
UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS

UNITED STATES OF AMERICA,
PLAINTIFF,

vs.

CASE No. 19-40095-01/02-DDC
Filed Under Seal

JOSEPH ADAMS (01),
a.k.a. “Jason Cain,”
DANIELLE HUTCHENS (02)
a.k.a. “Danielle Adams,”
a.k.a. “Anna Smith”
DEFENDANTS.

SEALED INDICTMENT

THE GRAND JURY CHARGES:

AT ALL MATERIAL TIMES:

INTRODUCTION

1. Beginning in or before January 2017 and continuing to on or about November 20, 2018, in the District of Kansas, and elsewhere, Joseph Adams and Danielle Hutchens, a.k.a. “Danielle Adams,” were confederates in interdependent conspiracies and schemes intended to derive personal enrichment through unlawful activities.

OVERVIEW OF THE SCHEME

2. Adams and Hutchens stole mail from United States Postal Service collection boxes using a method known as “fishing.” Namely, the defendants would use adhesive rodent traps with attached string or wire to extract mail materials from collection boxes. Checking account and routing numbers derived from the stolen mail

were entered into a software program known as “Checksoft” along with real or false identities to create and print counterfeit checks. Adams and Hutchens then created counterfeit temporary identification documents purporting to have been issued by the State of Kansas to match their likeness to the false or stolen identities. Adams and Hutchens then used the counterfeit identities to negotiate the counterfeit checks for consumer goods that the defendants either retained for their own use and disposition, or later returned to retailers for cash. The exchange of fraudulently obtained goods for cash was designed to conceal and disguise the source and nature of their criminally derived proceeds.

3. The defendant’s schemes and conspiracies involved approximately \$286,205.95 in fraudulent activity.

THE FEDERAL RESERVE SYSTEM

4. The Federal Reserve System was and is the central bank of the United States.

5. One of the Federal Reserve’s general functions was and is to foster payment and settlement system safety and efficiency through services to the banking industry, as well as United States government entities that facilitate U.S. dollar transactions and payments.

6. The three principal components of the Federal Reserve System were and are the Board of Governors, the Federal Reserve Banks, and the Federal Open Market Committee.

7. There were and are twelve Federal Reserve Banks including the Federal Reserve Bank of Kansas City, located at 1 Memorial Drive, Kansas City, Missouri.

8. The Federal Reserve Banks provides and provides, *inter alia*, check collection services to depository institutions. When a depository institution receives check deposits drawn on other institutions, it sends the checks for collection to those institutions directly, delivers them to the institutions through a local clearinghouse exchange, or use the check-collection services of a correspondent institution or a Federal Reserve Bank. For checks collected through the Federal Reserve Banks, the accounts of the collecting institutions are credited for the value of the checks deposited for collection and the accounts of the paying banks are debited for the value of checks presented for payment. Most checks were and are collected and settled within one business day.

9. Since passage of the Check Clearing for the 21st Century Act, electronic check collection was and is the primary method for collecting checks. Almost all checks processed by the Federal Reserve Banks were and are deposited and presented using the Federal Reserve Banks' electronic check collection services.

10. Electronic monetary transfer services were and are conducted primarily by the Automated Clearinghouse System (“ACH”) or the Fedwire Funds Service (“Fedwire”).

11. Fedwire was and is a credit transfer service. Participants originated funds transfers by instructing a Federal Reserve Bank to debit funds from its own account and credit funds to the account of another participant. Participants can originate funds transfers online, by initiating a secure electronic message, or off-line, via telephone procedures.

12. The “ACH” system was and is a nationwide network through which depository institutions send each other batches of electronic credit and debit transfers. The Federal Reserve Banks and Electronic Payments Network (“EPN”) were and are the two national ACH operators. As an ACH operator, the Federal Reserve Banks receives files of ACH payments from originating depository financial institutions, edits and sorts the payments, delivers the payments to receiving depository financial institutions, and settles the payments by crediting and debiting the depository financial institutions' settlement accounts. The Federal Reserve Banks and EPN rely on each other to process interoperator ACH payments – that is, payments in which the originating depository financial institution and the receiving depository financial institution are served by different operators. These interoperator payments were and are settled by the Federal Reserve Banks.

