

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO. 12-</b>
<b>v.</b>	<b>:</b>	<b>DATE FILED: February 2013</b>
<b>DIANE WILLIAMS</b>	<b>:</b>	<b>VIOLATIONS:</b>
	<b>:</b>	<b>18 U.S.C. § 371 (conspiracy - 1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 1344 (bank fraud - 1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 1028A (aggravated identity theft - 5 counts)</b>
	<b>:</b>	<b>18 U.S.C. § 2 (aiding and abetting)</b>
	<b>:</b>	<b>Notice of forfeiture</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

At all times material to this indictment:

1. Bank of America was a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation ("FDIC"), certificate number 3150.
2. From at least in or about January 2011, to at least in or about February 2012, in the Eastern District of Pennsylvania and elsewhere, including New York and New Jersey, defendant

**DIANE WILLIAMS**

conspired and agreed, together and with others known and unknown to the grand jury, to commit offenses against the United States, that is, to knowingly execute a scheme to defraud a bank and to obtain funds by false representations, in violation of Title 18, United States Code, Section 1344, and to knowingly and without lawful authority transfer and use a means of identification

of another person during and in relation to a federal crime, in violation of Title 18, United States Code, Section 1028A(a)(1).

### **MANNER AND MEANS**

3. It was part of the conspiracy that a co-conspirator, a person unknown to the grand jury, obtained stolen bank cards that had been issued by Bank of America, and defendant DIANE WILLIAMS and the co-conspirator obtained the dates of birth, addresses, Social Security numbers, bank account numbers, and other means of identification of unknowing victims, and together with co-conspirators used this information and the stolen bank cards to fraudulently buy store gift cards and merchandise.

It was further part of the conspiracy that:

4. Defendant DIANE WILLIAMS and the co-conspirator obtained and possessed bank cards that had been stolen from a Pitney-Bowes distribution center in Reading, Pennsylvania.

5. Defendant DIANE WILLIAMS and the co-conspirator obtained and possessed stolen identification information pertaining to the bank card account holders.

6. The co-conspirator recruited defendant DIANE WILLIAMS and other co-conspirators, known and unknown to the grand jury, to act as “shoppers.” These shoppers used the victims’ identification information and stolen bank cards to buy gift cards and other merchandise.

7. The co-conspirator paid DIANE WILLIAMS for her work by giving her cash equal to a portion of the value of the gift cards or other merchandise she purchased in each store.

8. As a result of the fraudulent use of the bank cards and identity information, defendant DIANE WILLIAMS and her co-conspirators caused over \$243,429 in fraudulent bank card purchases.

### **OVERT ACTS**

In furtherance of the conspiracy, defendant DIANE WILLIAMS, and others known and unknown to the grand jury, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. On or about September, 22, 2011, defendant DIANE WILLIAMS made an unauthorized use of a Bank of America bank card issued for an account in the name of R.S., and ending in the numbers 3068, at Target, in Reading, Pennsylvania, to fraudulently purchase gift cards with a value of approximately \$4,500.

2. On or about September 27, 2011, defendant DIANE WILLIAMS made an unauthorized use of a Bank of America bank card issued for an account in the name of J.C., and ending in the numbers 1577, at Target, in Reading, Pennsylvania, to fraudulently purchase gift cards with a value of approximately \$21,174.

3. On or about October 19, 2011, defendant DIANE WILLIAMS made unauthorized use of a Bank of America bank card issued for an account in the name of M.O., and ending in the numbers 0612, at Target, in Reading, Pennsylvania, to fraudulently purchase gift cards with a value of approximately \$8,008.

4. On or about October 25, 2011, defendant DIANE WILLIAMS made an unauthorized use of a Bank of America bank card issued for an account in the name of O.F., and

ending in the numbers 7945, at Walgreens, in Jenkintown, Pennsylvania, to fraudulently purchase gift cards with a value of approximately \$3,926.

5. On or about November 4, 2011, defendant DIANE WILLIAMS made an unauthorized use of a Bank of America bank card issued for an account in the name of D.S., and ending in the numbers 3685, at Target in Langhorne, Pennsylvania, to fraudulently purchase gift cards with a value of approximately \$9,000.

All in violation of Title 18, United States Code, Section 371.

