

Eastern District of Kentucky
FILED
DEC 18 2017
AT ASHLAND
ROBERT R. CARR
CLERK U.S. DISTRICT COURT

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
NORTHERN DIVISION
ASHLAND**

UNITED STATES OF AMERICA

V.

INFORMATION NO. 17-15-DUB

MARTIN ROSS

* * * * *

THE UNITED STATES ATTORNEY CHARGES:

**COUNT 1
18 U.S.C. § 1344**

Background

1. At all relevant times, Town Square Bank was a financial institution located in Boyd County in the Eastern District of Kentucky, whose accounts were insured by the Federal Deposit Insurance Corporation.

2. At all relevant times, **MARTIN ROSS** was a resident of Boyd County, and a loan officer at Town Square Bank.

The Scheme

3. Beginning on or about May 2000, and continuing through on or about July 2017, in Boyd County, in the Eastern District of Kentucky, and elsewhere,

MARTIN ROSS

did knowingly, and with intent to defraud, execute and attempt to execute a scheme and

artifice to defraud Town Square Bank to obtain moneys, funds, and other property owned by and under the custody and control of Town Square Bank, by means of materially false pretenses, representations, and promises.

4. During the course of the scheme and artifice, **MARTIN ROSS** fraudulently obtained loans in the amount of approximately \$1,415,082 from Town Square Bank.

Manner and Means

5. The scheme and artifice was in substance that **MARTIN ROSS** would use his position as a loan officer at Town Square Bank to make loans to fake individuals, to unlawfully obtain money for his own benefit and use. As part of the scheme, **MARTIN ROSS** would generate all documentation needed to issue the loan, including false tax returns, credit reports, applications, brokerage account statements, property deed filings, certificates of insurance, and Uniform Commercial Code filings.

6. It was part of the scheme and artifice that **MARTIN ROSS** induced Town Square Bank to make loans to Steven Parker, a fictitious person whose identity was fabricated by **MARTIN ROSS**. **MARTIN ROSS** represented Parker was a small business owner, a long term employee of Marathon Ashland Petroleum, and the owner of several income generating rental properties. **MARTIN ROSS** prepared and falsified all necessary paperwork, including federal tax records, required to get a loan for a company called Direct Tech, a business purportedly operated by Parker. **MARTIN ROSS** then used the funds for Direct Tech to make payments on his personal debts and make debt service

payments on other fraudulent loans.

7. In furtherance of the scheme, **MARTIN ROSS** induced Town Square Bank to make loans to four other fake individuals who, like Steven Parker, had identities fabricated by **MARTIN ROSS**.

8. On or about July 28, 2017, **MARTIN ROSS** did execute the above described scheme in obtaining or attempting to obtain \$125,000 owned by and under the custody and control of Town Square Bank by means of false and fraudulent pretenses, representations, promises, and the concealment of material facts.

All in violation of 18 U.S.C. § 1344.

FORFEITURE ALLEGATION

18 U.S.C. § 982(a)(2)(A)

In committing the felony offense alleged in Count 1 of this Information, punishable by imprisonment for more than one year, **MARTIN ROSS** shall forfeit to the United States any property constituting or derived from proceeds obtained directly or indirectly, as the result of the bank fraud violation, including but not limited to:

PROCEEDS: \$1,415,082, which represents proceeds obtained by Martin Ross as a result of bank fraud.


By virtue of the commission of the felony offense charged in this Information by the defendant, any and all interest the above listed defendant has in the above-described property, is vested in the United States and hereby forfeited to the United States pursuant to 18 U.S.C. § 982(a)(2)(A).

If any of the property listed above, as a result of any act or omission of the

MARTIN ROSS:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States to seek the forfeiture of any other substitute property in which the above Defendant has an interest, up to the value of the property and proceeds described above, pursuant to 18 U.S.C. § 982(b)(1).


ROBERT M. DUNCAN, JR.
UNITED STATES ATTORNEY

PENALTIES

Imprisonment for not more than 30 years, fine of not more than \$1,000,000, and supervised release for not more than 5 years.

PLUS: Forfeiture of all listed property.

PLUS: Mandatory special assessment of \$100 per count.

PLUS: Restitution, if applicable.