FEDERAL DEPOSIT INSURANCE CORPORATION AND INSURED ENTITIES

13. The Federal Deposit Insurance Corporation (“FDIC”) was an independent agency created by Congress to maintain stability and public confidence in the nations’ financial system. The FDIC’s oversight activities included: insuring deposits; examining and supervising banks for safety, soundness, and consumer protection; and managing the resolution of banks placed in receivership for failure to comply with safety, soundness, and other regulatory standards.

14. The following entities were and are financial institutions as defined by Title 18, United States Code, Section 20, whose deposits were and are insured by the Federal Deposit Insurance Corporation:

- a. Central Bank of the Midwest, a subsidiary bank of Central Bancompany Inc., with a principal place of business in Lee's Summit, Missouri and branch locations in the District of a Kansas, and elsewhere;
- b. Capitol Federal Saving Bank, a federally chartered savings bank held by Capitol Federal Financial Inc., with a principal place of business in Topeka, Kansas and branch locations in the District of Kansas, and elsewhere;
- c. CoreFirst Bank and Trust with a principal place of business in Topeka, Kansas and branch locations in the District of Kansas, and elsewhere;
- d. First State Bank and Trust with a principal place of business in Tonganoxie, Kansas and branch locations in the District of Kansas;
- e. U.S. Bank with a principal place of business in Minneapolis, Minnesota, and branch locations in the District of Kansas, and elsewhere;
- f. Security Bank of Kansas City with a principal place of business in Kansas City, Kansas and branch locations in the District of Kansas;

NATIONAL CREDIT UNION ADMINISTRATION AND MEMBER ENTITIES

15. The National Credit Union Administration ("NCUA") was and is an independent federal agency that insured deposits at federally insured credit unions, protects the members who own credit unions, and charters and regulates federal credit unions.

16. The National Credit Union Share Insurance Fund was created by Congress in 1970 to insure member's deposits in federally insured credit unions.

17. Credit Unions are cooperative financial institutions chartered by the NCUA. The NCUA provided members of federally insured credit unions with up to \$250,000 in insurance coverage through the National Credit Union Share Insurance Fund.

18. Azura Credit Union was and is a financial institution as defined by Title 18, United States Code, Section 20, with locations in the District of Kansas whose accounts were insured by the National Credit Union Share Insurance Fund.

ENTITIES ENGAGED IN INTERSTATE COMMERCE

19. The following entities were and are engaged in commercial activities in and affecting interstate and foreign commerce including retail sales of consumer goods:

- a. Walmart Inc. (“Walmart”) with a principle place of business in Bentonville, Arkansas and retail locations in the District of Kansas, and elsewhere;
- b. The Finish Line, Inc. (“Finish Line”) with a principle place of business in Indianapolis, Indiana and retail locations in the District of Kansas, and elsewhere;
- c. The Home Depot, Inc. (“Home Depot”) with a principle place of business in Atlanta, Georgia and retail locations in the District of Kansas, and elsewhere.

KANSAS DEPARTMENT OF REVENUE

20. The Kansas Department of Revenue was and is an executive department of the State of Kansas under the supervision of the Kansas Secretary of Revenue. K.S.A. 75-4315b.

21. The Division of Vehicles was and is a subcomponent of the Kansas Department of Revenue. K.S.A. 75-5110.

22. The duties of the Division of Vehicles includes the issuance of state-issued driver's licenses and identification cards. K.S.A. 75-5156.

23. Temporary drivers' licenses or identification cards are issued at Division of Vehicles locations by printing the lawful possessor's likeness and identifying information on thermal paper.

24. After issuance of the temporary license or identification card, the lawful possessor receives their permanent license or identification card through the mail.

COUNT 1
CONSPIRACY TO COMMIT OFFENSES AGAINST THE UNITED STATES

25. Paragraphs 1 through 24 are incorporated by reference as though fully set forth.

26. Beginning on a date unknown to the Grand Jury but before January 2017, and continuing to on or about November 20, 2018, in the District of Kansas, and elsewhere, the defendants,

JOSEPH ADAMS, and
DANIELLE HUTCHENS,

knowingly and willfully combined, conspired, confederated, and agreed with each other to commit an offense against the United States, namely Theft of Mail, in violation of Title 18, United States Code, Section 1708;

OBJECT AND PURPOSE OF THE CONSPIRACY

27. The object of the conspiracy was to unlawfully obtain banking information, namely checking account and bank routing numbers, as well as identification documents and authentication features, that had been placed into United States Postal Service collection boxes to facilitate their schemes and frauds.

