


U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
FILED 10-9-2019
WILLIAM W. BLEVINS
CLERK 

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA


UNITED STATES OF AMERICA * CRIMINAL NO. 19-24
v. * SECTION: "I"
RYAN C. CLARK *
a/k/a Rod *
a/k/a Tank *

* * *

FACTUAL BASIS

The defendant, RYAN C. CLARK a/k/a "Rod" and "Tank" (hereinafter, the "defendant" or "CLARK"), has agreed to plead guilty as charged to Count One, that is, conspiracy to commit access device fraud and identity theft, in violation of Title 18, United States Code, Section 371, and Count Three, that is, aggravated identity theft, in violation of Title 18, United States Code, Section 1028A, of the Indictment currently pending against him. This Factual Basis does not attempt to set forth all of the facts known to the United States at this time. The limited purpose of this Factual Basis is to demonstrate that there exists a sufficient legal basis for CLARK's guilty plea. The United States and CLARK do hereby stipulate and agree that the allegations in the Indictment and the following facts are true and correct and that, should this matter have proceeded to trial, the government would have proven them beyond a reasonable doubt, through the introduction of competent testimony and admissible tangible and documentary exhibits.

At all times material herein, the parties agree that a "means of identification" is any name or number that could be used, alone or in conjunction with any other information, to identify a specific individual, including a name, address, Social Security number, and date of birth.

AUSA 
Defendant RC
Defense Counsel MW

This matter was investigated by the United States Secret Service (USSS) in New Orleans and the Jefferson Parish Sheriff's Office (JPSO). At the end of 2017, JPSO detectives received information from an arrestee in an ongoing identity theft matter. The arrestee told detectives that a person, later identified as **CLARK**, provided him with what turned out to be a fake Louisiana driver's license in order to purchase a vehicle in the name of an identity theft victim. On September 25, 2017, JPSO detectives arrested **CLARK** and transported him to the JPSO Detective Bureau for processing and interview.

Concurrent with the arrest, JPSO obtained a search warrant for **CLARK**'s apartment. Within the residence, several documents were located with identity theft victims' personal identifiable information (PII). JPSO detectives then obtained a search warrant for **CLARK**'s vehicle. Within the vehicle, several documents were located that contained PII of subjects other than **CLARK**.

CLARK was then interviewed by JPSO detectives along with a USSS agent. After waiving his *Miranda* rights, **CLARK** told investigators that he acted as an intermediary in a scheme involving the fraudulent use of PII from various victims. The PII was used to create false identification cards (IDs) to purchase vehicles from a number of car dealerships under the victims' names. After the cars were purchased and financed, with little or no money down, no monthly payments were made on the loans. **CLARK** stated that he was given folders with victim's PII by Barnell Davis (Davis). **CLARK** would find a subject willing to purchase vehicles and who were willing to do so with false IDs. The purchasing subject paid approximately \$4,000 for the information, which Davis and **CLARK** split evenly.

CLARK advised that Davis would create and print false IDs with the purchasing subject's pictures and victim's information. In the event Davis was unable to produce a quality printout of the IDs, **CLARK** would utilize a local print shop.

CLARK advised that he participated in the fraudulent purchase of vehicles an estimated six times by providing information and guidance to subjects he met in a park or through a subject he knew only as "Slim." In each of the fraudulent purchases, **CLARK** stated that he was provided the PII documents of victims by Davis. **CLARK** spoke in detail about a Range Rover (bought by Nathaniel J. Anderson), a Chrysler 300 (bought by R.A.), an Audi (bought by Romero G. Butler, Jr.), a Mercedes (bought by Romero G. Butler, Jr.), among others – all of which were purchased fraudulently with information he obtained from Davis.

a. Arnold Trevell Williams motor vehicle purchase

Documents obtained by legal process and testimony from witnesses would show that on or about May 11, 2017, **CLARK**, aided and abetted by others, created a fraudulent means of identification, to wit: a State of Louisiana driver's license using the name and birthdate of T.B., an actual person, and transferred it to Arnold Trevell Williams (Williams).¹ Williams knowingly and willfully paid **CLARK** a sum of money for the fraudulent Louisiana driver's license and T.B.'s PII.

On or about May 11, 2017, Williams caused to be used, in interstate commerce, the unauthorized means of identification at issue, to wit: a State of Louisiana driver's license using the name and birthdate of T.B.. along with T.B.'s Social Security number, for the purposes of buying a 2014 BMW 7 series motor vehicle. The said BMW was bought in the name of T.B. for

¹ Williams has pleaded guilty to a bill of information for this same transaction in EDLA case no. 19-88 "E."

approximately \$44,994.10 from Matt Bowers Nissan, which is located within the Eastern District of Louisiana. Evidence at trial would show that Matt Bowers Nissan is an automobile dealership engaged in interstate commerce as it buys and sells motor vehicles across state lines. In making the purchase, Williams signed all Matt Bowers Nissan paperwork in connection with the purchase in the name of T.B., and he used T.B.'s date of birth and Social Security number to apply for a loan in order to purchase the said BMW. After the sale of the 2014 BMW 7 series motor vehicle, Williams took possession of the said BMW with the Louisiana motor vehicle registration in the name of T.B. Finally, Williams made no payments of any kind to the BMW lien holder, which is located in another state. As a result, the BMW being reported as stolen.

b. R.A. motor vehicle purchase

Documents obtained by legal process and testimony from witnesses would show that on or about May 27, 2017, defendant **CLARK**, aided and abetted by others, created a fraudulent means of identification, to wit: a State of Louisiana driver's license using the name and birthdate of M.W., an actual person. On or about May 27, 2017, defendant **CLARK**, and others caused to be used, in interstate commerce, the unauthorized access device, to wit: the name, birthdate, and Social Security number of M.W., for the purposes of buying a 2017 Chrysler 300 motor vehicle from Ray Brandt Dodge in the name of M.W. in the amount of approximately \$53,162.16, for R.A. Evidence at trial would show that Ray Brandt Dodge is an automobile dealership engaged in interstate commerce as it buys and sells motor vehicles across state lines. R.A. knowingly and willfully paid **CLARK** a sum of money for the fraudulent Louisiana driver's license and M.W.'s PII.

