
**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA

: **CRIMINAL COMPLAINT**

-v-

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: Mag. No. 13-6583
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:

TERRELL BRUNSON

I, James McHale, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the United States Secret Service, and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached pages and made a part hereof.



James McHale
Special Agent, U.S. Secret Service

Sworn to before me and subscribed in my presence,
March 8, 2013 in Essex County, New Jersey

HONORABLE JOSEPH A. DICKSON
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

ATTACHMENT A

Count One
(Access Device Fraud)

From in or around April 2012, through in or around February 2013, in Essex County, in the District of New Jersey, and elsewhere, defendant TERRELL BRUNSON:

did knowingly and with intent to defraud, traffic in and use one or more unauthorized access devices during a one-year period, and by such conduct did obtain things of value aggregating \$1,000 or more during that period, in a manner affecting interstate and foreign commerce,

in violation of Title 18, United States Code, Section 1029(a)(2) and Section 2.

Count Two
(Aggravated Identity Theft)

From in or around April 2012, through in or around February 2013, in Essex County, in the District of New Jersey, and elsewhere, defendant TERRELL BRUNSON:

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, to wit: that person's credit card number and account information, during and in relation to a felony violation of a provision contained in Chapter 47, United States Code, to wit: access device fraud, in violation of Title 18, United States Code, Section 1029(a)(2), charged in Count One of this Complaint,

in violation of Title 18, United States Code, Section 1028A and Section 2.

ATTACHMENT B

I, James McHale, am a Special Agent with the United States Secret Service. I have knowledge of the following facts based upon both my investigation and discussions with other law enforcement personnel and others. Because this affidavit is being submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not included each and every fact known to the government concerning this matter. Where statements of others are set forth herein, these statements are related in substance and in part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

Background

1. Defendant TERRELL BRUNSON is a 39-year old woman who resides on Irvine Turner Boulevard in Newark, New Jersey.

2. In 2007, BRUNSON engaged in a scheme to steal the identities of elderly women and use them to access their credit card accounts or open new accounts in their names. On December 14, 2007, BRUNSON was arrested and charged with access device fraud in a Criminal Complaint in the United States District Court, District of New Jersey.

3. While on pretrial release in connection with these charges, BRUNSON continued the scheme and fraudulently obtained additional identities and access to credit card accounts of others. BRUNSON used the credit card accounts to make purchases at retail stores and ATM withdrawals, among other things.

4. On September 17, 2008, BRUNSON pled guilty to a two-count Information charging her with committing access device fraud and committing additional access device fraud while on pretrial release. On April 2, 2009, the Honorable Anne E. Thompson, U.S.D.J., sentenced BRUNSON to a term of imprisonment of 39 months, followed by a 3-year term of supervised release. While serving that term of supervised release, BRUNSON engaged in a similar scheme to defraud elderly women which is the subject of the present Criminal Complaint.

The Scheme

5. Beginning in or around April 2012, and continuing through in or around February 2013, defendant TERRELL BRUNSON engaged in a scheme through which she fraudulently obtained personal information of various individuals and used it to open new credit cards and/or access existing credit cards belonging to these individuals. To carry out this scheme, BRUNSON first searched through publically available directories such as "www.anywho.com" for telephone numbers of individuals who she believed were elderly women based upon their names. BRUNSON called these individuals and pretended to be someone she was not, such as a representative from a credit card company. BRUNSON then solicited personal information from these individuals - i.e., social security numbers and dates of birth – and then contacted credit card companies and used the information to add herself as an authorized user to the victim's accounts or to create new accounts.

6. As one example of the scheme, on or about July 3, 2012, a woman residing in Ontario County, New York, hereinafter referred to as "Victim 1," received a telephone call from an individual purporting to be a representative of MasterCard. The "representative" inquired about an alleged \$400 transaction that she claimed Victim 1 had made at a Wal-Mart store. Victim 1 informed the purported representative that the Wal-Mart transaction was fraudulent and provided her social security number, date of birth and mother's maiden name. In reality, the "representative" was TERRELL BRUNSON.

7. On the same date, BRUNSON submitted an online application for a store credit card with Lane Bryant using Victim 1's personal information (the "Lane Bryant Account"). BRUNSON included herself as an authorized buyer on the application. The credit card was mailed to Victim 1's home address. However, as an authorized buyer on the account, Lane Bryant permitted BRUNSON to make initial purchases without the physical card. The following day, BRUNSON made \$254.12 worth of purchases at a Lane Bryant store in Woodbridge, New Jersey using the Lane Bryant Account.

