

SEALED

UNITED STATES DISTRICT COURT

for the

Eastern District of California

FILED

Sep 02, 2026

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

United States of America

v.

Kelly Lynn Brown

Case No. 1:26-mj-00103-FJS

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 2021 to November 2024 in the county of Fresno in the
Eastern District of California, the defendant(s) violated:

Code Section

18 U.S.C. § 1029(a)(2)

Offense Description

Use of Unauthorized Access Devices in Excess of \$1,000

Maximum Penalties:

10 years in prison

\$250,000 fine

3 years of supervised release

\$100 special assessment

This criminal complaint is based on these facts:

See attached affidavit, which is incorporated by reference as though fully set forth herein.

☒ Continued on the attached sheet.



Complainant's signature

Timothy Johnson FBI – Task Force Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: September 1, 2026



Judge's signature

City and state: Fresno, California

Hon. Judge Frank J. Singer, U. S. Magistrate Judge

Printed name and title

ERIC GRANT
United States Attorney
ARELIS M. CLEMENTE
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

KELLY LYNN BROWN,
Defendant.

CASE NO.

AFFIDAVIT IN SUPPORT OF CRIMINAL
COMPLAINT

I, Timothy Johnson, being first duly sworn, hereby depose and state as follows:

I. INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of a criminal complaint and request for issuance of arrest warrant for **KELLY LYNN BROWN** (hereinafter "**BROWN**") for a violation of Title 18 U.S.C. § 1029(a)(2) for Use of Unauthorized Access Devices in Excess of \$1,000.

2. I am employed with the Fresno Police Department and am currently assigned as a Task Force Officer with the Federal Bureau of Investigation ("FBI"). I have been a Task Force Officer since August of 2025. I am currently assigned to the Sacramento Division, Fresno Resident Agency. I have been continuously employed as a law enforcement officer in the State of California since September of 2002. As a Task Force Officer, I have been granted the authority to investigate violations of the law under federal code and regulations. As a Task Force Officer, I am currently or have previously investigated federal criminal violations related to Health Care Fraud, Mail Fraud, Wire Fraud, Identity Theft, Embezzlement, Corporate Fraud,

1 and Money Laundering. I have gained experience through training at the Police Academy and
2 field work related to conducting these types of investigations.

3 3. I have training and experience related to investigating financial crimes, conducting
4 investigations involving electronically transferred and stored information, and seizing digital
5 evidence.

6 4. The facts set forth in this Affidavit come from my personal observations, my
7 training and experience, and information obtained from other agents and witnesses involved in this
8 case. This Affidavit is intended to show that there is probable cause for the criminal complaint
9 and requested arrest warrant and does not set forth all my knowledge about this matter. Unless
10 specifically indicated otherwise, all conversations and statements described in this affidavit are
11 related in substance and part only, all dates are on and about, and all amounts are approximate.

12 **II. APPLICABLE STATUTES**

13 5. Use of Unauthorized Access Devices in Excess of \$1,000 – Title 18 U.S.C. §
14 1029(a)(2), criminalizes the act of knowingly and with the intent to defraud traffics in or uses one
15 or more unauthorized access devices during any one-year period, and by such conduct obtains
16 anything of value aggregating \$1,000 or more during that period. In order to be found guilty of
17 this offense the government must prove that the defendant: (1) knowingly used or trafficked in an
18 unauthorized access device, (2) acted with the specific intent to defraud, (3) obtained anything of
19 value totaling \$1,000 or more during a one-year period, and (4) engaged in conduct that affected
20 interstate or foreign commerce.

