# IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA EASTERN DIVISION

UNITED STATES OF AMERICA,	) Case No. 3:15-CR-204-MHT
v. TALASHIA HINTON, a/k/a "LayLay" and "LaLa"	) [18 U.S.C. § 286; ) 18 U.S.C. § 1343; ) 18 U.S.C. § 1028A (a)(1), (c)(5); ) 18 U.S.C. § 981(a)(1)(C)]
Defendant.	INDICTMENT

## The Grand Jury charges that:

# **INTRODUCTION**

At times relevant to this Indictment:

- 1. Defendant TALASHIA HINTON, also known as "LayLay" and "LaLa," resided in Phenix City, Alabama, within the Middle District of Alabama.
- 2. Keshia Lanier, also known as "Keshia Gray" and "Keshia Williams," resided in Seale, Alabama, and in Newnan, Georgia.
- 3. Tamika Floyd resided in Salem, Alabama, within the Middle District of Alabama. Between in or about 2007 and May 2013, Defendant Tamika Floyd was employed at a state agency located in Opelika, Alabama. Through her employment, Tamika Floyd had access to the means of identification of individuals. Between May 2013 and July 2014, Tamika Floyd was employed at another state agency located in Opelika, Alabama and had access to the means of identification of individuals.

- 4. A "means of identification" was any name or number that may be used, alone or in conjunction with any other information, to identify a specific individual, including a name, Social Security number, or date of birth.
- 5. The Internal Revenue Service ("IRS") was an agency of the United States

  Department of the Treasury responsible for administering the tax laws of the United States, and collecting taxes owed to the United States.

#### **COUNT ONE**

(Conspiracy to Defraud the Government with Respect to Claims)

- 1. The factual allegations contained in Paragraphs 1 through 5 of the Introduction Section of this Indictment are realleged and incorporated herein as if copied verbatim.
- 2. Beginning in or about January 2011, and continuing until in or about June 2014, within the Middle District of Alabama and elsewhere, Defendant TALASHIA HINTON, Keshia Lanier, Tamika Floyd, and others, both known and unknown to the grand jury, unlawfully and knowingly agreed, combined, and conspired with others and each other to defraud the United States by obtaining and aiding to obtain the payment and allowance of false, fictitious, and fraudulent claims.

#### MANNER AND MEANS

- 3. Defendant TALASHIA HINTON, Keisha Lanier, Tamika Floyd and others, both known and unknown to the grand jury, would and did agree to file and cause others to file false income tax returns.
- 4. Tamika Floyd would and did obtain the means of identification of individuals, including their names and Social Security numbers, from her employers.
- 5. Tamika Floyd would and did provide those means of identification of individuals to Defendant TALASHIA HINTON, Keisha Lanier, and others in exchange for money.

- 6. Defendant TALASHIA HINTON, Keisha Lanier, and others would and did transmit the means of identification of individuals through the use of email communications.
- 7. Defendant TALASHIA HINTON, Keisha Lanier, and others would and did obtain Electronic Filing Identification Numbers ("EFIN") in the names of several tax preparation businesses. On behalf of those tax preparation businesses, they would and did apply for bank products through Atlas Financial and other financial institutions.
- 8. Defendant TALASHIA HINTON, Keisha Lanier, and others would and did use these means of identification to prepare and electronically file false income tax returns and directed anticipated tax refunds to prepaid debit cards, to U.S. Treasury Checks, and to financial institutions which in turn issued the refunds via checks or prepaid debit cards. The Defendant TALASHIA HINTON, Keisha Lanier, and others would and did file over 3,000 2012 and 2013 federal income tax returns that claimed over \$7.5 million in tax refunds.
- 9. Defendant TALASHIA HINTON, Keisha Lanier, and others would and did obtain U.S. Treasury federal income tax refund checks from the mail.
- 10. Defendant TALASHIA HINTON, Keisha Lanier and others caused U.S. Treasury federal income tax refund checks and refund checks issued through financial institutions to be cashed at several businesses located in Alabama and Georgia.
- 11. The conspirators would and did take steps to conceal the existence of the conspiracy.

