D. of which he served as trustee (the "E.D. Trust").

4. At all times material herein, SunTrust Bank, N.A., and all of its branches were financial institutions, the deposits of which were then ensured by the Federal Deposit Insurance Corporation.

5. At all times material herein, the R.D. Trust maintained an account at SunTrust Bank, N.A., account number xxxx1988.

6. At all times material herein, the E.D. Trust maintained an account at SunTrust Bank, N.A., account number xxxx2927.

7. At all times material herein, Stillwater National Bank and Trust Company and all of its branches were financial institutions, the deposits of which were then insured by the Federal Deposit Insurance Corporation.

8. At all times material herein, the R.D. Trust maintained a certificate of deposit account at Stillwater National Bank and Trust Company.

9. At all times material herein, Bank of America, N.A., and all of its branches were financial institutions, the deposits of which were insured by the Federal Deposit Insurance Company.

10. At all times material herein, Bank of America, N.A., offered credit and debit card services to both individuals and businesses throughout the United States. Bank of America, N.A., maintained centralized computer servers in the State of Texas for the purpose of processing Bank of America, N.A., credit and debit card transactions from throughout the United States.

11. From in or about September 2011, to in or about May 2013, R.D. held a Bank of America, N.A., Visa credit card account xxxx2079. From in or about May 2013, to in or about October 2013, R.D. held a Bank of America, N.A., Visa card account number xxxx2506.

12. At all times material herein, Lincoln Benefit Life was an insurance company that offered annuity accounts to customers. From in or about October 2011 to in or about October 2013, the R.D. Trust maintained an annuity account at Lincoln Benefit Life, account number xxxx6713.

13. At all times material herein, Wells Fargo Bank, N.A., and all its branches, were financial institutions, the deposits of which were insured by the Federal Deposit Insurance Corporation.

14. At all times material herein, TERESA DENISE SCHNEIDER was employed by R.D. and his family as a caregiver for R.D. In such capacity, TERESA DENISE SCHNEIDER aided R.D. by performing tasks such as grocery shopping, purchasing prepared meals, doing household chores, and helping R.D. bathe.

15. In or about 2010, TERESA DENISE SCHNEIDER began to aid R.D. in the payment of his household bills and expenses. At no time was TERESA DENISE SCHNEIDER given a power of attorney for R.D. or signatory authority on any bank accounts or annuity accounts including bank accounts and annuity accounts for the R.D. Trust and the E.D. Trust.

16. In or about September 2011, R.D. directed TERESA DENISE SCHNEIDER to provide copies of the SunTrust Bank, N.A., bank statements for the R.D. Trust, the E.D. Trust, and his Bank of America, N.A., credit card accounts to his son, whose initials are D.D., to allow D.D. to review the statements to ensure that funds belonging to R.D. were being handled appropriately.

17. From in or about September 2011, to in or about October 2013, TERESA DENISE SCHNEIDER provided D.D. with documents purporting to be monthly statements for the SunTrust Bank, N.A., accounts of the R.D. Trust, the E.D. Trust, and the Bank of America, N.A., credit card account of R.D.

18. During her employment by R.D., TERESA DENISE SCHNEIDER was authorized to make minor household purchases for R.D.'s benefit including grocery items, birdseed, medicine, and toiletry items. She was not authorized to make purchases for her own benefit or to use funds belonging to R.D. for any purpose besides household purchases for the benefit of R.D.

19. From on or about March 1, 2011, continuing up to and including on or about November 1, 2013, the exact dates to the Grand Jurors unknown, in the Counties of Durham and Orange, in the Middle District of North Carolina, and elsewhere, TERESA DENISE SCHNEIDER did devise and intend to devise a scheme and artifice to defraud R.D., the R.D. Trust, the E.D.

Trust, and the heirs of R.D., of approximately \$370,000.00 by means of materially false and fraudulent pretenses, representations, and promises, and to obtain money, funds, credits, and property under the custody and control of financial institutions, that is, Stillwater National Bank and Trust Company, SunTrust Bank, N.A., and Bank of America, N.A., by means of materially false and fraudulent pretenses and representations, that is, by withdrawing monies from accounts controlled by R.D., the R.D. Trust, and the E.D. Trust, without any authority and converting such funds to her own use, such scheme and artifice to defraud making use of interstate wire communications, as well as the United States mail and interstate commercial carriers.