MANNER AND MEANS

28. It was part of the conspiracy that the defendants created so-called “fishing devices” designed to facilitate the removal of mail deposited into United States Postal Service collection boxes. The devices were commonly constructed by attaching adhesive-style rodent traps to a string or wire. The traps were placed into postal collection boxes wherein mail materials would stick to the trap. The trap, containing stuck mail materials, would be removed from the collection box by the attached string or wire.

29. It was further part of the conspiracy that the defendants would sort and open the stolen mail materials to locate personal checks, financial instruments or documents, or other documents and authentication features, that contained banking information or personal identifying information.

30. It was further part of the conspiracy that the banking and personal identifying information would be retained and organized by the defendants for later use in, and to facilitate, other schemes and frauds including bank fraud, wire fraud, identify theft, aggravated identity theft, and money laundering.

OVERT ACTS

31. Within the scope of the conspiracy and in furtherance of its unlawful objectives, the defendants, **Adams and Hutchens**, committed, *inter alia*, the following overt acts in the District of Kansas and elsewhere:

a. On or about and between July 24, 2018 and July 28, 2018, the defendants did steal, take, and possess, and did aid and abet each other in the stealing, taking, and possession of mail materials from a United States Postal collection box in Wichita, Kansas;

b. On or about July 30, 2018, the defendant **Danielle Hutchens**, negotiated a counterfeit check at a Home Depot located in Wichita, Kansas, to facilitate the purchase of, *inter alia*, “Real Kill Household Pest Glue Boards,” that is, adhesive rodent traps, intending the same to be used to create “fishing devices;”

c. On or about and between November 18, 2018 and November 20, 2018, the defendants did steal and take, and did aid and abet each other in the stealing and taking of mail materials from a United States Postal collection box in Overland Park, Kansas;

d. On or about November 18, 2018, the defendant, **Danielle Hutchens**, negotiated a counterfeit check at a Walmart located in Overland Park, Kansas to facilitate the purchase of, *inter alia*, “mouse traps” intending the same to be used to create “fishing devices;”

e. On or about November 20, 2018, the defendants possessed one or more of the following:

- i. stolen checks;
- ii. “fishing devices” and parts to make “fishing devices;”
- iii. stolen mail materials;

32. All of the foregoing in violation of Title 18, United States Code, Section 371 and Title 18, United States Code, Section 2.

COUNT 2
CONSPIRACY TO COMMIT IDENTITY THEFT

33. Paragraphs 1-32 are incorporated by reference as though fully set forth.

34. Beginning on a date unknown to the Grand Jury but before January 2017, and continuing to November 20, 2018, in the District of Kansas, and elsewhere, the defendants,

JOSEPH ADAMS, and,
DANIELLE HUTCHENS,

knowingly and intentionally combined, conspired, confederated, and agreed with each other, to commit one or more of the following violations of Title 18, United States Code, Section 1028(a), involving fraud and related activity in connection with identification documents, authentication features, and information, namely:

- a. to knowingly and without lawful authority produce an identification document, authentication feature, and a false identification document, in violation of Title 18, United States Code, Section 1028(a)(1);

b. to knowingly possess with the intent to unlawfully use and transfer five or more identification documents, other than those issued lawfully for the use of the possessor, authentication features, and false identification documents, in violation of Title 18, United States Code, Section 1028(a)(3); and,

c. to knowingly and without lawful authority, transfer, possess, and use a means of identification of another person with the intent to commit, to aid and abet the commission of, and in connection with, an unlawful activity constituting a violation of federal law, namely, wire fraud in violation of Title 18, United States Code, Section 1343, and bank fraud in violation of Title 18, United States Code, Section 1344, all in violation of Title 18, United States Code, Section 1028(a)(7).

OBJECT OF THE CONSPIRACY

35. The object of the conspiracy was for **Joseph Adams** and **Danielle Hutchens** to derive personal enrichment by unlawfully producing, transferring, possessing, and using identification documents, authentication features, and false identification documents, in order to allow the defendants to negotiate counterfeit checks at various retailers.

MANNER AND MEANS

36. It was part of the conspiracy that the defendants, **Joseph Adams** and **Danielle Hutchens**, would unlawfully acquire personally identifying information, including identification documents, names, and financial account numbers by stealing mail materials;

37. It was further part of the conspiracy that the defendants, would use the stolen identities to produce counterfeit checks and fraudulent identification documents;

38. It was further part of the conspiracy that the defendants would use and possess the fraudulent identification cards to pass the counterfeit checks at various retailers.

