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FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

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CLERK US DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA FLORIDA

UNITED STATES OF AMERICA

v.

CASE NO. 8:19-cr-00009-T-23SPF

GLENN FRANCIS

18 U.S.C. § 1349
18 U.S.C. § 1343
18 U.S.C. § 1341
18 U.S.C. § 1957

INDICTMENT

The Grand Jury charges:

COUNT ONE
(Wire and Mail Fraud Conspiracy)

A. Introduction

At times relevant to this Indictment:

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Overview of Fraud Scheme

1. A "call center" was an organization, typically located in India, staffed by individuals who called, emailed, or texted potential victims, often residing in the United States, and caused those victims to send money to the defendant and other conspirators by using false and fraudulent means, including Internal Revenue Service (IRS) Impersonation Fraud, Payday Loan Fraud, and Tech Support Fraud.

a. IRS Impersonation Fraud: India-based call centers impersonated IRS officers and misled U.S. residents to believe that they owed money to the IRS and would be arrested and fined if they did not pay their alleged back taxes immediately.

b. Payday Loan Fraud: India-based call centers misled U.S. residents to believe that the callers were loan officers and that the U.S. residents were eligible for fictitious short-term loans. The India-based callers caused the U.S. residents to pay upfront fees in order to obtain the loans. At times, the India-based callers caused the deposits of worthless checks into the U.S. residents' bank accounts to further induce the U.S. residents to pay the purported fees. The victims never received loan proceeds.

c. Tech Support Fraud: India-based call centers misled U.S. residents to believe that they had computer viruses or that their computers had been hacked and their identities stolen, and that the victims needed to purchase software and/or services from the call centers to protect the victims' computers and their personal information.

Definitions

2. Personally identifiable information ("PII") included an individual's name, date of birth, social security number, and other information

that could be used on its own or with other information to identify, contact, or locate the individual.

3. A “money services business” offered various financial services to customers for a fee. Such services included the sale of money orders and the wire transfer of funds from one location to another, both within the U.S. and abroad.

4. “Spoofing” was a deceptive technique whereby callers deliberately falsified the information transmitted to a victim’s caller ID and thereby disguised their identities or locations.

5. A “Remote Access Service” was a service that allowed a person to connect to another person’s computer over the internet and control that computer remotely.

6. “WhatsApp” was a messaging and voice over IP service that allowed users to text, send voice messages, and make phone calls to other WhatsApp users, irrespective of the users’ locations, which facilitated interstate and foreign wire communication. WhatsApp also supported end-to-end encryption, meaning that the communications could not easily be intercepted by third parties, including law enforcement agencies.

The Defendant and the Roles in the Conspiracy

7. The conspirators held one or more of the following roles in furtherance of the conspiracy:

a. Callers: “Callers” made fraudulent calls, and/or sent fraudulent text messages and emails, to victims in the U.S. and elsewhere, purporting to be U.S. government officials, money lenders, or computer technicians, in order to extract payments from victims.

b. Payment Processors: Among other acts, “Payment Processors” instructed victims to make payments and facilitated the movement of victims’ funds throughout the United States.

c. Runners: “Runners” were located in the United States and typically operated within a specific geographic region. Runners retrieved payments made by victims and returned those fraud proceeds, less the Runners’ payments, to Domestic Managers, as directed.

d. Domestic Managers: “Domestic Managers” were located in the United States and directed the Runners’ activities. Domestic Managers were often the direct points of contact with coconspirators in India.

8. Defendant GLENN FRANCIS, who lived in Palm Harbor, Florida, in the Middle District of Florida, operated as a Runner and a Domestic Manager within the Middle District of Florida and elsewhere. As a

Runner, GLENN FRANCIS received checks and cash equivalents mailed from victims to his home address, endorsed and deposited the checks, and sent payments via interstate and foreign wires to his India-based coconspirators. As a Domestic Manager, GLENN FRANCIS recruited, hired, and directed Runners to retrieve wires sent by victims, open bank accounts to receive fraud proceeds, and/or receive checks and/or cash equivalents mailed from victims to a Runners' home addresses. He collected fraud proceeds from the Runners and disbursed the proceeds in accordance with directions he received from his India-based coconspirators.