21 **III. STATEMENT OF PROBABLE CAUSE**

22 6. **KELLY LYNN BROWN (“BROWN”)** defrauded Victim One, who owns
23 Company One, for millions of dollars for personal gain. **BROWN** used her position as Company
24 One’s bookkeeper to obtain an American Express credit card and make over \$4,000,000 of
25 unauthorized purchases from January 2021 to November 2024. **BROWN** used the American
26 Express credit card she obtained without authorization under Victim One’s American Express
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1 account ending in -41003 to fund personal trips, cosmetic procedures, source her clothing business,
2 purchase a truck and a motorcycle. To continue her fraud scheme, **BROWN** sent ACH wire
3 transfers from Company One's bank account ending in -0125 at Citizens Business Bank in Fresno,
4 CA, to pay down the balance of the American Express credit card. **BROWN** concealed the
5 financial statements from Company One's owner, Victim One, and other employees.

6 7. In August of 2024, Employee One was brought in to assist with Company One's
7 business management. Upon reviewing Company One's finances, Employee One discovered that
8 Company One's bank account was severely depleted. While researching loan options, a credit
9 check of Victim One's personal and business accounts was conducted. It was discovered the
10 American Express credit card had an outstanding balance of approximately \$120,000. Victim One
11 obtained financial statements from American Express showing the card activity. It was at this time
12 that it was discovered that from approximately 2021 through 2024, **BROWN** had made hundreds
13 of unauthorized transactions on the American Express credit card accounts opened under Victim
14 One and Company One. Based on the records, **BROWN**'s unauthorized transactions amount to
15 over \$4,000,000.

16 8. On or about October 25, 2024, **BROWN** was terminated from her position as
17 Company One's bookkeeper.

18 **A. Brown Starts Working at Company One as a Bookkeeper in October 2020**

19 9. In or around November of 2020, **KELLY BROWN (BROWN)** was hired as the
20 bookkeeper for Company One, which is an industry leading business specializing in custom
21 countertops and commercial hard wood products, located in Fresno, CA. **BROWN**'s
22 responsibilities as bookkeeper included sending payments, receiving payments and maintaining
23 the payroll for all the employees of the business. After being hired, **BROWN** was made an
24 administrator of the business' accounting software. This gave **BROWN** more access to send and
25 receive payments associated with the business. This also allowed **BROWN** access to the personal
26 identifying information, including dates of birth, and social security numbers, of all the employees
27 at Company One, including Company One's owner, Victim One.

1 10. In or around January 2021, **BROWN** recommended Victim One obtain an
2 American Express credit card for business expenses. At the time, Victim One was not interested
3 in obtaining an American Express credit card for himself or for Company One. Approximately
4 two weeks after this conversation, **BROWN** gave Victim One two American Express credit cards.
5 One American Express account was a business account for Company One, and the other account
6 was under Victim One's personal name, account ending in -41003. Victim One would
7 occasionally use the credit cards issued for business-related expenses. The billing statements for
8 Victim One's American Express account ending in -41003 was Company One's address and as
9 such, **BROWN** received mailing correspondence for this account.

10 11. In or about May 2021 and unbeknownst to Victim One, **BROWN** obtained a card
11 issued in her personal name, Kelly L. Brown, under Victim One's American Express credit card
12 account ending in -41003 with the intent to defraud. Victim One never authorized the issuance of
13 this card to **BROWN** and the transactions made on this card were fraudulent. As Company One's
14 bookkeeper, **BROWN** received and maintained the account statements for the American Express
15 accounts, including Victim One's account ending in -41003.

16 12. In or about August 2022, **BROWN** started an online apparel store, Western Edge
17 Boutique. According to records from the State of California Office of the Secretary of State,
18 **BROWN** filed the Statement of Information Limited Liability Company for Western Edge
19 Boutique on August 23, 2022, and listed herself as the manager. Soon after, Victim One began
20 noticing almost daily Amazon and FedEx deliveries arriving to Company One that were addressed
21 to **BROWN**.

22 13. In November 2023, Victim One stepped down from managing Company One due
23 to health issues and in and around July 2024, Employee One, who is Victim One's son, took over
24 the day-to-day operations.