8. On or about July 4, 2012, BRUNSON submitted an online application for a store credit card with Avenue using Victim 1's personal information (the "Avenue Account"). BRUNSON included herself as an authorized buyer on the application. The credit card was mailed to Victim 1's home address. However, as an authorized buyer on the account, Avenue permitted BRUNSON to make initial purchases without the physical card. The same day, BRUNSON made \$423.71 worth of purchases at an Avenue store in New Jersey using the Avenue Account.

9. The same day, BRUNSON contacted First Niagara Bank and requested to be added as an authorized user to Victim 1's credit card account ("First Niagara Account"). As she had done with Lane Bryant and Avenue, BRUNSON used Victim 1's personal information and pretended to be Victim 1 in communicating with First Niagara Bank. BRUNSON requested that a replacement card be sent on an expedited basis to her address on Irvine Turner Boulevard in Newark. Between July 6, 2012 and July 10, 2012, BRUNSON used the credit card associated with the First Niagara Account to make purchases at numerous stores and restaurants and cash advance withdrawals at ATMs at various locations in Northern New Jersey. During this time, BRUNSON charged approximately \$9780.72 to Victim 1's First Niagara Account.

10. On or about July 9, 2012, Victim 1 received in the mail the newly issued Lane Bryant credit card, along with an additional card in the name of TERRELL BRUNSON. As a result, Victim 1 ordered her credit report and learned about the Avenue and First Niagara Accounts. Victim 1 then reported the fraud to law enforcement.

11. Law enforcement has obtained video surveillance from some of the ATM machines through which BRUNSON made cash advance withdrawals from the First Niagara Account. The surveillance footage depicts an individual who matches the general appearance of BRUNSON as illustrated in a photograph of her maintained by a law enforcement database.

The Confession

12. On March 5, 2013, Special Agents with the United States Secret Service approached BRUNSON at her residence on Irvine Turner Boulevard in Newark. Agents advised BRUNSON of her Miranda rights. BRUNSON signed a written Miranda waiver form and agreed to speak to the agents. Some of BRUNSON's admissions are described below.

13. BRUNSON admitted that since approximately April 2012, she has been engaged in the same credit card and identity theft scheme that she committed in 2007 and 2008 for which she was convicted in federal court. BRUNSON explained that she utilized online search engines such as "www.anywho.com" to obtain names and contact information for potential victims. Similar to her prior schemes, BRUNSON stated that she would commonly search for women with the name "Ruth" because it was more likely to be an elderly woman and that she would attempt to contact potential victims once a month. When BRUNSON made contact with a potential victim, she would represent herself as an employee of a well-known credit card company, such as MasterCard or Visa. BRUNSON stated that she would provide the potential victim with the first digit of the account (i.e., "5" for MasterCard or "4" for Visa) and that the person would finish the entire account number. BRUNSON would also request the social security number and other personal information for all of her victims. She would then contact the credit card companies and, depending on the available credit limit, would add herself as an authorized user of the account.

14. BRUNSON further admitted that once she had access to the victim's credit cards, she would make purchases at stores, restaurants, and would withdraw cash from ATMs. By way of example, BRUNSON admitted to making the following purchases/withdrawals:

- \$3,000 in cash withdrawals from various ATM in the Newark, New Jersey area shortly before her birthday on July 11, 2012.
- \$1,500 ATM withdrawal used as a deposit toward the purchase of a green Toyota Avalon.
- Purchase of several iPads from Amazon.com and Best Buy in Union, New Jersey using fraudulently obtained credit cards. BRUNSON stated that she then sold these iPads for \$300 each to students at Essex County Community College.

15. BRUNSON specifically admitted to contacting Victim 1, fraudulently obtaining her personal information, and using it to access her credit card account with First Niagara Bank and to set up new credit accounts with Lane Bryant and Avenue, as explained above.

16. BRUNSON estimated that since restarting the scheme in April 2012, she had contacted approximately 60 potential victims and that approximately 45 to 50 of these individuals provided her with account information which she successfully used to access 15 to 20 accounts.

17. BRUNSON also provided the agents with verbal consent to search her cellular phone. The agents inspected the phone and observed, among other things, 24 outgoing calls on February 28, 2013 with *67 dialed before each outgoing call. Dialing *67 before making a call prevents the telephone device receiving the call from identifying the caller's telephone number. Based on my training and experience, I know that individuals involved in criminal activity often dial *67 prior to making incriminating calls to mask their identity. BRUNSON admitted that these 24 calls on February 28, 2013 were unsuccessful attempts to reach potential victims.

18. BRUNSON further estimated that the approximate value of all of the fraudulent transactions in which she engaged since April 2012 was \$30,000.