OVERT ACTS

39. Within the scope of the conspiracy and in furtherance of its unlawful objectives, the defendants, **JOSEPH ADAMS** and **DANIELLE HUTCHENS**, committed, *inter alia*, the following overt acts in the District of Kansas and elsewhere:

- a. On or about March 5, 2018, the defendant, **Joseph Adams**, possessed and attempted to use a false and fraudulent identification card bearing Kansas driver's license number ending in -0491 and issued to M.F., a real person, whose identity is known to the Grand Jury, with the intent to negotiate a counterfeit check;
- b. On or about April 15, 2018, the defendant, **Joseph Adams**, used and possessed a false and fraudulent identification card bearing Kansas driver's license number ending in -3628 and issued to A. A. W., a real person, whose identity is known to the Grand Jury, in order to negotiate a counterfeit check bearing Capital Federal Bank routing number ending in -1285 and account number ending in - 9239, said account number belonging to K.W., a real person whose identity is known to the Grand Jury;

- c. On or about October 22, 2018, the defendant, **Joseph Adams**, possessed and negotiated a check bearing CoreFirst Bank and Trust account number ending in -7698 belonging to D.M.R., a real person, whose identity is known to the Grand Jury;
- d. On or about October 26, 2018, the defendant **Joseph Adams**, possessed and negotiated a check bearing Security Bank of Kansas City account number ending in -1793 belonging to D. R., a real person, whose identity is known to the Grand Jury;
- e. On or about November 3, 2018, the defendant, **Danielle Hutchens**, possessed and negotiated a counterfeit check bearing Azura Credit Union account number ending in -9608 belonging to D.S., a real person, whose identity is known to the Grand Jury;
- f. On or about November 18, 2018, the defendant, **Danielle Hutchens**, possessed and negotiated a counterfeit check bearing Capital Federal Bank account number ending in -6890 belonging to T.M., a real person, whose identity is known to the Grand Jury;
- g. On or about November 15, 2018, the defendant, Danielle Hutchens, possessed and negotiated a counterfeit check bearing Central Bank of the Midwest account number ending in -3741 belonging to C.M., a real person whose identity is known to the Grand Jury;

- h. On or about November 20, 2018, the defendants, **Danielle Hutchens** and **Joseph Adams** did possess five or more or more identification documents, including but not limited to:
- i. Nebraska Driver's License ending in -1906 issued to B.H.R., a real person, whose identity is known to the Grand Jury;
 - ii. Illinois Driver's License ending in -3623 issued to S.R.C., a real person, whose identity is known to the Grand Jury;
 - iii. Kansas Driver's License ending in -7871 issued to J.D.H., a real person, whose identity is known to the Grand Jury;
 - iv. Kansas Driver's License ending in -1517 issued to K.J.H., a real person, whose identity is known to the Grand Jury;
 - v. Kansas Driver's License ending in -1843 issued to B.R.J., a real person, whose identity is known to the Grand Jury;
- i. On or about November 20, 2018 the defendants, **Joseph Adams** and **Danielle Hutchens**, did possess one or more stolen checks belonging to one or more real persons and intended for use the in the commission of bank and wire fraud.

40. It is further alleged that the defendants, **Joseph Adams** and **Danielle Hutchens**, did produce and transfer and conspire to produce and transfer one or more identification documents, authentication features, or false identification documents, appearing to be a driver's license or personal identification card with reference to Title 18, United States Code, Section 1028(b)(1)(A).

41. It is further alleged that the defendants, **Joseph Adams** and **Danielle Hutchens**, did produce five or more identification documents, authentication features, or false identification documents with reference to Title 18, United States Code, Section 1028(b)(1)(B).

42. It is further alleged that the defendants, **Joseph Adams** and **Danielle Hutchens**, did transfer, possess, use, and conspire to transfer, possess, and use one or more means of identification, and as a result obtained one or more things of value aggregating \$1,000 or more within a one year period in reference to Title 18, United States Code, Section 1028(b)(1)(D).