In making the purchase, R.A. signed all Ray Brandt Dodge paperwork in connection with the purchase in the name of M.W., and he used M.W.'s date of birth and Social Security number

to apply for a loan in order to purchase the said Chrysler 300. After the sale of the 2017 Chrysler 300 motor vehicle, R.A. took possession of the said Chrysler with the Louisiana motor vehicle registration in the name of M.W. Finally, R.A. made no payments of any kind to the Chrysler lien holder, which is located in another state.

c. Nathaniel J. Anderson motor vehicle purchase

Documents obtained by legal process and testimony from witnesses would show that on or about June 15, 2017, defendant **CLARK**, aided and abetted by others, created a fraudulent means of identification, to wit: a State of Louisiana driver's license using the name and birthdate of M.W., an actual person. On or about June 15, 2017, defendants **CLARK** and Nathaniel J. Anderson (Anderson), and others caused to be used, in interstate commerce, the unauthorized access device, to wit: the name, birthdate, and Social Security number of M.W., for the purposes of buying a 2016 Range Rover motor vehicle in the name of M.W. from Matt Bowers Nissan in the amount of approximately \$57,874.02. Evidence at trial would show that Matt Bowers Nissan is an automobile dealership engaged in interstate commerce as it buys and sells motor vehicles across state lines. Anderson knowingly and willfully paid **CLARK** a sum of money for the fraudulent Louisiana driver's license and M.W.'s PII.

In making the purchase, Anderson signed all Matt Bowers Nissan paperwork in connection with the purchase in the name of M.W., and he used M.W.'s date of birth and Social Security number to apply for a loan in order to purchase the said Range Rover. After the sale of the 2016 Range Rover motor vehicle, Anderson took possession of the said Range Rover with the Louisiana motor vehicle registration in the name of M.W. Finally, Anderson made no payments of any kind to the Range Rover lien holder, which is located in another state.

d. Romero G. Butler, Jr. motor vehicle purchases

Documents obtained by legal process and testimony from witnesses would show that on or about August 16, 2017, defendant **CLARK**, aided and abetted by others, created a fraudulent means of identification, to wit: a State of Louisiana driver's license using the name and birthdate of J.M., an actual person. On or about the dates listed below, defendants **CLARK** and Romero G. Butler, Jr. (Butler), and others caused to be used, in interstate commerce, the unauthorized access device, to wit: the name, birthdate, and Social Security number of J.M., for the purposes of buying the motor vehicles described below, both from North American Automotive Group, each constituting a separate overt act:

Overt Act	Date	Motor Vehicle Purchase
6	08/16/2017	A 2014 Audi S8 in the name of J.M. in the amount of approximately \$68,623.00.
7	08/21/2017	A 2014 Mercedes Benz S550 in the name of J.M. in the amount of approximately \$67,093.00

Evidence at trial would show that North American Automotive Group is an automobile dealership engaged in interstate commerce as it buys and sells motor vehicles across state lines. Butler knowingly and willfully paid **CLARK** a sum of money for the fraudulent Louisiana driver's license and J.M.'s PII.

In making the purchase, Butler signed all North American Automotive Group paperwork in connection with the purchase in the name of J.M., and he used J.M.'s date of birth and Social Security number to apply for a loan in order to purchase the said Audi and Mercedes Benz. After the sale of the said Audi and Mercedes Benz motor vehicles, Butler took possession of the said vehicles with the Louisiana motor vehicle registration in the name of J.M. Finally, Butler made no

payments of any kind to the Audi and Mercedes Benz lien holders, both of which are located in another state.

Documents seized from **CLARK**'s residence and car were found to contain the PII of victims T.B., M.W., and J.M. In addition, T.B.'s, M.W.'s, and J.M.'s Social Security numbers and dates of births were used in the fraudulent vehicle purchases described above.

AUSA CR
Defendant RC
Defense Counsel AW

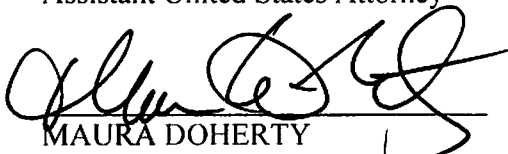
Additional evidence, including text messages, phone records, photographs, bank records, records from victims Ray Brandt Dodge, Matt Bowers Nissan, and the North American Automotive Group and other documents and tangible objects would be introduced at trial to prove the facts as set forth above. In addition, the testimony of employees and agents of the USSS and JPSO, and other competent witnesses would be introduced at trial to prove the facts set forth above.

APPROVED AND AGREED TO:



EDWARD J. RIVERA
Assistant United States Attorney

10/9/19
Date



MAURA DOHERTY
Federal Public Defenders' Office
Attorney for Defendant

10/9/19
Date



RYAN C. CLARK
Defendant

10/9/19
Date