

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

**SUPERSEDING BILL OF INFORMATION FOR ASSAULT UPON A
FEDERAL OFFICER, ACCESS DEVICE FRAUD AND BANK FRAUD**

UNITED STATES OF AMERICA	*	CRIMINAL NO. 12-268
v.	*	SECTION: "B"
JOHN PHILIP MORRILL, JR.	*	VIOLATIONS: 18 U.S.C. § 111(a)
a/k/a John Phillips		18 U.S.C. § 1029(a)(3)
a/k/a John Phillip	*	18 U.S.C. § 1029(a)(2)
	*	18 U.S.C. § 1344
	*	*

The United States Attorney charges that:

COUNT 1

On or about September 21, 2012, in the Eastern District of Louisiana, the defendant, **JOHN PHILIP MORRILL, JR., a/k/a John Phillips, a/k/a John Phillip**, willfully did forcibly assault, resist, oppose, impede, intimidate and interfere with Special Agent Brian Rossitto of the United States Secret Service, while he was engaged in, and on account of the performance of his official duties, in violation of Title 18, United States Code, Section 111(a).

COUNT 2

On or about October 18, 2012, in the Eastern District of Louisiana, and elsewhere, the defendant, **JOHN PHILIP MORRILL, JR., a/k/a John Phillips, a/k/a John Phillip**, knowingly and with intent to defraud, possessed approximately 70 unauthorized access devices, that is, credit card account numbers issued to various persons, to obtain money, goods, services, or any other things of value, said possession affecting interstate commerce, in violation of Title 18, United States Code, Section 1029(a)(3).

COUNT 3

Beginning on or about June 17, 2012 and continuing through on or about September 21, 2012, in the Eastern District of Louisiana and elsewhere, the defendant, **JOHN PHILIP MORRILL, JR., a/k/a John Phillips, a/k/a John Phillip**, did knowingly and with intent to defraud, use one or more unauthorized access devices, as defined in subsections (e)(1) and (3), to obtain goods and services having a value of approximately \$27,553.16, said use affecting interstate commerce, in violation of Title 18, United States Code, Section 1029(a)(2).

COUNT 4

A. The Bank Fraud:

From August 15, 2012 and continuing until on or about October 18, 2012, in the Eastern District of Louisiana and elsewhere, the defendant, **JOHN PHILIP MORRILL, JR., a/k/a John Phillips, a/k/a John Phillip**, devised a scheme and artifice to defraud ASI Federal Credit Union, a financial institution whose deposits were insured by the National Credit Union Share Insurance Fund (NCUSIF), and to obtain money, funds and credits owned by and under the custody of ASI

Federal Credit Union, by means of materially false and fraudulent pretenses, representations and promises. It was part of the scheme and artifice to defraud that the defendant provided ASI Federal Credit Union with material false statements and fictitious documents to obtain bank funds for his personal benefit to which he would otherwise not have been entitled.

B. The Execution of the Bank Fraud:

On or about October 16, 2012, the defendant executed the aforesaid scheme and artifice to defraud in that defendant did knowingly and unlawfully submit and cause to be submitted a bank loan application containing material false and fraudulent statements and documents to ASI Federal Credit Union, to-wit: false statements regarding his employment with Cajun City and monthly earnings of approximately \$1,717.00; a fictitious pay stub from a management group reporting earnings of \$393.00; a fictitious pay stub from a service company reporting earnings of \$1,270.78, when in fact, as the defendant well knew, he submitted false statements and created the fictitious pay stubs to obtain a \$2,300.00 bank loan from ASI Federal Credit Union;

All in violation of Title 18, United States Code, Section 1344.

NOTICE OF ACCESS DEVICE FRAUD FORFEITURE

1. The allegations of Counts 2 and 3 of this Superseding 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 1029(c)(1)(C) and 982(a)(2)(B).

2. As a result of the offense, alleged in Counts 2 and 3, the defendant, **JOHN PHILIP MORRILL, JR., a/k/a John Phillips, a/k/a John Phillip**, shall forfeit to the United States pursuant

to Title 18, United States Code, Section 982(a)(2)(B), all property constituting, or derived from, proceeds the defendant obtained directly or indirectly, as a result of access device fraud, in violation of Title 18, United States Code, Section 1029.

3. As a result of the offense, alleged in Counts 2 and 3, the defendant, **JOHN PHILIP MORRILL, JR., a/k/a John Phillips, a/k/a John Phillip**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 1029(c)(1)(C), any personal property used or intended to be used to commit the offense, access device fraud, in violation of Title 18, United States Code, Section 1029.

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

- 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 18, United States Code, Section 982(b)(1) and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property; all in violation of Title 18, United States Code, Sections 982 and 1029.

NOTICE OF BANK FRAUD FORFEITURE

1. The allegations of Count 4 of this Superseding 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 1344 and 982(a)(2)(A).

2. As a result of the offense alleged in Count 4, the defendant, **JOHN PHILIP MORRILL, JR., a/k/a John Phillips, a/k/a John Phillip**, shall forfeit to the United States any property, real or personal, constituting, or derived from, proceeds the defendant obtained directly or indirectly, as a result of bank fraud, in violation of Title 18, United States Code, Section 1344.

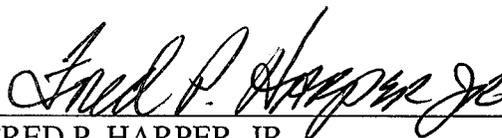
3. If any of the property described above as being subject to forfeiture as a result of any act or omission of the defendant:

- 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;

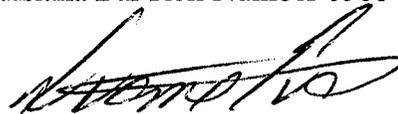
it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b)(1) and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property; all in violation of Title 18, United States Code, Section 982.



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New Orleans, Louisiana
April 29, 2013