43. All in violation of Title 18, United States Code, Section 1028(f) and Title 18, United States Code, Section 2.

COUNTS 3-5
AGGRAVATED IDENTITY THEFT

44. Paragraphs 1-43 are incorporated by reference as though fully set forth.

45. On or about the below dates, in the District of Kansas, the defendant,

JOSEPH ADAMS,

did knowingly possess without lawful authority a means of identification of another, during and in relation to one or more felony violations enumerated in Title 18, United States Code, Section 1028A(c), knowing that the means of identification belonged to another actual person, referenced below, whose identities are known to the Grand Jury, in violation of Title 18, United States Code, Section 1028A(a)(1)

COUNT	DATE	MEANS OF IDENTIFICATION	ENUMERATED FELONY VIOLATION
3	4/15/2018	Capital Federal Bank Account number ending in - 9239, and belonging to K.W.	18 U.S.C. §§ 1028(f), 1343, 1344, 1349
4	10/22/2018	CoreFirst Bank and Trust account number ending in - 7698 and belonging to D.M.R.	18 U.S.C. §§ 1028(f), 1343, 1344, 1349
5	10/26/2018	Security Bank of Kansas account number ending in - 1793 and belonging to D.R.	18 U.S.C. §§ 1028(f), 1343, 1344, 1349

COUNTS 6-8
AGGRAVATED IDENTITY THEFT

46. Paragraphs 1-45 are incorporated by reference as though fully set forth.

47. On or about the below dates, in the District of Kansas, the defendant,

DANIELLE HUTCHENS,

did knowingly possess without lawful authority a means of identification of another, during and in relation to one or more felony violations enumerated in Title 18, United States Code, Section 1028A(c), knowing that the means of identification belonged to another actual person, referenced below, whose identities are known to the Grand Jury, in violation of Title 18, United States Code, Section 1028A(a)(1)

COUNT	DATE	MEANS OF IDENTIFICATION	ENUMERATED FELONY VIOLATION
6	11/3/2018	Azura Credit Union account number ending in -9608, and belonging to D.S.	18 U.S.C. §§ 1028(f), 1343, 1344, 1349
7	11/18/2018	Capital Federal Bank account number ending in - 6890, and belonging to T.M.	18 U.S.C. §§ 1028(f), 1343, 1344, 1349

8	11/20/2018	Security Bank of Kansas City account number ending in -2598, and belonging to R.A.M.	18 U.S.C. §§ 1028(f), 1349
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COUNT 9
CONSPIRACY TO COMMIT WIRE AND BANK FRAUD

48. Paragraphs 1-47 are incorporated by reference as though fully set forth.

49. Beginning on a date unknown to the Grand Jury but before January 2017, and continuing to on or about November 20, 2018, in the District of Kansas and elsewhere, the defendants,

**JOSEPH ADAMS, and
DANIELLE HUTCHENS**

knowingly and intentionally combined, conspired, confederated, and agreed with each other to commit one or more of the following violations of federal law:

- a. Wire Fraud, that is, to devise, intend to devise, and participate in a scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing the scheme and artifice did transmit and cause to be transmitted money by means of wire communications in interstate and foreign commerce in violation of Title 18, United States Code, Section 1343;
- b. Bank Fraud, that is, to devise and execute a scheme and artifice to defraud financial institutions and to obtain money, funds, credits, assets, and property under the custody and control of financial institutions, by means of

materially false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

OBJECT OF THE CONSPIRACY

50. The object of the conspiracy was to defraud financial institutions and obtain money and funds under the control of the same by wrongfully acquiring financial account numbers for active accounts in the names of others and to then create fraudulent checks drawn on these accounts to be negotiated at retail locations. The scheme also entailed acquiring the money and funds under the control of the financial institution by causing and attempting to cause the transmission of the same money and funds through wire communications in interstate and foreign commerce.

THE SCHEME TO DEFRAUD

51. It was part of the scheme and conspiracy that from at least January 2017 and continuing through November 2018, **Joseph Adams** and **Danielle Hutchens** would unlawfully acquire identity information, including bank account numbers, names, dates of birth, and driver's license information by stealing mail materials.

52. It was further part of the scheme and conspiracy that the defendants would use the stolen identifying information to create counterfeit checks and fraudulent identities.

53. It was further part of the scheme and conspiracy that the defendants would use the counterfeit checks and fraudulent identities to negotiate checks at retail vendors for their own personal benefit.

54. It was further part of the scheme and conspiracy that the defendants would cause and attempt to cause retailers and depository institutions to transmit money by means of wire communications in interstate commerce.