25 14. In August of 2024, a representative from Citizen Business Bank, where Company
26 One maintained their business bank account, contacted Employee One and Victim One and
27 informed them that Company One's business account was overdrawn and had been in depleted
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1 state for some time. Employee One and Victim One were unaware until they were notified by the
2 bank and **BROWN** denied having any prior knowledge of the overdrawn account. In order to
3 cover business expenses, Victim One began looking into loan options. During a credit check of
4 Victim One's personal and business accounts, it was discovered that the American Express credit
5 card accounts had an outstanding balance of approximately \$120,000.

6 15. Upon reviewing the American Express statements records, Victim One noticed
7 hundreds of credit card charges he had never authorized. It was at that time that Victim One
8 discovered **BROWN** had been issued an American Express credit card for the account ending in -
9 41003. Upon discovering **BROWN**'s fraud scheme, Victim One submitted a fraud complaint with
10 American Express, filed a police report and reported the matter to the FBI.

11 16. On or about October 25, 2024, **BROWN** was terminated from her position as
12 bookkeeper at Company One.

13 **B. Brown Creates Western Edge Boutique LLC in August 2022**

14 17. As mentioned above, according to California Secretary of State records, **BROWN**
15 filed Articles of Organization for a Limited Liability Company ("LLC") for Western Edge
16 Boutique in August of 2022 and listed herself as the managing member of the LLC. The Statement
17 of Information also listed the type of business as Women's Apparel and Accessories. Western
18 Edge Boutique appeared to be an online store, but it appears that it maintained a store-location in
19 Fresno, CA during a period of time. Western Edge Boutique also had an online presence on
20 Instagram, Facebook, and Shopify. It appears all sales from Western Edge Boutique have ceased.

21 18. Notably, as discussed further below, financial records show that **BROWN** was
22 making numerous purchases related to clothing and apparel on the American Express credit card
23 issued to her during the time she maintained Western Edge Boutique. Based on the financial
24 records and my training and experience, I believe **BROWN** purchased wholesale clothing and
25 accessories using the American Express card issued in her name for the American Express account
26 ending in -41003 and then re-sold the items through Western Edge Boutique.

C. **Brown Used Victim One's Credit Card for Personal Expense**

19. In or about January 2021, an application was submitted to American Express with Victim One's personal identifying information. During an interview conducted, Victim One confirmed he did not submit the application nor authorize anyone to submit an application to American Express on his behalf or on behalf of Company One. Victim One stated that he believed **BROWN** submitted the application on his behalf because she has previously asked about the matter but Victim One told her he was not interested and she had access to his personal identifying information as Company One's bookkeeper at that time.

20. American Express records show that an account ending in -41003 was opened under Victim One's name and shows credit card activity beginning in February 2021. Records show that in May 2021 an additional card was issued to "Kelly L Brown." In July of 2021, **BROWN** made the first charges utilizing this card, most of which were for food purchases and retail stores. Victim One confirmed he never authorized the issuance of this credit card to **BROWN** nor authorized any of the transactions she made using the credit card in 2021. In 2021 **BROWN** spent over \$67,000 on unauthorized purchases utilizing this credit card.

21. In 2022 **BROWN** continued utilizing this credit card for personal expenses and spent over \$640,000 on unauthorized purchases, including approximately \$16,500 for a medical spa specializing in cosmetic procedures. **BROWN** also made numerous purchases at retail stores. Additionally, in July 2022 **BROWN** used this credit card at Fresno Harley Davidson to make a \$5,000 down payment for the purchase of a motorcycle. Victim One confirmed he never authorized any of the transactions she made using the credit card in 2022.

22. In 2023 **BROWN** continued utilizing this credit card for personal expenses and made over \$1,600,000 on unauthorized purchases in credit card purchases. **BROWN** continued to use this credit card for personal expenses and numerous Amazon purchases totaling over \$86,000. Notably, **BROWN** made many purchases at clothing wholesale businesses, which are believed to be purchases for her clothing business, Western Edge Boutique.

