

RECEIVED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA.

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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**BILL OF INFORMATION FOR BANK THEFT
AND NOTICE OF FORFEITURE**

UNITED STATES OF AMERICA

v.

HILLIARD C. FAZANDE, III

* **CRIMINAL NO.**

17 - 223

* **SECTION:**

SECT. G MAG. 3

* **VIOLATION: 18 U.S.C. § 2113(b)**

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* * *

The Acting United States Attorney charges that:

COUNT 1
BANK THEFT

A. AT ALL TIMES MATERIAL HEREIN:

1. Beginning at an unknown time and continuing to on or about the date of this Bill of Information, defendant, **HILLIARD C. FAZANDE, III** ("FAZANDE"), lived in New Orleans, Louisiana and was an attorney licensed to practice law in the State of Louisiana.

2. Whitney Bank ("Whitney") was a financial institution whose deposits were insured by the Federal Deposit Insurance Corporation ("FDIC").

3. Whitney had branch locations throughout the Eastern District of Louisiana.

4. On or about October 26, 2015, **FAZANDE** opened a bank account at the Whitney branch located at 3001 Holiday Drive in New Orleans, Louisiana.

5. On or about October 30, 2015, **FAZANDE** endorsed and deposited a TD Bank \$387,000 cashier's check made payable to "Attorney Hilliard C. Fazande III" into account no. xxx 3497 at the Whitney branch located at 3001 Holiday Drive in New Orleans, Louisiana.

6. On or about October 31, 2015, **FAZANDE** went to the Whitney branch located at 8300 Louisiana Highway 23 in Belle Chasse, Louisiana and presented a bank teller with a temporary Whitney check in the amount of \$5,000.00 knowing that he did not have sufficient funds to cover the transaction due to a bank hold on the \$387,000.00 check.

7. On or about October 31, 2015, **FAZANDE** while at the Whitney branch located at 8300 Louisiana Highway 23 in Belle Chasse, Louisiana, made a \$5,000.00 cash withdrawal from account no. xxx 3497.

8. On or about November 4, 2015, a Whitney employee contacted **FAZANDE** and advised him that the \$387,000.00 check was counterfeit and that he must return the \$5,000.00 he withdrew from Whitney account no. xxx 3497.

9. On November 4, 2015, **FAZANDE** told the Whitney employee that he would return the \$5,000.00, which he withdrew after depositing the counterfeit check, but failed to do so.

B. THE OFFENSE:

Beginning on or about the 26th day of October, 2015, and continuing until the date of this Bill of Information, in the Eastern District of Louisiana and elsewhere, the defendant, **HILLIARD C. FAZANDE, III**, did take and carry away with intent to steal and purloin approximately \$5,000.00, belonging to and in the care, custody, control, management and