OVERT ACTS

55. Within the scope of the conspiracy and in furtherance of its unlawful objectives, the defendants **JOSEPH ADAMS** and **DANIELLE HUTCHENS** committed *inter alia*, the following overt acts:

- a. Between December 31, 2017, and November 18, 2018, the defendants created, printed, caused to be created and printed, and did aid and abet one another in the creation and printing of approximately 6,287 counterfeit checks;
- b. On or about March 5, 2018, the defendant, **Joseph Adams** attempted to negotiate a counterfeit check in the amount of \$271.41, bearing a U.S. Bank routing number ending in -0187 and account number ending in -6531, at a Walmart located at 11701 Metcalf Avenue, Overland Park, Kansas, and did attempt to cause the transmission of money by means of a wire communication in interstate commerce;
- c. On or about April 15, 2018, the defendant, **Joseph Adams**, negotiated a counterfeit check in the amount of \$293.41 bearing Capital Federal Bank routing number ending in -1285 and account number ending in -9239, at a Finish Line located at 1837 Village West Pkwy, Kansas City, Kansas and did cause and attempt to cause the transmission of money by means of a wire communication in interstate commerce;

d. On or about October 22, 2018, the defendant, **Joseph Adams**, negotiated a counterfeit check in the amount of \$904.44 bearing CoreFirst Bank and Trust routing number ending in -0728 and account number ending in -7698 at a Walmart located at 15700 Metcalf Avenue, Overland Park, Kansas, and did cause and attempt to cause the transmission of money by means of a wire communication in interstate commerce;

e. On or about October 26, 2018, the defendant, **Joseph Adams**, negotiated a counterfeit check in the amount of \$228.89 bearing Security Bank of Kansas City routing number ending in -0925 and account number ending in -1793 at a Walmart located at 15700 Metcalf Avenue, Overland Park, Kansas, and did cause and attempt to cause the transmission of money by means of a wire communication in interstate commerce;

f. On or about November 3, 2018, the defendant, **Danielle Hutchens**, possessed and negotiated a counterfeit check in the amount of \$196.17, bearing Azura Credit Union routing number ending in -9737 and account number ending in -9608, at a Walmart located at 7701 Frontage Road, Overland Park, Kansas, and did cause and attempt to cause the transmission of money by means of a wire communication in interstate commerce;

g. On or about November 13, 2018, the defendant, **Joseph Adams**, possessed and negotiated a counterfeit check in the amount of \$358.94, bearing First State Bank and Trust routing number -4303 and account number ending in -6154 at a Walmart located at 15700 Metcalf Avenue, Overland Park,

Kansas, and did cause and attempt to cause the transmission of money by means of a wire communication in interstate commerce;

h. On or about November 15, 2018, the defendant **Danielle Hutchens**, negotiated a counterfeit check in the amount of \$444.33 bearing Central Bank of the Midwest routing number ending in -1892 and account number ending in 3741 at a Walmart located at 13600 Alden Street, Olathe, Kansas, and did cause and attempt to cause the transmission of money by means of wire communications in interstate commerce;

i. On or about November 18, 2018, the defendant, **Danielle Hutchens**, negotiated a counterfeit check in the amount of \$471.58 bearing Capital Federal Bank routing number ending in -1285 and account number ending in -6890 at a Walmart located at 11701 Metcalf Avenue, Overland Park, Kansas 66210, and did cause and attempt to cause the transmission of money by means of wire communications in interstate commerce;

j. Beginning on a date unknown but before November 2018 and continuing to November 20, 2018, the defendants did possess with the intent to use, the following articles and property intended to facilitate their unlawful scheme and conspiracy:

- i. A Checksoft software disc;
- ii. Approximately 1000 checks – including stolen checks, blank checks, and counterfeit checks, such counterfeit checks bearing aliases of the defendants including Jason Cain and Anna Smith;

- iii. HP Officejet printer;
- iv. HP Deskjet printer/scanner;
- v. Blank check paper;
- vi. HP Pavilion Notebook Computer bearing serial number 5CD72749NV;
- vii. Counterfeit temporary Kansas Driver's licenses including the alias Jason Cain and Anna Smith;
- viii. Notebook paper containing a handwritten list of approximately 60 person's personally identifying information;
- ix. One or more stolen driver's licenses;
- x. One or more stolen mail materials both opened and unopened.

