

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

**FELONY**

BILL OF INFORMATION FOR BANK FRAUD

UNITED STATES OF AMERICA

\*

CRIMINAL NO.

**16-122**

v.

\*

SECTION:

**SECT. J MAG. 2**

TRACY NICHELSON

\*

VIOLATION: 18 U.S.C. § 1344

\* \* \*

The United States Attorney charges that:

COUNT 1

**A. AT ALL TIMES MATERIAL HEREIN:**

1. The defendant, **TRACY NICHELSON** (hereinafter "**NICHELSON**") resided in Jefferson Parish, Louisiana.

2. Beginning in or about June 2012 and continuing until in or about July 2013, **NICHELSON** was employed as an Assistant of Rental Management for Company A, which is a real estate and development company located in Orleans Parish, Louisiana.

3. The defendant's duties included collecting rent payments, recording collections, opening mail and general clerical duties.

4. Company A maintained its business checking account at Capital One, N.A. (“Capital One”), bank account number XXXXX5540.

5. Capital One is a federally insured financial institution doing business in the Eastern District of Louisiana.

6. Company A maintained a closed bank account at Gulf Coast Bank & Trust Company, bank account number XXXXX9798.

7. Gulf Coast Bank & Trust is a federally insured financial institution doing business in the Eastern District of Louisiana.

8. **NICHELSON** did not have check writing authority for Company A and was not an authorized signer on Company A’s corporate banking accounts.

**B. THE SCHEME TO DEFRAUD:**

1. It was part of the scheme and artifice to defraud that beginning in or about June 2012, and continuing until in or about July 2013, **NICHELSON** embezzled approximately \$16,418 from Company A by means of false and fraudulent promises, pretenses and representations.

2. It was further part of the scheme and artifice to defraud that **NICHELSON** forged signatures on nine (9) unauthorized checks from Company A’s Capital One bank account number XXXXX5540, totaling approximately \$10,963.

3. It was further part of the scheme and artifice to defraud that **NICHELSON** forged signatures on four (4) unauthorized checks from Company A’s Gulf Coast Bank & Trust bank account number XXXXX9798, totaling approximately \$5,455.

4. It was further part of the scheme and artifice that the defendant made each forged check payable to names of relatives or associates of clients listed in Company A's database, and then endorsed the check, cashed it, and kept the proceeds.

**C. THE EXECUTION OF THE SCHEME:**

On or about April 25, 2013, in the Eastern District of Louisiana and elsewhere, the defendant, **TRACY NICHELSON**, knowingly executed and attempted to execute the scheme and artifice to defraud by fraudulently obtaining certain funds under the custody and control of Gulf Coast Bank & Trust Company, account number XXXXX9798, by forging Company A's account holder's signature on check number 702, made payable to S.S. in the amount of \$526.

All in violation of Title 18, United States Code, Section 1344.

**NOTICE OF BANK FRAUD FORFEITURE**

1. The allegations of Count 1 of this Bill of Information are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 1344 and 982(a)(2)(A).

2. As a result of the offense alleged in Count 1, the defendant, **TRACY NICHELSON**, shall forfeit to the United States any property, real or personal, constituting, or derived from, proceeds the defendant obtained directly or indirectly, as a result of bank fraud, in violation of Title 18, United States Code, Section 1344.

3. If any of the property described above as being 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 person;

- 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 subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b)(1) and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Section 982.

KENNETH ALLEN POLITE, JR.  
UNITED STATES ATTORNEY

  
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JULIA K. EVANS  
Assistant United States Attorney

New Orleans, Louisiana  
July 7, 2016

