

MAM

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

UNITED STATES OF AMERICA

v.

SHAKILA NAKIA WALLACE

FILED

AUG 17 2009

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

: Criminal No.: 09-553

:
: Date Filed: FILED AUG 17 2009

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: Violations:
: 18 U.S.C. § 1030(a)(4) (fraud and related
: activity in connection with computers)
: 18 U.S.C. § 1028A(a)(1) (aggravated
: identity theft)

INFORMATION

COUNT ONE

(Fraud and Related Activity in Connection with Computers)

1. At various times relevant to this Information:
 - a. Defendant SHAKILA NAKIA WALLACE was employed at the United States Attorney's Office for the Eastern District of Pennsylvania (hereinafter "USAO-EDPA"). On or about November 5, 2002, defendant SHAKILA NAKIA WALLACE was employed with the USAO-EDPA as a student intern and performed general clerical duties. On or about April 16, 2006, she was hired for a full time position as an Office Automation Clerk in the Financial Litigation Unit of the USAO-EDPA in Philadelphia, Pennsylvania.
 - b. As an Office Automation Clerk in the Financial Litigation Unit of the USAO-EDPA, defendant SHAKILA NAKIA WALLACE's duties included, among other things, reviewing Judgment and Commitment Orders filed by federal district judges in connection with sentences imposed upon criminal defendants prosecuted by the USAO-EDPA, and thereafter, where sentences included a court-imposed

fine or other financial assessment, processing the cases to ensure tracking and payment of the ordered financial obligations.

- c. The Judgment and Commitment Orders contained Personal Identifying Information (hereinafter "PII") of the corresponding sentenced defendants including name, date of birth and social security number.
2. At all times relevant to this Information:
 - a. Defendant SHAKILA NAKIA WALLACE obtained loans using her official government-issued computer utilizing false, fictitious and fraudulent information, as well as the PII of the sentenced defendants obtained from the Judgment and Commitment Orders which she had access to in her official capacity as an Office Automation Clerk with the USAO-EDPA. The loans which the defendant SHAKILA NAKIA WALLACE obtained were commonly referred to as "Online Payday Loans."
 - b. Online Payday Loans are marketed through e-mail, online searches, paid ads, and referrals. Typically, a consumer fills out an online application form or faxes a completed application that requests PII, bank account numbers and employer information. Often, borrowers also fax copies of a check, a recent bank statement, and signed paperwork to the lending institution or payday loan agency. Once approved, the loan proceeds are direct-deposited into the consumer's bank account and the loan payment or finance charge is electronically withdrawn on the borrower's next payday.
 - c. The lending institution or payday loan agency will often verify the employment

stated on the electronically filed application through telephone calls placed to the identified employer. The loan is generally not backed by any collateral posted by the borrower.

3. It was part of the scheme to defraud that defendant SHAKILA NAKIA WALLACE completed Online Payday Loan applications utilizing the PII of sentenced defendants and provided fictitious and fraudulent employment information in support of the loan applications.

4. It was further part of the scheme to defraud that in order to verify the false and fraudulent employment status of the sentenced defendants, defendant SHAKILA NAKIA WALLACE listed on the application either her direct-dial telephone number at the USAO-EDPA or the telephone number for her personal cellular telephone. When the lending institution or payday loan agency called to verify the employment status, defendant SHAKILA NAKIA WALLACE made false statements to substantiate the employment.

5. It was further part of the scheme to defraud that defendant SHAKILA NAKIA WALLACE opened and maintained bank accounts at Wachovia Bank, Commerce Bank, PNC Bank, Citizens Bank and Bank of America. After opening a bank account, defendant SHAKILA NAKIA WALLACE would direct that the proceeds of the fraudulently obtained payday loans be deposited electronically in the account. Thereafter, she would withdraw the proceeds and subsequently close out the account.

6. As part of the scheme to defraud, defendant SHAKILA NAKIA WALLACE obtained approximately 188 Online Payday Loans, ranging between approximately \$37.50 and \$700.00 per loan and totaling approximately \$34,435.50, from 31 lending institutions or payday loan agencies. To obtain the above-described loans, defendant SHAKILA NAKIA WALLACE

utilized, without lawful authority, the PII of approximately 35 sentenced defendants whose PII she obtained from Judgment and Commitment Orders.

7. Defendant SHAKILA NAKIA WALLACE utilized her official government-issued computer at the USAO-EDPA to search for lending institutions and payday loan agencies, to apply online for payday loans with false, fictitious and fraudulent information, and to open bank accounts at financial institutions through which the fraudulently obtained loan proceeds would pass. Additionally, defendant SHAKILA NAKIA WALLACE obtained PII of sentenced defendants who had been prosecuted by the USAO-EDPA from Judgment and Commitment Orders which she had access to through her official capacity as an Office Automation Clerk at the USAO-EDPA.

8. Between on or about January 24, 2005, and on or about March 7, 2008, at Philadelphia, in the Eastern District of Pennsylvania, defendant

SHAKILA NAKIA WALLACE

did knowingly and with the intent to defraud, access a protected computer, that is, a government-issued computer at the United States Attorney's Office in the Eastern District of Pennsylvania, and, without authorization did exceed the authorized access, and by means of such conduct furthered the intended fraud to obtain online payday loans by false and fraudulent pretenses, and by doing so did obtain approximately \$34,435.50.

In violation of Title 18, United States Code, Section 1030(a)(4).

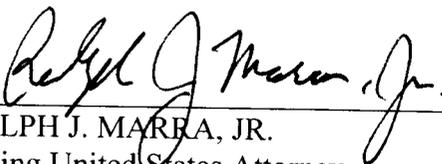
COUNT TWO
(Aggravated Identity Theft)

1. Paragraphs 1 through 7 of Count 1 are realleged and incorporated herein.
2. Between on or about January 24, 2005, and on or about March 7, 2008, at Philadelphia, in the Eastern District of Pennsylvania, defendant

SHAKILA NAKIA WALLACE

did knowingly and willfully transfer, possess, and use without lawful authority, a means of identification of another person, to wit, a name, date of birth and social security number, during and in relation to a felony violation of a provision contained in Chapter 47, United States Code, to wit, fraud and related activity in connection with computers, contrary to Title 18, United States Code, Section 1030(a)(4) , as charged in Count One of this Information.

In violation of Title 18 United States Code, Section 1028A(a)(1).



RALPH J. MARRA, JR.
Acting United States Attorney
District of New Jersey