56. All in violation of Title 18, United States Code, Section 1349 and Title 18, United States Code, Section 2.

COUNT 10
CONSPIRACY TO LAUNDER MONETARY INSTRUMENTS

57. Paragraphs 1-56 are incorporated by reference as though fully set forth.

58. Beginning on a date unknown to the Grand Jury but before January 2017 and continuing to on or about November 20, 2018, in the District of Kansas, and elsewhere, the defendants,

**JOSEPH ADAMS, and
DANIELLE HUTCHENS,**

knowingly and intentionally combined, conspired, confederated, and agreed with each other, to commit offenses against the United States in violation of Title 18,

United States Code, Section 1956, namely, to knowingly conduct and attempt to conduct financial transactions affecting interstate and foreign commerce, which transactions involved the proceeds of specified unlawful activity, that is:

- (a) Identify Theft and Conspiracy to commit Identify Theft, in violation of Title 18, United States Code, Section 1028;
- (b) Bank Fraud, Wire Fraud, and Conspiracy to commit Bank Fraud and Wire Fraud, in violation of Title 18, United States Code, Sections 1343, 1344, and 1349; and,
- (c) Mail Theft, and conspiracy to Commit Mail Theft, in violation of Title 18, United States Code, Sections 371 and 1708;

knowing that the transactions were designed, in whole or in part, to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, and that while conducting and attempting to conduct such financial transactions, knew that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

OBJECT OF THE CONSPIRACY

59. The object of the conspiracy was to derive personal enrichment by engaging in fraudulent financial transactions involving the exchange of fraudulently obtained goods for cash that were designed in whole, or in part, to launder the cash proceeds.

MANNER AND MEANS

60. It was part of the conspiracy that the defendants, **Joseph Adams** and **Danielle Hutchens**, would acquire banking and identification information by stealing mail;

61. It was further part of the conspiracy that the defendants would utilize counterfeit identification documents and checks to fraudulently acquire consumer goods;

62. It was further part of the conspiracy that some of the fraudulently obtained goods would be returned for cash;

63. It was further part of the conspiracy that the returns were designed, in whole or in part, to disguise the nature, location, source, ownership, and control of the cash proceeds;

64. It was further part of the conspiracy that the laundered proceeds, *i.e.* cash derived from the fraudulent purchases and returns would be disposed of in a manner beneficial to the defendants.

OVERT ACTS

65. Within the scope of the conspiracy and in furtherance of its unlawful objectives, the defendants, **Adams and Hutchens**, committed, *inter alia*, the following overt acts:

- a. On or about October 22, 2018, the defendant, **Joseph Adams**, acquired an HP Pavillion computer by negotiating a counterfeit check in the amount of \$904.44 at a Walmart located at 15700 Metcalf Avenue, Overland Park, Kansas. On the same day, the defendant **Joseph Adams**, returned the

computer to a Walmart located at 11701 Metcalf Avenue, Overland Park, Kansas for \$904.44 in cash;

b. On or about October 26, 2018, the defendant, **Joseph Adams** acquired goods, including a “Stick Vacuum,” valued at \$179.00 by negotiating a counterfeit check in the amount of \$228.89 at a Walmart located at 15700 Metcalf Avenue, Overland Park, Kansas. On the same day, the defendant, **Joseph Adams**, returned the “Stick Vacuum” to a Walmart located at 1501 SW Wannamaker Road, Topeka, Kansas for \$195.25 in cash;

c. On or about November 3, 2018, the defendant **Joseph Adams** obtained a cellular telephone by negotiating a counterfeit check in the amount of \$358.94 at a Walmart store located at 15700 Metcalf Avenue, Overland Park, Kansas. On the same date, the defendant, **Danielle Hutchens**, returned the cellular telephone to a Walmart store located at 7701 Frontage Road, Overland Park, Kansas in exchange for 358.94 cash;

d. On or about November 15, 2018, the defendant, **Danielle Hutchens** obtained, *inter alia*, an Acer laptop computer, valued at \$389.00, and other goods, by negotiating a counterfeit check in the amount of \$444.33 at a Walmart located at 13600 S. Alden Street, Olathe, Kansas. On or about November 16, 2018, the defendant **Danielle Hutchens** returned the fraudulently obtained goods, including the Acer laptop computer, to a Walmart Store located at 11701 Metcalf Avenue, Overland Park, Kansas in exchange for \$425.86 in cash;

e. On or about November 18, 2018, the defendant, **Danielle Hutchens**, acquired, *inter alia*, a commercial good identified by receipt as an “SB8200,” valued at 189.00 by negotiating a counterfeit check in the amount of \$471.58 at a Walmart located at 11701 Metcalf Avenue, Overland Park, Kansas. On the same day, the defendant, **Danielle Hutchens** returned the “SB8200” to a Walmart located at 7701 Frontage Road, Overland Park, Kansas for \$206.20 in cash;