### ACTS IN FURTHERANCE OF THE CONSPIRACY

- 12. To accomplish the objectives of the conspiracy, in the Middle District of Alabama and elsewhere, and in furtherance thereof, the Defendant, Keisha Lanier, Tamika Floyd, and others, both known and unknown to the grand jury, committed, among other acts, the following acts:
- 13. On several dates on or after January 1, 2011, with the precise dates being unknown to the grand jury, Keshia Lanier obtained from individuals, who are unknown to the grand jury and who had access to inmate information from the Alabama Department of Corrections, the means of identification of individuals, including their names, dates of birth, and Social Security numbers.
- 14. On or about September 19, 2011, Keshia Lanier obtained EFIN number xxx515 in the name of S & D Tax Service.
- 15. After September 19, 2011, Keshia Lanier provided information on EFIN number xxx515 to Defendant TALASHIA HINTON for HINTON to use to file fraudulent tax returns.
- 16. On or about September 27, 2011, Keshia Lanier obtained EFIN number xxx538 in the name of M & Q Tax Service.
- 17. After September 27, 2011, Keshia Lanier provided information on EFIN number xxx538 to Defendant TALASHIA HINTON for HINTON to use to file fraudulent tax returns.
- 18. On various dates after September 2011, Keshia Lanier provided stolen means of identification to Defendant TALASHIA HINTON to file fraudulent tax returns.
- 19. On several dates on or after February 1, 2012, Tamika Floyd stole means of identification of individuals from her employers.

- 20. On several dates on or after February 1, 2012, Tamika Floyd provided Defendant TALASHIA HINTON, Keisha Lanier and others with stolen means of identification of individuals that Tamika Floyd obtained from her employers.
- 21. On or about July 23, 2013, Keisha Lanier emailed to Defendant TALASHIA HINTON a typed list of means of identification and addresses.
- 22. On or about the following dates and times, Defendant TALASHIA HINTON emailed to Keisha Lanier stolen means of identification:

<u>Paragraph</u>	<u>Date</u>	Time	<u>Description</u>
23.	9/23/2013	10:25 PM	Scanned List of Handwritten Means of Identification
24.	9/29/2013	11:41 AM	Typed List of Means of Identification
25.	11/19/2013	1:56 AM	Typed List of Means of Identification
26.	10/8/2013	12:05 PM	Photographs of List of Means of Identification Obtained by Tamika Floyd
27.	10/8/2013	12:12 PM	Photographs of List of Means of Identification Obtained by Tamika Floyd
28.	10/14/2013	12:17 PM	Photographs of List of Means of Identification Obtained by Tamika Floyd
29.	10/14/2013	12:42 PM	Photographs of List of Means of Identification Obtained by Tamika Floyd
30.	10/14/2013	2:50 PM	Photographs of List of Means of Identification Obtained by Tamika Floyd

31. Defendant TALASHIA HINTON prepared and filed, and caused to be prepared and filed, a false 2012 federal income tax return in the name of each of the following individuals whose initials are listed below, on or about the date and claiming a refund in the amount listed below:

Paragraph	<u>Initials</u>	Date	Refund Claimed
32.	S.T.	06/25/2013	\$3,830

33.	G.T.	06/25/2013	\$3,699
34.	S.B.	7/23/2013	\$868
35.	D.B.	7/23/2013	\$896
36.	S.C.	10/08/2013	\$2,003
37.	A.C.	10/08/2013	\$1,854
38.	С. Ј.	10/08/2013	\$1,726
39.	A.J.	10/15/2013	\$1,601

- 40. On or after January 13, 2014, Keshia Lanier obtained EFIN number xxx961.
- 41. On or after January 13, 2014, Keshia Lanier provided information on EFIN number xxx961 to Defendant TALASHIA HINTON for HINTON to file fraudulent tax returns.
  - 42. On or after January 23, 2013, Keshia Lanier obtained EFIN number xxx201.
- 43. On or after January 23, 2013, Keshia Lanier provided information on EFIN number xxx201 to Defendant TALASHIA HINTON for HINTON to file fraudulent tax returns.
- 44. Defendant TALASHIA HINTON prepared and filed, and caused to be prepared and filed, a false 2013 federal income tax return in the name of each of the following individuals whose initials are listed below, on or about the date and claiming a refund in the amount listed below:

<u>Paragraph</u>	<u>Initials</u>	<u>Date</u>	Refund Claimed
45.	B.L.	02/02/2014	\$3,038
46.	D.F.	02/02/2014	\$3,060
47.	M.G.	02/02/2014	\$3,152
48.	P.H.	02/02/2014	\$2,935
49.	W.H.	02/02/2014	\$2,971

- 50. On or about April 10, 2014, Defendant TALASHIA HINTON obtained a storage unit in Newnan, Georgia in order to store stolen means of identification for her and Keisha Lanier.
- 51. On or about June 9, 2014, Defendant TALASHIA HINTON emptied out the storage unit, including taking the stolen means of identification.