METHODS AND MEANS

20. It was part of the scheme and artifice to defraud that TERESA DENISE SCHNEIDER directed Stillwater National Bank and Trust Company to withdraw funds from the R.D. Trust annuity account on the dates and in the amounts set forth below by bank cashier check under the pretense that such withdrawals were authorized by R.D., when in fact, as TERESA DENISE SCHNEIDER then well knew, such withdrawals were not authorized by R.D.:

August 29, 2011	\$20,000.00	Check # 814079
August 29, 2011	\$30,000.00	Check # 814080
September 26, 2011	\$40,000.00	Check # 815605
October 11, 2011	\$100,000.00	Check # 816231

January 30, 2012	\$9,000.00	Check # 820869
February 21, 2012	\$29,946.59	Check # 821843
April 5, 2012	\$35,863.00	Check # 823913
October 1, 2012	\$64,454.03	Check # 832024

21. It was a further part of the scheme and artifice to defraud that TERESA DENISE SCHNEIDER directed Stillwater National Bank and Trust Company to send the checks listed in paragraph 20 above to R.D.'s address by United States Mail or interstate commercial carrier.

22. It was a further part of the scheme and artifice to defraud that TERESA DENISE SCHNEIDER removed the checks from R.D.'s mail and falsely and fraudulently forged the endorsement of R.D. on the checks and deposited them into either the R.D. Trust account at SunTrust Bank, N.A., or the E.D. Trust account at SunTrust Bank, N.A.

23. It was a further part of the scheme and artifice to defraud that TERESA DENISE SCHNEIDER directed Lincoln Benefit Life Company to electronically transfer funds from the R.D. Trust annuity account of R.D. to the R.D. Trust account at SunTrust Bank, N.A., or the E.D. Trust account at SunTrust Bank, N.A., on the dates and in the amounts set forth below under the false and fraudulent pretense that R.D. had authorized such transfers

when in fact, as TERESA DENISE SCHNEIDER, then well knew, R.D. had not authorized such transfers:

December 2, 2011	\$35,000.00
December 12, 2011	\$18,938.34
December 13, 2011	\$13,000.00
February 3, 2012	\$13,000.00
February 20, 2012	\$2,618.88
April 3, 2012	\$20,000.00
April 30, 2012	\$9,000.00
June 7, 2012	\$9,000.00
June 25, 2012	\$8,000.00
December 20, 2012	\$2,618.88

24. It was a further part of the scheme and artifice to defraud that TERESA DENISE SCHNEIDER concealed such transfers of annuity funds from the investment advisor of R.D., who would normally handle authorized transfers from annuity accounts.

25. It was a further part of the scheme and artifice to defraud that on or about October 3, 2011, TERESA DENISE SCHNEIDER forged and counterfeited check number 2279 from the R.D. Trust account at SunTrust Bank, N.A., account number xxxx1988, in the amount of \$8,000.00, made

payable to herself for the purpose of fraudulently converting such funds to her own use.

26. It was a further part of the scheme and artifice to defraud that on or about December 14, 2011, TERESA DENISE SCHNEIDER forged and counterfeited check number 2321 from the R.D. Trust account at SunTrust Bank, N.A., account number xxxx1988, in the amount of \$13,000.00, made payable to herself for the purpose of fraudulently converting such funds to her own use.

27. It was a further part of the scheme and artifice to defraud that on or about April 29, 2013, TERESA DENISE SCHNEIDER, without authority, transferred the amount of \$10,000.00 from the R.D. Trust account SunTrust Bank, N.A., account number xxxx1988, by electronic debit/ACH transfer to her Wells Fargo Bank, N.A., account, for the purpose of fraudulently converting such funds to her own use.

28. It was a further part of the scheme and artifice to defraud that TERESA DENISE SCHNEIDER, without authority, transferred funds from the R.D. Trust account at SunTrust Bank, N.A., account number 1988, to make payments for personal expenses including credit card bills for TERESA DENISE SCHNEIDER .