B. The Conspiracy

9. Beginning on an unknown date, but no later than in or around February 2016, and continuing through the present, in the Middle District of Florida and elsewhere, the defendant,

GLENN FRANCIS,

did knowingly and willfully combine, conspire, confederate, and agree with other persons, both known and unknown to the Grand Jury, to commit mail fraud, in violation of 18 U.S.C. § 1341, and wire fraud, in violation of 18 U.S.C. § 1343.

C. Manner and Means of the Conspiracy

10. The manner and means by which the conspirators sought to accomplish the objects of the conspiracy included, among others, the following:

a. It was a part of the conspiracy that the conspirators would and did engage in a scheme to obtain money from victims by calling, emailing, and/or texting them and making false and fraudulent—and at times threatening—misrepresentations;

b. It was a further part of the conspiracy that conspirators would and did falsely and fraudulently represent themselves to be U.S. government officials and would and did obtain money from said victims by threatening victims with prosecution and/or arrest for failure to pay taxes purportedly due and owing;

c. It was a further part of the conspiracy that conspirators would and did falsely and fraudulently represent themselves to be loan officers and would and did obtain money from said victims by telling the victims to pay advance fees associated with loans for which the victims purportedly qualified;

d. It was a further part of the conspiracy that, when posing as loan officers, conspirators would and did deposit worthless checks into

victims' bank accounts to further induce the victims to pay advance fees associated with loans for which the victims purportedly qualified;

e. It was a further part of the conspiracy that conspirators would and did falsely and fraudulently represent themselves to be computer technicians and would and did obtain money from said victims by representing to the victims that their computers had been hacked, their identities had been stolen, and/or their computers were infected with viruses and in need of repair, and that the conspirators would resolve the purported computer problems if paid to do so;

f. It was a further part of the conspiracy that, when posing as computer technicians, conspirators would and did use a Remote Access Service to gain access to the victims' computers and trick the victims into believing that certain normal computer functions were in fact evidence of hacking, identity theft, or viruses, in order to add legitimacy to the callers' claims and to induce the victims to pay;

g. It was a further part of the conspiracy that conspirators would and did use "spoofed" telephone numbers to make calls to victims;

h. It was a further part of the conspiracy that India-based conspirators would and did direct and instruct victims to transmit fraud proceeds to U.S.-based conspirators via (1) interstate or foreign wire into one

or more bank accounts conspirators controlled; (2) interstate or foreign wire to conspirators via one or more money services businesses; and/or (3) mailing checks or cash equivalents to addresses conspirators controlled;

i. It was a further part of the conspiracy that U.S.-based conspirators would and did cause (1) the withdrawal of fraud proceeds from bank accounts conspirators controlled; (2) the retrieval of fraud proceeds from money services businesses; and (3) the deposit of checks and cash equivalents into bank accounts conspirators controlled;

j. It was a further part of the conspiracy that U.S.-based conspirators would and did transfer a portion of the fraud proceeds, less the U.S.-based conspirators' payments, to India-based conspirators via foreign wire transfers;

k. It was a further part of the conspiracy that conspirators would and did direct and cause victims to transfer funds via interstate wires, or to mail checks or cash equivalents, often to conceal from law enforcement agencies and financial institutions the identities of the victims, the nature of the financial transactions, and the sources of the fraud proceeds;

l. It was a further part of the conspiracy that conspirators would and did share in the fraud proceeds, usually receiving percentages

commensurate with their respective roles, for their personal enrichment and entertainment;

m. It was a further part of the conspiracy that conspirators would and did use some of the fraud proceeds to promote and perpetuate the scheme; and

n. It was a further part of the conspiracy that conspirators would and did engage in multiple meetings, perform acts, and make statements to promote and achieve the objects of the conspiracy and 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.

In violation of 18 U.S.C. § 1349.

