

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO.** 17-14041-CR-Marra/Lynch  
**18 U.S.C. § 1349**  
**18 U.S.C. § 2326(2)**  
**21 U.S.C. § 841(a)(1)**  
**18 U.S.C. § 924(c)(1)(A)(i)**

**UNITED STATES OF AMERICA**

**vs.**

**MARVIN DAMIAN COOTE,**

**Defendant.**  
\_\_\_\_\_ /



**INDICTMENT**

The Grand Jury charges that:

**GENERAL ALLEGATIONS**

At all times material to this Indictment:

1. Defendant **MARVIN DAMIAN COOTE** resided at 510 Texas Court, Fort Pierce, Florida.
2. Green Dot Corporation (hereinafter, "Green Dot") offers prepaid debit cards and related products, including their MoneyPak product, as a General Purpose Reloadable prepaid card used to load/deposit cash to Green Dot prepaid debit cards, as well as other prepaid debit cards marketed and serviced by other prepaid debit card partner programs registered with the Green Dot Network. Green Dot prepaid cards can be bought at approximately 50,000 retail locations across the United States, or online directly from Green Dot.
3. Achieve Card, Galileo Processing, and Plastyc, Inc., are all Green Dot Network partner companies.
4. Western Union Company (hereinafter, "Western Union") offers consumer-to-consumer money transfer services. Consumers in the United States can send funds at agent locations,

by phone, or online. Receivers can pick up available funds at an agent location. Western Union has agent locations across the United States, in Jamaica, and elsewhere.

5. MoneyGram International, Inc. (hereinafter, "MoneyGram") offers consumer-to-consumer money transfer services. Consumers in the United States can send funds at agent locations. Receivers can pick up available funds at an agent location. MoneyGram has agent locations across the United States, in Jamaica, and elsewhere.

6. Jamaica National Overseas (USA) Inc. (hereinafter, "Jamaica National") is a subsidiary of Jamaican National Building Society, a Jamaican financial institution, which offers consumer-to-consumer money transfer services. Jamaica National provides international money transfer services between Jamaica and other countries, including the United States.

**COUNT ONE**

**(18 U.S.C. § 1349: Conspiracy to commit Mail Fraud and Wire Fraud)  
(18 U.S.C. § 2326: Victimization of Seniors)**

7. The General Allegations of paragraphs 1 - 6 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

8. From on or about March 1, 2011, and continuing through on or about May 1, 2017, in St. Lucie County, in the Southern District of Florida, and elsewhere, the defendant,

**MARVIN DAMIAN COOTE,**

did knowingly and willfully combine, conspire, confederate and agree with others, both known and unknown to the Grand Jury, to commit certain offenses against the United States, that is,

(a) To knowingly and with intent to defraud, devise and intend to devise 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 and attempting to execute such scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, place and cause to be placed in a post office and authorized depository for mail matter, matter to be sent and delivered by the United States Postal

Service, and to take and receive matter delivered by the United States Postal Service, in violation of Title 18, United States Code, Section 1341; and

(b) To knowingly and with intent to defraud, devise and intend to devise a scheme and artifice to defraud, and for obtaining money and property by means of materially false and fraudulent pretensions, representations, and promises, and for the purpose of executing such scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, certain signs, writings, signals, pictures, and sounds, in violation of Title 18, United States Code, Section 1343.

#### **PURPOSE OF THE CONSPIRACY**

9. It was the purpose of the conspiracy for the defendant **MARVIN DAMIAN COOTE**, and his co-conspirators, to unlawfully enrich themselves by falsely informing elderly victims that the victims had won a large amount of money in a lottery and sweepstakes, inducing the victims to pay money in advance of receiving their purported lottery winnings, and keeping the victims' money for the defendants' and their co-conspirators' own benefit, without paying any lottery and sweepstakes winnings.

#### **MANNER AND MEANS OF THE CONSPIRACY**

The manner and means by which defendant, **MARVIN DAMIAN COOTE**, and his co-conspirators sought to accomplish the purpose of the conspiracy included, among others, the following:

10. Co-conspirators, both known and unknown to the Grand Jury, who reside in Jamaica, telephonically contacted, and caused to be contacted, elderly victims in the United States who were falsely informed that they had won millions of dollars in a lottery or sweepstakes. Co-conspirators persuaded and caused the elderly victims to be persuaded that they needed to pay bogus fees of several hundred to several thousand dollars, in order to collect their purported lottery winnings.

11. Co-conspirators telephonically contacted and caused to be contacted the elderly victims who were instructed on how, and to whom, to send the bogus fees.

12. Defendant **MARVIN DAMIAN COOTE** and his co-conspirators would and did receive cash, cashier's checks, and prepaid debit cards from victims via United States Postal Service Express Mail in St. Lucie County, in the Southern District of Florida.

13. Defendant **MARVIN DAMIAN COOTE** and his co-conspirators would and did receive victims' money via MoneyGram in St. Lucie County, in the Southern District of Florida.

14. Defendant **MARVIN DAMIAN COOTE** and his co-conspirators would and did receive victims' money via Western Union in St. Lucie County, in the Southern District of Florida.

15. Defendant **MARVIN DAMIAN COOTE** and his co-conspirators would and did receive victims' money via Green Dot prepaid and reloadable debit cards in St. Lucie County, in the Southern District of Florida.

16. Defendant **MARVIN DAMIAN COOTE** and his co-conspirators would and did send the victims' money to other co-conspirators in Jamaica via Western Union, MoneyGram, and Jamaica National.

17. Defendant **MARVIN DAMIAN COOTE** and his co-conspirators would and did recruit other individuals to send the victims' money to other co-conspirators in Jamaica, via Western Union, MoneyGram and Jamaica National.