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23. On or about January 11, 2023, records show **BROWN** used this credit card to make a \$5,000 down payment on a 2023 Chevrolet Truck Silverado 2500 she purchased at Sanger Chevrolet and Buick and was listed as the co-owner of the truck. In addition, **BROWN** paid an additional \$5,000 for the down payment using a \$5,000 check from Company One that appears to be signed by Victim One however, Victim One confirmed this was not authorized and he did not sign that check. The sales associates at Sanger Chevrolet were interviewed and confirmed **BROWN** was the person who purchased the truck and sales records confirmed **BROWN** made a total payment of \$10,000 for the down payment of the truck using the American Express credit card for the account ending in -41003 and a check from Company One. Financial records also show that in October 2023 **BROWN** used this credit card in Las Vegas, Nevada to make several unauthorized purchases, including for travel, lodging, and at retail stores including Louis Vuitton, Lululemon, and the Apple Store. Victim One confirmed he did not authorize any of those transactions.

24. **BROWN** continued utilizing this credit card for personal expenses in 2024 and spent over \$1,700,000 on unauthorized purchases. These credit card charges were consistent with **BROWN**'s prior spending, which included purchase for food, retail goods, travel, health and beauty treatments, and wholesale clothing suppliers. Victim One confirmed he did not authorize those purchases.

25. Furthermore, financial records show payments were made to the American Express credit card accounts via Automated Clearing House ("ACH") wire transfers, which is a nationwide electronic network used to transfer money between financial institutions, from Company One's business bank account ending in -0125 at Citizens Business Bank. Specifically, records show that beginning in 2021 Company One's sent payments to American Express via ACH and these payments continued through 2021, 2022, 2023, and 2024. The payments made varied in amount, from as little as \$550 to as much as \$54,650. The payments also varied in frequency with records showing that in some months only two payments were made but for other months five separate payments were made from Company One's bank account to American Express.

1 26. Records show the above-mentioned payments were sent by interstate wire transfers
2 from Company One's bank account ending in -0125 held at Citizens Business Bank in Fresno
3 County to American Express, which operates payment processing facilities located outside of
4 California including in Phoenix, Arizona and Whitsett, North Carolina.

5 27. Additionally to making the payments to the American Express credit card account
6 to cover up her fraud scheme, **BROWN** made several purchases affecting interstate or foreign
7 commerce including making purchases at luxury retail stores in Las Vegas, Nevada.

8 28. Importantly, **BROWN** was the bookkeeper during this time and managed
9 Company One's payments related to the American Express credit card accounts. Based on the
10 financial records and my training and experience, I believe **BROWN** made the payments to the
11 American Express credit card accounts utilizing Company One's bank account to avoid detection
12 and continue her fraud scheme.

13 29. Financial records show that from approximately January 2021 through November
14 2024, **BROWN** spent more than \$1,000 during each of the following years: 2021, 2022, 2023 and
15 2024. More specifically, while working as Company One's bookkeeper, **BROWN** spent over
16 \$4,000,000 in unauthorized purchases.

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IV. CONCLUSION

30. Based on the foregoing, there is probable cause to believe that **BROWN** violated Title 18 U.S.C. § 1029(a)(2) Use of Unauthorized Access Devices in Excess of \$1,000 and therefore, I respectfully request the issuance of the requested criminal complaint and arrest warrant for **BROWN**.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief:

Respectfully submitted,



Timothy Johnson
FBI – Task Force Officer

Affidavit submitted by email and pdf and attested to me as true and accurate by telephone consistent with Fed. R. Crim P. 4(d) and 4.1 before on: September 1, 2026


HON. FRANK J. SINGER
U.S. MAGISTRATE JUDGE

Reviewed as to form:

/s/ Arelis M. Clemente
Arelis M. Clemente
Assistant U.S. Attorney