

Note: the names of individuals and dealerships have been changed to fictitious names.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, : CRIMINAL NO. _____
: DATE FILED: _____
v. : VIOLATIONS:
: 18 U.S.C. § 2314 (Interstate
JOSEPH CLOCKER : Transportation of Falsely Made
: Securities - 9 Counts)
: 49 U.S.C. § 32705(a), 32709(b)
: (False Odometer Statements - 9
: Counts)

I N D I C T M E N T

COUNTS ONE THROUGH NINE

THE GRAND JURY CHARGES THAT:

At times relevant and material to this Indictment:

1. Defendant **JOSEPH CLOCKER** was a resident of the State of Maryland and was engaged in the buying and selling of used motor vehicles. Defendant **JOSEPH CLOCKER** operated in the Eastern District of Pennsylvania and elsewhere doing business as Wonder Place Auto Sales.

2. Wonder Place Auto Sales was a dealership licensed in the State of Wyoming and was solely owned by defendant **JOSEPH CLOCKER**.

3. Federal statutes and regulations prohibited the alteration of the miles displayed on an automobile's odometer, the giving of false odometer mileage readings to the purchasers

of used automobiles, and the interstate transportation of falsely made, forged, altered, and counterfeited securities -- namely, motor vehicle certificates of title.

THE SCHEME

4. Beginning in approximately June 1998, and continuing through at least August 2002, in the Eastern District of Pennsylvania, Wyoming, Maryland, and elsewhere, defendant **JOSEPH CLOCKER** conceived a plan to purchase used cars (mostly high-mileage vehicles) in the name of Wonder Place Auto Sales, from dealers and at auto auctions in Maryland and elsewhere.

5. Defendant **JOSEPH CLOCKER** caused the odometers of the used cars to be rolled back, or "clocked," to display lower mileage figures than were accurate.

6. Defendant **JOSEPH CLOCKER** caused those cars' titles and other ownership documents to be physically altered so that the mileage figures on them corresponded to the false low mileage figures on the rolled-back odometers. The altered documents were usually transported to Wyoming where they were surrendered to the XXXXXXXXX County Wyoming Clerk's Office, in exchange for new titles issued on behalf of the Wyoming Department of Transportation showing the false low mileages as the supposedly true and accurate mileages for the cars.

7. Defendant **JOSEPH CLOCKER** traveled from Maryland to Wyoming several times per year to obtain new Wyoming titles. Defendant **JOSEPH CLOCKER** caused falsely made, forged, altered, and counterfeited titles and vehicle reassignment documents to be

transported in interstate commerce to and within the Eastern District of Pennsylvania and elsewhere, for use in sales of those motor vehicles.

8. Defendant **JOSEPH CLOCKER** also submitted altered motor vehicle titles to the Maryland Motor Vehicle Administration, using others' personal and business names. Defendant **JOSEPH CLOCKER** then obtained new motor vehicle titles from the State of Maryland showing the false low mileages as the supposedly true and accurate mileages for the cars.

9. Defendant **JOSEPH CLOCKER** sold, and caused to be sold, the rolled-back cars at a wholesale auto auction in the Eastern District of Pennsylvania, and elsewhere, using the business name Wonder Place Auto Sales.

10. In connection with the sale of the rolled-back cars, defendant **JOSEPH CLOCKER** provided false, low-mileage odometer disclosure statements to subsequent purchasers.

11. Defendant **JOSEPH CLOCKER's** actions and misrepresentations led **CLOCKER** to receive higher prices for the cars sold than he would have received if the cars had displayed their correct mileage readings, and buyers of the cars, including ultimate consumers, paid more for the cars than they would have paid if they had known the cars' true mileage.

12. In order to effect and accomplish the objects and purposes of his scheme, defendant **JOSEPH CLOCKER:**

a. opened an account ending in xxxx at a bank in Maryland in the name of J. Clocker T/A Wonder Place Auto Sales, and listed himself as the sole authorized signer on the account;

b. registered with an auto auction in Colorado and Pennsylvania as the owner and only authorized representative of Wonder Place Auto Sales, and listed an account ending in xxxx at a Maryland bank as his business bank account;

c. registered with an auto auction in Washington, D.C., as Wonder Place Auto Sales; and

d. leased property on behalf of Wonder Place Auto Sales in xxxxxxxx and xxxxxxxxxxxxxx, Wyoming.

THE CARS

13. As used in this Indictment, the following vehicle numbers refer to the motor vehicles identified below:

<u>Vehicle No.</u>	<u>Year/Make</u>	<u>Vehicle Identification No.</u>
1	1993 Honda	xxxxxxxxxxxxxxxxxxxx
2	1996 Honda	xxxxxxxxxxxxxxxxxxxx
3	1994 Honda	xxxxxxxxxxxxxxxxxxxx
4	1991 Honda	xxxxxxxxxxxxxxxxxxxx
5	1997 Honda	xxxxxxxxxxxxxxxxxxxx
6	1995 Honda	xxxxxxxxxxxxxxxxxxxx
7	1997 Honda	xxxxxxxxxxxxxxxxxxxx
8	1997 Honda	xxxxxxxxxxxxxxxxxxxx
9	1997 Honda	xxxxxxxxxxxxxxxxxxxx

14. On or about the dates listed below, defendant **JOSEPH CLOCKER**, with fraudulent intent, did transport and cause to be

transported in interstate commerce, from Wyoming (Counts 1 through 8) and Maryland (Count 9) to Pennsylvania, falsely made, forged, and altered securities – namely, certificates of title relating to the motor vehicles listed below – knowing those certificates of title to have been falsely made, forged, altered, and counterfeited, each such instance being a separate Count of this Indictment:

<u>Count</u>	<u>Vehicle No.</u>	<u>Date</u>
1	1	November 25, 1998
2	2	January 28, 1999
3	3	January 28, 1999
4	4	March 15, 1999
5	5	January 30, 2001
6	6	March 9, 2001
7	7	March 23, 2001
8	8	June 20, 2001
9	9	June 14, 2002

In violation of Title 18, United States Code, Section 2314.

COUNTS TEN THROUGH EIGHTEEN

15. Paragraphs 1 through 13 of Counts One through Nine are realleged and incorporated herein by reference. On or about the dates listed below, in the Eastern District of Pennsylvania and elsewhere, defendant

JOSEPH CLOCKER

did knowingly and willfully give and cause to be given, in making the written disclosures to the buyers of used motor vehicles required by Title 49, United States Code, Section 32705(a), and Title 49, Code of Federal Regulations, Part 580, false statements relating to the cumulative mileage registered on the odometers of the motor vehicles listed below, in that defendant **JOSEPH CLOCKER** certified and caused to be certified as accurate the false mileages listed below, when in fact the odometers of the vehicles had registered the high mileages listed below when defendant acquired them, each such instance being a separate and additional Count in this Indictment:

<u>Count</u>	<u>Date</u>	<u>Vehicle No.</u>	<u>High Mileage</u>	<u>False Mileage</u>
10	December 4, 1998	1	91,490	51,818
11	February 19, 1999	2	82,802	43,505
12	February 19, 1999	3	86,787	44,973
13	June 25, 1999	4	123,570	76,279
14	February 16, 2001	5	86,376	37,596
15	March 16, 2001	6	82,583	52,810
16	April 6, 2001	7	183,043	53,281
17	July 13, 2001	8	75,908	46,506
18	August 2, 2002	9	84,262	55,160

In violation of Title 49, United States Code, Sections
32705(a) and 32709(b).

A TRUE BILL

FOREPERSON

XXXXXXXXXXXXXXXXXXXX
United States Attorney