18. Defendants **MARVIN DAMIAN COOTE** and his co-conspirators would and did use prepaid debit cards, including Green Dot cards, in various names, their own names and those of others, which cards had been loaded with victims' money, to send the victims' money to other co-conspirators.

19. Defendant **MARVIN DAMIAN COOTE** and his co-conspirators would and did recruit other individuals to use prepaid debit cards, including Green Dot cards, in various names, their

own names and the names of others, which cards had been loaded with victims' money, to send the victims' money to other co-conspirators.

20. Defendant **MARVIN DAMIAN COOTE** and his co-conspirators would and did keep a percentage of the victims' money or funds received, before sending the rest of the victims' money to other co-conspirators.

21. Defendant **MARVIN DAMIAN COOTE** and his co-conspirators victimized at least ten persons over the age of 55 years.

All in violation of Title 18, United States Code, Sections 1349 and 2326(2).

**COUNT TWO**

**(21 U.S.C. § 841(a): Possession with Intent to Distribute Marijuana)**

On or about May 1, 2017, in St. Lucie County, in the Southern District of Florida, the defendant,

**MARVIN DAMIAN COOTE,**

did knowingly and intentionally possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

Pursuant to Title 21, United States Code, Section 841(b)(1)(D), it is further alleged that this violation involved less than 50 kilograms of marijuana.

**COUNT THREE**

**(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)**

22. On or about May 1, 2017, in St. Lucie County, in the Southern District of Florida, the defendant,

**MARVIN DAMIAN COOTE,**

did knowingly possess a firearm in furtherance of a drug trafficking crime, which is a felony prosecutable in a court of the United States, specifically a violation of Title 21, United States Code, Section 841(a)(1), as set forth in Count Two of this Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

It is further alleged that the firearms are:

1. One Colt .357 caliber handgun; and
2. One Rohm .22 caliber revolver.

**CRIMINAL FORFEITURE**

23. Upon conviction of the violations alleged in Count Three of this Indictment, the defendant **MARVIN DAMIAN COOTE** shall forfeit to the United States any firearm or ammunition involved in or used in said violation, including but not limited to the following:

- a. One Colt 0.357 caliber handgun,
- b. Three rounds of 0.357 ammunition,
- c. One Rohm 0.22 caliber revolver, and
- d. Six rounds of 0.22 caliber ammunition.

Pursuant to Title 28, United States Code, Section 2461, Title 18, United States Code, Section 924(d), and the procedures outlined at Title 21, United States Code, Section 853.

( \_\_\_\_\_ )  
FOREPERSON

  
\_\_\_\_\_  
BENJAMIN G. GREENBERG  
ACTING UNITED STATES ATTORNEY

  
\_\_\_\_\_  
MARTON GYIRES  
ASSISTANT UNITED STATES ATTORNEY



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**UNITED STATES OF AMERICA**

**CASE NO.** 17-14041-CR-Marra/Lynch

v.

**MARVIN DAMIAN COOTE,**

**CERTIFICATE OF TRIAL ATTORNEY\***

Defendant. /

**Indictment Case Information:**

**Court Division:** (Select One)

\_\_\_\_ Miami      \_\_\_\_ Key West  
\_\_\_\_ FTL        \_\_\_\_ WPB       X  FTP

New Defendant(s) Yes \_\_\_\_ No \_\_\_\_  
Number of New Defendants \_\_\_\_\_  
Total number of counts \_\_\_\_\_

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.
3. Interpreter: (Yes or No)  No
4. List language and/or dialect \_\_\_\_\_  
This case will take  6-10  days for the parties to try.
5. Please check appropriate category and type of offense listed below:

(Check only one)

(Check only one)

I	0 to 5 days	_____	Petty	_____
II	6 to 10 days	<u> X </u>	Minor	_____
III	11 to 20 days	_____	Misdem.	_____
IV	21 to 60 days	_____	Felony	<u> X </u>
V	61 days and over	_____		

6. Has this case been previously filed in this District Court? (Yes or No)  No

If yes:

Judge: \_\_\_\_\_ Case No. \_\_\_\_\_

(Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No)  Yes

If yes:

Magistrate Case No.  2:17-mj-00046-FJL

Related Miscellaneous numbers:  15-14025-CR-Martinez/Lynch

Defendant(s) in federal custody as of  5/1/2017

Defendant(s) in state custody as of \_\_\_\_\_ District of \_\_\_\_\_

Is this a potential death penalty case? (Yes or No) \_\_\_\_\_

7. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to October 14, 2003? Yes \_\_\_\_ No  X

8. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to September 1, 2007? Yes \_\_\_\_ No  X



MARTON GYIRES  
ASSISTANT UNITED STATES ATTORNEY

\*Penalty Sheet(s) attached

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 17-14041-CR-Marra/Lynch**

**PENALTY SHEET**

**Defendant's Name: MARVIN DAMIAN COOTE**

<b>COUNT</b>	<b>VIOLATION</b>	<b>U.S. CODE</b>	<b>MAX. PENALTY</b>
<b>1</b>	Conspiracy to Commit Mail Fraud and Wire Fraud	18:1349 18:1341 18:1343 18:2326	30 Years' Imprisonment \$250,000 Fine SR: Up to 10 Years \$100 Special Assessment
<b>2</b>	Possession with Intent to Distribute a Controlled Substance	21:841(a)(1) & (b)(1)(D)	5 Years' Imprisonment \$250,000 Fine SR: Min. 2 years to Life \$100 Special Assessment
<b>3</b>	Possession of a Firearm in Furtherance of a Drug Trafficking Crime	18:924(c)(1)(A)(i)	Minimum 5 years Imprisonment, consecutive \$250,000 Fine SR: 3 years \$100 Special Assessment