29. It was a further part of the scheme and artifice to defraud that TERESA DENISE SCHNEIDER transferred funds by electronic/ACH debit

from the R.D. Trust account at SunTrust Bank, N.A., account xxxx1988, to the Bank of America, N.A., Visa credit card accounts of R.D., account numbers 2079 and 2056, well in excess of the payments due on Bank of America, N.A., Visa credit cards, under the pretense that such transfers were authorized by R.D. when in fact, as TERESA DENISE SCHNEIDER then well knew, such transfers were not authorized by R.D. and were for the purpose of allowing TERESA DENISE SCHNEIDER to convert the transferred funds to her own use by overpaying the credit card accounts.

30. It was a further part of the scheme and artifice to defraud that from in or about April 2011, to in or about June 2013, TERESA DENISE SCHNEIDER, without authority, used a direct deposit feature of the Bank of America, N.A., Visa credit card, to transfer approximately \$168,800.00 from R.D.'s Bank of America, N.A., Visa credit card account number xxxx2076 to a Wells Fargo Bank, N.A., account in the name of TERESA DENISE SCHNEIDER.

31. It was a further part of the scheme and artifice to defraud that from in or about April 2011, to in or about June 2013, TERESA DENISE SCHNEIDER made unauthorized use of the R.D.'s Bank of America, N.A., Visa credit card account number xxxx2076 to take cash advances and make purchases for dining, travel, spa treatments, tuition payments, and merchandise in the approximate amount of \$117,687.54.

32. It was a further part of the scheme and artifice to defraud that in or about April 2013, to in or about September 2013, TERESA DENISE SCHNEIDER made unauthorized made unauthorized use of the R.D.'s Bank of America, N.A., Visa credit card account number xxxx25076 to make purchases for dining, spa treatments, and merchandise.

33. It was a further part of the scheme and artifice to defraud that in or about September 2011, to in or about November 2012, TERESA DENISE SCHNEIDER, without authority, transferred funds from the E.D. Trust account at SunTrust Bank, N.A., account number xxxx2927 to make payments on her personal American Express and Chase credit cards.

34. It was a further part of the scheme and artifice to defraud that TERESA DENISE SCHNEIDER fraudulently altered SunTrust Bank, N.A., statements for the accounts of the R.D. Trust, the E.D. Trust, and Bank of America, N.A., statements for the Visa credit card accounts in the name of R.D. to remove or conceal fraudulent transactions.

35. It was a further part of the scheme and artifice to defraud that TERESA DENISE SCHNEIDER e-mailed the SunTrust Bank, N.A., and Bank of America, N.A., statements which she had fraudulently altered to D.D. for the purpose of concealing fraudulent transactions and conversion of the funds of R.D. from R.D. and D.D.

EXECUTION

On or about August 29, 2011, in the County of Durham, in the Middle District of North Carolina, TERESA DENISE SCHNEIDER, for the purpose of executing the aforesaid scheme and artifice to defraud, and attempting to do so, knowingly caused to be delivered by United States Mail and by commercial interstate carrier according to the directions thereon, a package addressed to R.D., 304 Lancaster Drive, Chapel Hill, North Carolina, containing Stillwater National Bank and Trust Company cashier's check number 814079, in the amount of \$20,000.00, such mailing affecting a financial institution, that being Stillwater National Bank and Trust Company.

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

COUNT TWO

1. The Grand Jurors reallege and incorporate paragraphs 1 through 35 of Count One as if set forth fully herein.

2. On or about September 7, 2011, in the County of Durham, in the Middle District of North Carolina, TERESA DENISE SCHNEIDER did knowingly execute and attempt to execute a scheme and artifice to obtain money, funds, credits, and property owned and controlled by financial institutions, the deposits of which were then insured by the Federal Deposit Insurance Corporation, that is, Bank of America, N.A., by means of materially false and fraudulent pretenses, representations, and promises, by transferring

from Bank of America, N.A., credit card account xxxx2076 in the name of R.D., through direct deposit to her Wells Fargo Bank, N.A., account number 7591, in the amount of \$12,300.00 under the false pretense and material misrepresentation that such transfer and direct deposit was authorized when in truth and in fact, as TERESA DENISE SCHNEIDER then well knew, she was not entitled to receive any monies or credit from the Bank of America, N.A., credit card account number xxxx2076 in the name of R.D., the transfer was not authorized, and TERESA DENISE SCHNEIDER had overpaid Bank of America, N.A., credit card account number xxxx2076 in the name of R.D. with money converted from the R.D. Trust for the purpose of converting such money to her own use; in violation of Title 18, United States Code, Section 1344(2).

