

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

BILL OF INFORMATION FOR WIRE FRAUD

UNITED STATES OF AMERICA * CRIMINAL NO.
v. * SECTION:
KALEB DEAKLE * VIOLATION: 18 U.S.C. § 1343
*
* * *

The United States Attorney charges:

COUNT 1
(Wire Fraud)

A. AT ALL TIMES MATERIAL HEREIN:

1. The defendant is a former tenant of National Rice Mills Lofts, LLC (NRML) located at 522 Montegut Street, New Orleans, LA 70117, which provides residential housing for sale and lease to prospective tenants.
2. Hancock Bank (Hancock) is a financial services company headquartered in Gulfport, Mississippi and provides services such as online banking, ATM, credit cards, money market, and retail checking to its customers. Hancock is used by NRML to deposit rent payments from tenants.
3. Land Rover of New Orleans (LRNO) is a luxury vehicle dealership located in Metairie, Louisiana.

4. LRNO utilizes an email service provider called rackspace.com, that is located in San Antonio, Texas.

5. Apple, Inc. (Apple), formerly Apple Computer, Inc., is headquartered in Cupertino, California that designs, develops, and sells consumer electronics, computer software and personal computers. Apple's email service is operated via servers located in Cupertino, California.

B. THE SCHEME AND ARTIFICE TO DEFRAUD:

Beginning at a time unknown, but prior to on or about February 11, 2010, and continuing until this date of this bill of information, in the Eastern District of Louisiana and elsewhere, the defendant, **KALEB DEAKLE**, knowingly devised and intended to devise a scheme and artifice to defraud Land Rover of New Orleans, by using a bank account without authorization, in order to obtain property.

It was further part of the scheme and artifice to defraud that from August, 2011, to December, 2012, **KALEB DEAKLE** without authorization gained access to NRML's bank accounts in order to conduct fraudulent transactions.

It was further part of the scheme and artifice to defraud that on January 9, 2012, **KALEB DEAKLE** began communicating with LRNO via email from his Apple account to LRNO's rackspace.com account to inquire about purchasing a vehicle.

It was further part of the scheme and artifice to defraud that during the email conversation, **KALEB DEAKLE** mentioned he had previously been to LRNO but ended up

purchasing a 2012 Porsche Cayenne from another dealership. **KALEB DEAKLE** stated, "it was stolen last Friday" and, therefore, **KALEB DEAKLE** needed to purchase a new vehicle.

It was further part of the scheme and artifice to defraud that **KALEB DEAKLE** negotiated the sale of a 2012 Range Rover Sport in the amount of \$72,148.50 via email communications.

It was further part of the scheme and artifice to defraud that **KALEB DEAKLE** falsely claimed in emails that he worked for Apple, Inc., thus creating the appearance that he had necessary income to afford to purchase the luxury vehicle.

It was further part of the scheme and artifice to defraud that **KALEB DEAKLE** falsely assured the salesman at LRNO that **KALEB DEAKLE** would pay the full amount for the vehicle.

It was further part of the scheme and artifice to defraud that **KALEB DEAKLE**, on January 12, 2012, finalized the sale and took possession of the 2012 Range Rover Sport.

It was further part of the scheme and artifice to defraud that **KALEB DEAKLE** paid the full purchase price of \$72,148.50 to LRNO by knowingly providing a fraudulent check purportedly belonging to a NRML account at Hancock Bank.

C. THE USE OF THE WIRES:

On or about January 12, 2012, in the Eastern District of Louisiana, and elsewhere, the defendant, **KALEB DEAKLE**, for the purpose of executing the scheme and artifice as described in Count 1, Section B and attempting to do so, did transmit and cause to be transmitted

in interstate commerce, by means of wire communication, certain signs and signals, that is defendant **KALEB DEAKLE** caused an interstate communication between California and Louisiana to be made when defendant **KALEB DEAKLE** emailed the LRNO salesman to finalize the fraudulent sale of the 2012 Range Rover Sport. **KALEB DEAKLE** caused this interstate communication when he sent an email from New Orleans, Louisiana to his Apple email account located in California, which was then routed to LRNO's email server located in Texas, and finally transmitted to the LRNO salesperson's email account located in New Orleans, Louisiana; all in violation of Title 18, United States Code, Section 1343.

NOTICE OF WIRE FRAUD FORFEITURE

1. The allegations of Count 1 of this bill of information are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 1343 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

2. As a result of the offense alleged in Count 1, the defendant, **KALEB DEAKLE**, shall forfeit to the United States pursuant to Title 18, United States Code, Sections 1343 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c), any and all property, real or personal, which constitutes or is derived from proceeds traceable to violations of Title 18, United States Code, Section 1343, including but not limited to:

a. United States Currency and all interest and proceeds traceable thereto.

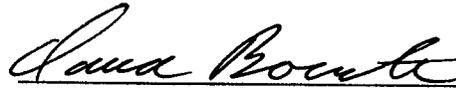
3. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- 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 subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Section 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

All in violation of Title 18, United States Code, Section 982.



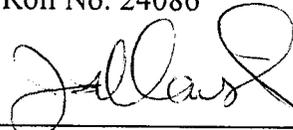
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New Orleans, Louisiana
April 4, 2013