All in violation of Title 18, United States Code, Section 286.

## **COUNTS TWO THROUGH SIX**

(Wire Fraud)

- 1. The factual allegations contained in Paragraphs 1 through 5 of the Introduction Section of this Indictment are realleged and incorporated herein as if copied verbatim.
- 2. From in or about January 2011 through in or about June 2014, within the Middle District of Alabama and elsewhere, the Defendant TALISHA HINTON, having knowingly and intentionally devised and intended to devise a scheme and artifice to defraud, and to obtain money by means of false and fraudulent pretenses, representations, and promises, caused to be transmitted by means of wire communication in interstate commerce, communications, signals, and writings, to wit: electronically filed tax returns.

#### THE SCHEME AND ARTIFICE

3. The allegations contained Paragraphs 2 through 11 of Count 1 of this Indictment are realleged and incorporated herein as if copied verbatim.

#### THE WIRE COMMUNICATIONS

4. On or about each date listed below, in the Middle District of Alabama, the

Defendant TALASHIA HINTON, for the purpose of executing the scheme and artifice to

defraud, and to aid and abet the same, transmitted, and caused to be transmitted by means of wire

communication in interstate commerce, writings, signs, signals, pictures, and sounds as described for each count below:

Count	Date of Offense	Wire Communication	
2	02/02/2014	Electronically Filed Tax Return in the name of B.L. claiming a tax refund of \$3,038	
3	02/02/2014	Electronically Filed Tax Return in the name of D.F. claiming a tax refund of \$3,060	
4	02/02/2014	Electronically Filed Tax Return in the name of M.G. claiming a tax refund of \$3,152	
5	02/02/2014	Electronically Filed Tax Return in the name of P.H. claiming a tax refund of \$2,935	
6	02/02/2014	Electronically Filed Tax Return in the name of W.H. claiming a tax refund of \$2,971	

All in violation of Title 18, United States Code, Section 1343.

# **COUNTS SEVEN THROUGH ELEVEN**

(Aggravated Identity Theft)

- 1. The factual allegations contained in Paragraphs 1 through 5 of the Introduction Section of this Indictment are realleged and incorporated herein as if copied verbatim.
- 2. On or about each date listed below, within the Middle District of Alabama and elsewhere, the Defendant TALASHIA HINTON did knowingly use the means of identification of another person without lawful authority during and in relation to the offense in this Indictment identified as a Related Count below, that is, she knowingly used the name and Social Security number of an actual person known to the grand jury, listed by their initials, to commit wire fraud:

Count	<b>Date of Offense</b>	Related Count	Individual
7	02/02/2014	2	B.L.
8	02/02/2014	3	D.F.
9	02/02/2014	4	M.G.

Count	Date of Offense	Related Count	Individual
10	02/02/2014	5	P.H.
11	02/02/2014	6	W.H.

All in violation of Title 18, United States Code, Sections 1028A(a)(1) and (c)(5).

## **FORFEITURE ALLEGATION**

- A. The allegations contained in Counts 2 through 6 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).
- B. Upon conviction of the offenses in violation of Title 18, United States Code, Section 1343, set forth in Counts 2 through 6 of this Indictment, the Defendant TALASHIA HINTON shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds of said violations, including, but not limited to, the following: a monetary judgment.
- C. If any of the property described in this forfeiture allegation, 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-party
  - (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,

the United States shall be entitled to forfeiture of substitute property pursuant to Title 18, United States Code, Section 981(a)(1)(C), as incorporated by Title 28, United States Code, Section 2461(c).

All pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

TRUE BILL:

Foreperson

GEORGE L. BECK, JR. United States Attorney

Jonathan Ross

Kevin Davidson

Assistant United States Attorneys

Michael Boteler Gregory Bailey

Trial Attorney

United States Department of Justice

Tax Division