COUNT THREE

1. The Grand Jurors reallege and incorporate paragraphs 1 through 35 of Count One as if set forth fully herein.

2. On or about September 8, 2011, in the County of Durham, in the Middle District of North Carolina, TERESA DENISE SCHNEIDER, for the purpose of executing and attempting to execute a scheme and artifice to defraud, did transmit and cause to be transmitted by means of wire communications in interstate commerce from SunTrust Bank, N.A., to Bank of America, N.A., in the State of Texas, certain writings, signs, signals, and

sounds, that is, an online payment on Bank of America, N.A., credit card account xxxx2076 in the amount of \$12,300.00, such interstate wire communication affecting financial institutions, that being SunTrust Bank, N.A., and Bank of America, N.A.; in violation of Title 18, United States Code, Section 1343.

COUNT FOUR

1. The Grand Jurors reallege and incorporate paragraphs 1 through 35 of Count One as if set forth fully herein.

2. On or about October 17, 2011, in the County of Durham, in the Middle District of North Carolina, TERESA DENISE SCHNEIDER, for the purpose of executing the aforesaid scheme and artifice to defraud, and attempting to do so, knowingly caused to be delivered by United States Mail and by commercial interstate carrier according to the directions thereon, a package addressed to R.D., 304 Lancaster Drive, Chapel Hill, North Carolina, containing Stillwater National Bank and Trust Company cashier's check number 816231 in the amount of \$100,000.00, such mailing affecting a financial institution, that being Stillwater National Bank and Trust Company; in violation of Title 18, United States Code, Section 1341.

COUNT FIVE

1. The Grand Jurors reallege and incorporate paragraphs 1 through 35 of Count One as if set forth fully herein.

2. On or about October 3, 2011, in the County of Durham, in the Middle District of North Carolina, TERESA DENISE SCHNEIDER did knowingly execute and attempt to execute a scheme and artifice to obtain money, funds, credits, and property owned and controlled by financial institutions, the deposits of which were then insured by the Federal Deposit Insurance Corporation, that is, SunTrust Bank, N.A., by means of materially false and fraudulent pretenses, representations and promises by forging and counterfeiting a SunTrust Bank, N.A., check drawn on the account of the R.D. Trust, account number XXX1988, made payable to TERESA DENISE SCHNEIDER and signed by R.D. as Trustee, in the amount of \$8,000.00 under the pretense that she was authorized to receive the funds and that R.D. had signed the check when, in fact, as TERESA DENISE SCHNEIDER then well knew, she was not authorized to receive these funds, and had forged the signature of R.D. on SunTrust Bank, N.A., R.D. Trust account check number 2279; in violation of Title 18, United States Code, Section 1344(2).

COUNT SIX

2. The Grand Jurors reallege and incorporate paragraphs 1 through 35 of Count One as if set forth fully herein.

3. On or about October 18, 2011, in the County of Durham, in the Middle District of North Carolina, TERESA DENISE SCHNEIDER, for the purpose of executing and attempting to execute a scheme and artifice to

defraud, did transmit and cause to be transmitted by means of wire communications in interstate commerce from SunTrust Bank, N.A., to Bank of America, N.A., in the State of Texas, certain writings, signs, signals, and sounds, that is, an online payment on Bank of America, N.A., credit card account xxxx2076 in the amount of \$31,231.46, such interstate wire communication affecting financial institutions, that being SunTrust Bank, N.A., and Bank of America, N.A.; in violation of Title 18, United States Code, Section 1343.