## **COUNT TWO**

### **THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraph 1 and 3 through 8, and overt acts 1 through 5, are incorporated here.
2. From on or about January 2011, through on or about February 2012, in the Eastern District of Pennsylvania, defendants

### **DIANE WILLIAMS**

knowingly executed and attempted to execute, and aided and abetted the execution of, a scheme to defraud Bank of America, and to obtain monies owned by and under the care, custody, and control of that bank by means of false and fraudulent pretenses, representations, and promises.

### **THE SCHEME**

1. On or about September, 22, 2011, defendant DIANE WILLIAMS and other persons, known and unknown to the grand jury, used a stolen Bank of America bank card issued for an account in the name of R.S., and ending in the numbers 3068, at Target, in Reading, Pennsylvania, to fraudulently purchase gift cards with a value of approximately \$4,500.
2. On or about September 27, 2011, defendant DIANE WILLIAMS and other persons, known and unknown to the grand jury, used a stolen Bank of America card issued for an account in the name of J.C., and ending in the numbers 1577, at Target, in Reading, Pennsylvania, to fraudulently purchase gift cards with a value of approximately \$21,174.
3. On or about October 19, 2011, defendant DIANE WILLIAMS made unauthorized use of a Bank of America bank card issued for an account in the name of M.O., and

ending in the numbers 0612, at Target, in Reading, Pennsylvania, to fraudulently purchase gift cards with a value of approximately \$8,008.

4. On or about October 25, 2011, defendant DIANE WILLIAMS and other persons, known and unknown to the grand jury, used a stolen Bank of America bank card issued for an account in the name of O.F., and ending in the numbers 7945, at Walgreens, in Jenkintown, Pennsylvania, to fraudulently purchase gift cards with a value of approximately \$3,926.

5. On or about November 4, 2011, defendant DIANE WILLIAMS and other persons, known and unknown to the grand jury, used a stolen Bank of America bank card issued for an account in the name of D.S., and ending in the numbers 3685, at Target in Langhorne, Pennsylvania, to fraudulently purchase gift cards with a value of approximately \$9,000.

All in violation of Title 18, United States Code, Sections 1344 and 2.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 22, 2011, in the Eastern District of Pennsylvania and elsewhere, defendant

**DIANE WILLIAMS**

knowingly and without lawful authority transferred, possessed, used, and aided and abetted and willfully caused the transfer, possession, and use of, a means of identification of another person, that is, the name of R.S., during and in relation to bank fraud.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5), and 2.

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 27, 2011, in the Eastern District of Pennsylvania,  
defendant

**DIANE WILLIAMS**

knowingly and without lawful authority, transferred, possessed and used, and aided and abetted the transfer, possession and use of, a means of identification of another person, that is, the name of J.C., during and in relation to bank fraud.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5) and 2.

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about October 19, 2011, in the Eastern District of Pennsylvania and elsewhere, defendant

**DIANE WILLIAMS**

knowingly and without lawful authority transferred, possessed, used, and aided and abetted and willfully caused the transfer, possession, and use of, a means of identification of another person, that is, the name of M.O., during and in relation to bank fraud.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5), and 2.

**COUNT SIX**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about October 25, 2011, in the Eastern District of Pennsylvania, the district of New Jersey, and elsewhere, defendant

**DIANE WILLIAMS**

knowingly and without lawful authority transferred, possessed, used, and aided and abetted and willfully caused the transfer, possession, and use of, a means of identification of another person, that is, the name of O.F., during and in relation to bank fraud.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5), and 2.

**COUNT SEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about November 4, 2011, in the Eastern District of Pennsylvania and elsewhere, defendant

**DIANE WILLIAMS**

knowingly and without lawful authority transferred, possessed, used, and aided and abetted and willfully caused the transfer, possession, and use of, a means of identification of another person, that is, the name of D.S., during and in relation to bank fraud.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5), and 2.

## **NOTICE OF FORFEITURE**

### **THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 18, United States Code, Sections 1344 set forth in this indictment, defendant

#### **DIANE WILLIAMS**

shall forfeit to the United States of America any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offenses, as charged in this indictment, including, but not limited to, the sum of approximately \$243,429.

2. If any of the 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 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;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b),

incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(2).

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**



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**ZANE DAVID MEMEGER  
UNITED STATES ATTORNEY**