

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF L.A.

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

INDICTMENT FOR MAIL FRAUD
AND AGGRAVATED IDENTITY THEFT

FELONY

UNITED STATES OF AMERICA

*

CRIMINAL NO.:

18-231

v.

*

SECTION:

SECT. EMAG. 4

KHANH BUI

*

VIOLATIONS: 18 U.S.C. § 1341

18 U.S.C. § 1028A

18 U.S.C. § 2

*

* * *

The Grand Jury charges that:

COUNT 1
(Mail Fraud)

A. AT ALL TIMES MATERIAL HEREIN

1. Defendant, **KHANH BUI**, resided in Westwego, Louisiana, which is within the Eastern District of Louisiana.

2. The term "access device" was defined as any card, code, account number, or other means of account access that can be used to obtain money, goods, services, or any other thing of value.

3. The term "unauthorized access device" was defined as any access device that is stolen or obtained with intent to defraud.

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B. THE SCHEME AND ARTIFICE TO DEFRAUD

4. Beginning in or about January 2017 and continuing until in or about July 2018, in the Eastern District of Louisiana and elsewhere, the defendant, **KHANH BUI**, and others known and unknown to the Grand Jury, did knowingly devise and intend to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, by obtaining and using unauthorized access devices to purchase items, thereby unlawfully enriching himself.

C. MANNER AND MEANS

5. The manner and means by which **BUI** and others sought to accomplish the object and purpose of the scheme and artifice to defraud included, among other things, the following:

6. **BUI** placed and caused to be placed fraudulent mail holds on victims' mail after applying for access devices in the victims' names.

7. **BUI** caused fraudulently obtained access devices to be mailed to addresses under his control.

8. **BUI** used and caused to be used fraudulently obtained access devices at home improvement stores.

9. **BUI** obtained California driver's licenses in the names of others to facilitate his crimes.

D. THE EXECUTION

10. On or about April 25, 2018, in the Eastern District of Louisiana and elsewhere, the defendant, **KHANH BUI**, and others known and unknown to the Grand Jury, for the purpose of executing and attempting to execute, and in furtherance of, the scheme and artifice to defraud set forth in paragraph 4 above, did knowingly send and cause to be sent, delivered, and moved by

private and commercial interstate carriers, commercial account cards in the names of others and California driver's licenses in the names of those on the commercial account cards.

All in violation of Title 18, United States Code, Sections 1341 and 2.

COUNTS 2 - 9
(Aggravated Identity Theft)

11. On or about April 25, 2018, in the Eastern District of Louisiana and elsewhere, the defendant, **KHANH BUI**, did knowingly transfer, possess, and use the means of identification of another person, without lawful authority, during and in relation to the offense of mail fraud, as charged in Count 1 of this Indictment, knowing that the means of identification belonged to an actual person, identified by the initials listed in each count below:

Count	Name
2	S.L.
3	J.B.
4	M.W.
5	R.S.
6	G.H.
7	F.R.
8	E.Y.
9	F.S.

All in violation of Title 18, United States Code, Sections 1028A and 2.

NOTICE OF FRAUD FORFEITURE

1. The allegations of Count 1 of this Indictment 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 1341 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

2. As a result of the offense(s) alleged in Count 1, defendant, **KHANH BUI**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c), any and all property, real or

personal, which constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Section 1341.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendant(s):

- 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 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant(s) up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 1341 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

A TRUE BILL:



FOREPERSON

PETER G. STRASSER
UNITED STATES ATTORNEY



G. DALL KAMMER

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Louisiana Bar No. 26948

New Orleans, Louisiana
November 9, 2018