COUNTS TWO THROUGH SIX
(Wire Fraud—18 U.S.C. § 1343)

A. Introduction

1. The Grand Jury realleges and incorporates by reference Paragraphs One through Eight of Part A of Count One of this Indictment as if fully set forth herein.

B. The Scheme and Artifice

2. Beginning on an unknown date, but no later than in or around February 2016, and continuing through the present, in the Middle District of Florida and elsewhere, the defendant,

GLENN FRANCIS,

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

C. Manner and Means of the Scheme and Artifice

3. The manner and means of the scheme and artifice are set forth in Paragraphs 10a through 10n of Count One of this Indictment, the allegations of which are realleged and incorporated by reference as if fully set forth herein.

D. Execution of the Scheme and Artifice

4. On or about the dates set forth below, in the Middle District of Florida and elsewhere, the defendant,

GLENN FRANCIS,

for the purpose of executing the scheme and artifice described above, 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	DESCRIPTION OF WIRE
TWO	September 1, 2016	\$14,500 transmitted via wire from a Bank of America branch location in Walnut Creek, California, to T.D. Bank account in the name of PC Fix It, Inc., located in the Middle District of Florida
THREE	May 11, 2017	\$971 transmitted via wire transmitter service from Irving, Texas, to Oldsmar, Florida
FOUR	May 11, 2017	\$850 transmitted via wire transmitter service from Chula Vista, California, to Palm Harbor, Florida
FIVE	April 17, 2018	\$20,000 transmitted via wire from a SALAL Credit Union branch location in Seattle, Washington, to T.D. Bank account in the name of Fit and Play Corp., located in the Middle District of Florida
SIX	April 18, 2018	\$48,488 transmitted via wire from a SALAL Credit Union branch location in Seattle, Washington, to T.D. Bank account in the name of Fit and Play Corp., located in the Middle District of Florida

In violation of 18 U.S.C. § 1343.

COUNTS SEVEN THROUGH EIGHT
(Mail Fraud—18 U.S.C. § 1341)

A. Introduction

1. The Grand Jury realleges and incorporates by reference Paragraphs One through Eight of the Introduction to Count One of this Indictment as if fully set forth herein.

B. The Scheme and Artifice

2. Beginning on an unknown date, but no later than in or around February 2016, and continuing through the present, in the Middle District of Florida and elsewhere, the defendant,

GLENN FRANCIS,

did knowingly devise and intend to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises.

C. Manner and Means of the Scheme and Artifice

3. The manner and means of the scheme and artifice are set forth in Paragraphs 10a through 10n of Count One of this Indictment, the allegations of which are realleged and incorporated by reference as if fully set forth herein.

D. Execution of the Scheme and Artifice

4. On or about the dates set forth below, in the Middle District of Florida and elsewhere, the defendant,

GLENN FRANCIS,

for the purpose of executing and attempting to execute the aforesaid scheme and artifice, did knowingly cause to be placed in an authorized depository for mail matter, and cause to be deposited with the United States Postal Service, the items described below, for delivery according to the directions thereon:

COUNT	DATE OF MAILING	DESCRIPTION OF MAILING
SEVEN	January 30, 2018	Check in the amount of \$7,298, mailed from Duncansville, Pennsylvania, to Techavia IT Solutions, Inc., in Palm Harbor, Florida
EIGHT	February 27, 2018	Check in the amount of \$4,298, mailed from Long Lake, Minnesota, to Techavia IT Solutions, Inc., in Palm Harbor, Florida

In violation of 18 U.S.C. § 1341.

COUNTS NINE THROUGH ELEVEN
(Illegal Monetary Transactions—18 U.S.C. § 1957)

1. The Grand Jury realleges and incorporates by reference Paragraphs One through Eight of Part A of Count One of this Indictment as if fully set forth herein.