COUNT SEVEN

1. The Grand Jurors reallege and incorporate paragraphs 1 through 35 of Count One as if set forth fully herein.

2. On or about October 18, 2011, in the County of Durham, in the Middle District of North Carolina, TERESA DENISE SCHNEIDER did knowingly execute and attempt to execute a scheme and artifice to obtain money, funds, credits, and property owned and controlled by financial institutions, the deposits of which were then insured by the Federal Deposit Insurance Corporation, that is, Bank of America, N.A., by means of materially false and fraudulent pretenses, representations, and promises, by transferring from Bank of America, N.A., credit card account xxxx2076 in the name of R.D. through direct deposit to her Wells Fargo Bank, N.A., account number 7591, the amount of \$28,000.00 under the false pretense and material

misrepresentation that such transfer and direct deposit was authorized when in truth and in fact, as TERESA DENISE SCHNEIDER then well knew, she was not entitled to receive any monies or credit from the Bank of America, N.A., credit card account number xxxx2076 in the name of R.D., the transfer was not authorized, and TERESA DENISE SCHNEIDER had overpaid Bank of America, N.A., credit card account number xxxx2076 in the name of R.D. with money converted from the R.D. Estate for the purpose of converting such money to her own use; in violation of Title 18, United States Code, Section 1344(2).

COUNT EIGHT

1. The Grand Jurors reallege and incorporate paragraphs 1 through 35 of Count One as if set forth fully herein.

2. On or about December 14, 2011, in the County of Durham, in the Middle District of North Carolina, TERESA DENISE SCHNEIDER did knowingly execute and attempt to execute a scheme and artifice to obtain money, funds, credits, and property owned and controlled by financial institutions, the deposits of which were then insured by the Federal Deposit Insurance Corporation, that is, SunTrust Bank, N.A., by means of materially false and fraudulent pretenses, representations, and promises by forging and counterfeiting a SunTrust Bank, N.A., check drawn on the account of the R.D. Trust, account number XXX1988 check number 2321, made payable to

TERESA DENISE SCHNEIDER and signed by R.D. as Trustee, in the amount of \$13,000.00 and depositing check number 2321 into her Wells Fargo Bank, N.A., account under the pretense that she was authorized to receive the funds and that R.D. had signed the check when, in fact, as TERESA DENISE SCHNEIDER then well knew, she was not authorized to receive these funds, and had forged the signature of R.D. on SunTrust Bank, N.A., R.D. Trust account check number 2321; in violation of Title 18, United States Code, Section 1344(2).

COUNT NINE

1. The Grand Jurors reallege and incorporate paragraphs 1 through 35 of Count One as if set forth fully herein.

2. On or about October 1, 2012, in the County of Durham, in the Middle District of North Carolina, TERESA DENISE SCHNEIDER, for the purpose of executing the aforesaid scheme and artifice to defraud and attempting to do so, knowingly caused to be delivered by United States Mail and by commercial interstate carrier according to the directions thereon, a package addressed to R.D., 304 Lancaster Drive, Chapel Hill, North Carolina, containing Stillwater National Bank and Trust Company cashier's check number 83204 in the amount of \$64,454.03, such mailing affecting a financial institution, that being Stillwater National Bank and Trust Company; in violation of Title 18, United States Code, Section 1341.

COUNT TEN

1. The Grand Jurors reallege and incorporate paragraphs 1 through 35 of Count One as if set forth fully herein.

2. On or about October 12, 2012, in the County of Durham, in the Middle District of North Carolina, TERESA DENISE SCHNEIDER, for the purpose of executing and attempting to execute a scheme and artifice to defraud, did transmit and cause to be transmitted by means of wire communications in interstate commerce from SunTrust Bank, N.A., to Bank of America, N.A., in the State of Texas, certain writings, signs, signals and sounds, that is, an online payment on Bank of America, N.A., credit card account xxxx2076 in the amount of \$42,208.32, such interstate wire communication affecting financial institutions, that being SunTrust Bank, N.A., and Bank of America, N.A.; in violation of Title 18, United States Code, Section 1343.