66. All in violation of Title 18, United States Code, Sections 1956(h) and 2.

FORFEITURE NOTICES

67. The allegations contained in paragraphs 1-66 of this Indictment are hereby re-alleged and incorporated by reference as if fully restated for the purposes of alleging forfeitures pursuant to Title 18, United States Code, Section 982.

A. Identity Theft, Bank Fraud, and Wire Fraud Forfeitures

68. Pursuant to Title 18, United States Code, Section 982(a)(2)-(3), upon conviction of the offenses alleged in Counts 2 and 9 of this indictment relating to Conspiracy to Commit Identity Theft (18 U.S.C § 1028), Conspiracy to Commit Bank Fraud (18 U.S.C. §§ 1344 & 1349), or Conspiracy to Commit Wire Fraud (18 U.S.C. §§ 1343 & 1349), the defendants, Joseph Adams and Danielle Hutchens, shall forfeit to the United States any property constituting, or derived from, proceeds obtained directly or indirectly, as a result of such violation.

B. Money Laundering Forfeitures

69. Pursuant to Title 18, United States Code, Section 982(a)(1), upon conviction of the offense alleged in Count 10 this indictment relating to Conspiracy to Launder Monetary Instruments (18 U.S.C § 1956), the defendants, **Joseph Adams** and **Danielle Hutchens**, shall forfeit to the United States any property real or personal, involved in the offense, or any property traceable to such property.

C. Substitute Assets

70. If any of the property described above, as a result of any act or omission of the defendants:

- 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 of the defendants pursuant to Title 21, United States Code, § 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c).

A TRUE BILL.

October 23, 2019
DATE

s/Foreperson
FOREPERSON OF THE GRAND JURY

Skipper Jacobs #26848
for Stephen R. McAllister, #15845
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DISTRICT OF KANSAS
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[It is requested that trial be held in Topeka, Kansas.]

PENALTIES:

COUNT 1 – CONSPIRACY TO COMMIT MAIL THEFT

A term of imprisonment of not more than 5 years, supervised release of not more and 1 year, a fine of not more than \$250,000, and a \$100 special assessment per count of conviction.

18 U.S.C. 371

COUNT 2 – CONSPIRACY TO COMMIT IDENTITY THEFT

A term of imprisonment of not more than 15 years, supervised release of not more and 3 years, a fine of not more than \$250,000, and a \$100 special assessment per count of conviction.

18 U.S.C. 1028(b)

COUNTS 3-8 – AGGRAVATED IDENTITY THEFT

A term of imprisonment of 2 years, a supervised release of not more and 1 year, a fine of not more than \$250,000, and a \$100 special assessment per count of conviction.

The term of imprisonment shall run consecutive to any term of imprisonment, except that, at the discretion of the court, the term of imprisonment may run concurrent to any additional violation of §1028A (Aggravated Identity Theft).

18 U.S.C. 1028A

COUNT 9 – CONSPIRACY TO COMMIT WIRE AND BANK FRAUD

(Relating to Wire Fraud): A term of imprisonment of not more than 20 years, supervised release of not more and 3 years, a fine of not more than \$250,000, and a \$100 special assessment per count of conviction.

(Relating to Bank Fraud): A term of imprisonment of not more than 30 years, supervised release of not more and 5 years, a fine of not more than \$1,000,000, and a \$100 special assessment per count of conviction.

18 U.S.C. 1349 with reference to 18 U.S.C. 1343 and 1344.

COUNT 10 – CONSPIRACY TO LAUNDER MONETARY INSTRUMENTS

Punishable by a term of imprisonment of not more than 20 years, a fine of not more than \$500,000 or twice the value of the property involved in the transaction, whichever is greater, supervised release of not more than 3 years, and a \$100 special assessment per count of conviction.

18 U.S.C. 1956(a)(1) and (h)