2. On or about the dates set forth below, in the Middle District of Florida, and elsewhere, the defendant,

GLENN FRANCIS,

did knowingly engage and attempt to engage in a monetary transaction, in and affecting interstate and foreign commerce, in criminally-derived property of a value greater than \$10,000, such property having been derived from a specified unlawful activity, that is, wire fraud, in violation of 18 U.S.C. § 1343, as described below:

COUNT	DATE	AMOUNT	TRANSACTION
NINE	April 18, 2018	\$14,900	International wire transfer from an account ending in -7296 at TD Bank (U.S.) in the name of Fit and Play Corp., to an account ending in -7819 at Axis Bank (India) in the name of S.P.
TEN	April 19, 2018	\$35,900	International wire transfer from an account ending in -7296 at TD Bank (U.S.) in the name of Fit and Play Corp., to an account ending in -4289 at Axis Bank (India) in the name of S.P.
ELEVEN	May 7, 2018	\$37,460	International wire transfer from an account ending in -3901 at TD Bank (U.S.) in the name of Fit and Play Corp., to an account ending in -0596 at Bank of India (India) in the name of Active Enterprises.

In violation of 18 U.S.C. §§ 1957 and 2.

FORFEITURE

1. The allegations contained in Counts One through Eleven of this Indictment are incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(1), and 28 U.S.C. § 2461(c).

2. Upon conviction of a violation of 18 U.S.C. §§ 1341 and/or 1343, or a conspiracy to violate 18 U.S.C. §§ 1341 and/or 1343 (18 U.S.C. § 1349), the defendant, GLENN FRANCIS, 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, real or personal, which constitutes or is derived from proceeds traceable to the offense.

3. Upon a conviction of 18 U.S.C. § 1957, the defendant, GLENN FRANCIS, shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(1), any property, real or personal, involved in such offense, or any property traceable to such property.


4. The property to be forfeited includes, but is not limited to, an order of forfeiture in the amount of at least \$313,370.03, which represents the proceeds obtained from the offenses as well as the amount involved in the offenses.

5. 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; or
- e. has been commingled with other property which cannot be divided without difficulty;

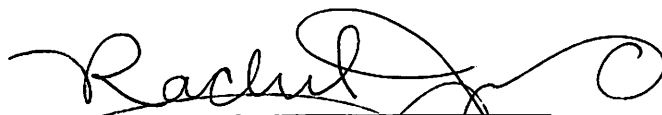
the United States of America shall be entitled to forfeiture of substitute property under the provisions of 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b)(1) and 28 U.S.C. § 2461(c).

A TRUE BILL,

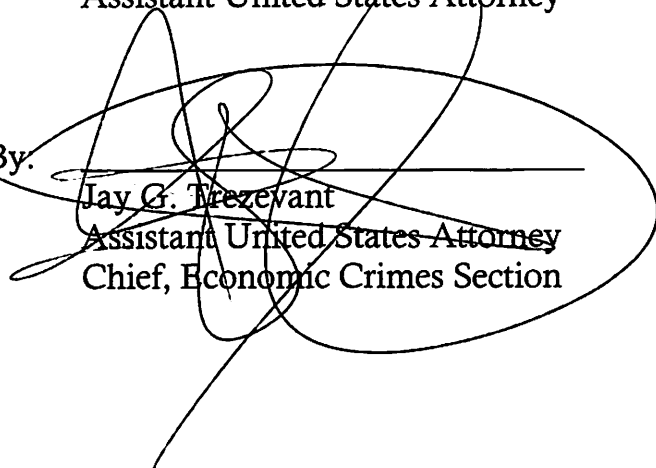


Foreperson

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No.

UNITED STATES DISTRICT COURT
Middle District of Florida
Tampa Division

THE UNITED STATES OF AMERICA

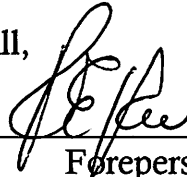
vs.

GLENN FRANCIS

INDICTMENT

Violations: 18 U.S.C. § 1349
18 U.S.C. § 1343
18 U.S.C. § 1341
18 U.S.C. § 1957

A true bill,



Foreperson

Filed in open court this 3rd day of January 2019.

Clerk

Bail \$ _____