COUNT ELEVEN

1. The Grand Jurors reallege and incorporate paragraphs 1 through 35 of Count One as if set forth fully herein.

2. On or about October 12, 2012, in the County of Durham, in the Middle District of North Carolina, TERESA DENISE SCHNEIDER did knowingly execute and attempt to execute a scheme and artifice to obtain money, funds, credits, and property owned and controlled by financial institutions, the deposits of which were then insured by the Federal Deposit Insurance

Corporation, that is, Bank of America, N.A., by means of materially false and fraudulent pretenses, representations, and promises, by transferring from Bank of America, N.A., credit card account xxxx2076 in the name of R.D. through direct deposit to her Wells Fargo Bank, N.A., account number 3987, the amount of \$40,000.00 under the false pretense and material misrepresentation that such transfer and direct deposit was authorized when in truth and in fact, as TERESA DENISE SCHNEIDER then well knew, she was not entitled to receive any monies or credit from the Bank of America, N.A., credit card account number xxxx2076 in the name of R.D., the transfer was not authorized, and TERESA DENISE SCHNEIDER had overpaid Bank of America, N.A., credit card account number xxxx2076 in the name of R.D. with money converted from the R.D. Estate for the purpose of converting such money to her own use; in violation of Title 18, United States Code, Section 1344(2).

COUNT TWELVE

1. The Grand Jurors reallege and incorporate paragraphs 1 through 35 of Count One as if set forth fully herein.

2. On or about April 29, 2013, in the County of Durham, in the Middle District of North Carolina, TERESA DENISE SCHNEIDER did knowingly execute and attempt to execute a scheme and artifice to obtain money, funds, credits, and property owned and controlled by financial institutions, the

deposits of which were then insured by the Federal Deposit Insurance Corporation, that is, SunTrust Bank, N.A., by means of materially false and fraudulent pretenses, representations, and promises by transferring from the R.D. Trust SunTrust Bank, N.A., account number XXX1988, the amount of \$10,000.00 for her own use and benefit by electronic/ACH debit under the pretense that she was authorized to make such transfer and receive such funds when in fact, as TERESA DENISE SCHNEIDER then well knew, she was not authorized to make such transfer or receive such funds and she intended to convert such funds to her own use; in violation of Title 18, United States Code, Section 1344(2).

COUNT THIRTEEN

1. The Grand Jurors reallege and incorporate paragraphs 1 through 35 of Count One as if set forth fully herein.

2. On or about July 6, 2013, in the County of Orange, in the Middle District of North Carolina, TERESA DENISE SCHNEIDER, for the purpose of executing and attempting to execute a scheme and artifice to defraud, did transmit and cause to be transmitted by means of wire communications in interstate commerce from Fresh Market Store Number 94 in Chapel Hill, Orange County, North Carolina, to Bank of America, N.A., in the State of Texas, certain writings, signs, signals and sounds, that is, a purchase on Bank

of America, N.A., credit card account number xxxx2506 in the amount of \$170.08; in violation of Title 18, United States Code, Section 1343.

COUNT FOURTEEN

On or about July 6, 2013, in the County of Orange, in the Middle District of North Carolina, TERESA DENISE SCHNEIDER, during and in relation to a felony enumerated in Title 18, United States Code, Section 1028A(c), to wit: wire fraud, as alleged in Count Thirteen and incorporated by reference herein, knowingly possessed and used, without lawful authority, a means of identification of another person, that is, the name and Bank of America, N.A. credit card account number of a person whose initials are R.D.; in violation of Title 18, United States Code, Section 1028A(a)(1).

FORFEITURE ALLEGATION

1. The allegations contained in Count One through Count Thirteen of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture.

2. Pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(2), upon conviction of one or more of the offenses charged in Counts One through Thirteen of this Indictment, the defendant TERESA DENISE SCHNEIDER shall forfeit to the United States any property, real or personal, which constitutes or is derived from, proceeds traceable to or obtained, directly or indirectly, as the result of such violations. The property to be forfeited

includes but is not limited to a money judgment in an amount equal to the total amount subject to forfeiture as a result of the offenses of which the defendant is convicted.

3. If, as a result of any act or omission of the defendant, any property subject to forfeiture:


- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person or entity;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;


the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

All in accordance with Title 18, United States Code, Sections 981(a)(1)(C) and (D) and 982(a)(2), Title 21, United States Code, Section 853(p), Rule 32.2, Federal Rules of Criminal Procedure, and Title 28, United States Code, Section 2461(c).

DATED: June 25, 2018

MATTHEW G.T. MARTIN
United States Attorney



BY: FRANK J. CHUT, JR.
Assistant United States Attorney

BY: K. P. KENNEDY GATES
Special Assistant United States Attorney

A TRUE BILL:



FOREPERSON