

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	CRIMINAL NO. 18-143
v.	*	SECTION: "M"
ANTOINE NARCISSE	*	
	*	
	*	

FACTUAL BASIS

Defendant ANTOINE NARCISSE ("NARCISSE") has agreed to plead guilty. Should this matter proceed to trial, the United States would prove beyond a reasonable doubt, through credible testimony and reliable evidence, the following facts. Unless stated otherwise, the following acts occurred within the jurisdiction of the Eastern District of Louisiana.

Special Agents with the U.S. Secret Service, along with detectives with the Jefferson Parish Sheriff's Office (JPSO) and New Orleans Police Department (NOPD), and other members of the Louisiana Financial Crimes Task Force, have been investigating access device fraud and identity theft by Lakisha Williams, Brittany White, Keyira Gable, Jeffery Joseph, Tamika Stevens, NARCISSE, Markita Robertson and others. Agents learned that these individuals would work together to produce and use credit and debit cards with unauthorized or counterfeit information in order to fraudulently obtain goods and services. These individuals would then fraudulently return these goods (a fraudulent "chargeback") to stores in order to have the return value be credited to their own bank accounts.

In order to investigate the scope of this scheme, agents reviewed subpoenaed bank records for Williams, White, Gable, and others. Their bank accounts showed that they would occasionally receive credits to their bank accounts for the return of merchandise at stores. However, these records did not show the earlier corresponding debit for the purchase. Based on their training and experience, agents suspected that this was further evidence that these co-conspirators were using stolen card information to make purchases, but then using their own card information to obtain credit for the chargeback.

Agents then subpoenaed records from JCPenney, TJMaxx, Zales and other stores that appeared on the bank statements for Williams, White, Gable and others. Agents were able to find the corresponding purchases for the chargebacks that were credited to the conspirators' bank accounts. Those purchases were made using credit/debit card numbers that did not belong to the conspirators.

Agents noted that some of these fraudulent purchases were made in locations outside of Louisiana, which prompted agents to obtain flight records for the alleged conspirators. Agents were able to reconstruct the historical evidence of travel and fraudulent chargebacks. The evidence established that other individuals, including Joseph, Robertson, and **NARCISSE**, participated in this conspiracy. Agents learned that members of this conspiracy took flights to locations where they would use stolen bank account information to make purchases. Agents learned that the co-conspirators would use bank account information that was stolen from individuals who live in the New Orleans area, or they would use stolen bank account information over the internet from individuals in foreign countries. These foreign banks include Westpac Bank (Australia), China Merchants Bank (China), Toronto-Dominion Bank (Canada), and others.

With regards to **ANTOINE NARCISSE**, agents learned that, since at least 2016,

NARCISSE and Robertson have been taking flights with Joseph. Joseph was a close associate of Williams, and flight records show Joseph and Williams taking flights together to locations where fraudulent transactions took place. Similarly, **NARCISSE** and Robertson took flights with Joseph in a similar pattern of conduct. Among these flights were:

- On December 20, 2016, Joseph and Robertson flew on Southwest Airlines from New Orleans to Orlando, Florida on the same flight. Their tickets were booked together.
- On January 14, 2017, Joseph and Robertson flew on American Airlines from Minneapolis to New Orleans on the same flight. Their tickets were booked together.
- On January 27, 2017, Joseph, Robertson, and **NARCISSE** flew on Southwest Airlines from Portland, Oregon, to New Orleans on the same flight. All three tickets were booked together.
- On February 15, 2017, Joseph and **NARCISSE** flew on Southwest Airlines from New Orleans to Milwaukee, Wisconsin on the same flight. Their tickets were booked together.
- On March 3, 2017: Joseph and **NARCISSE** flew on American Airlines from New Orleans to Cincinnati, Ohio on the same flight. Their tickets were booked together.
- On March 13, 2017, Joseph and **NARCISSE** flew on Southwest Airlines from Cleveland, Ohio, to New Orleans on the same flight. Their tickets were booked together.
- On September 16, 2017, Joseph and Robertson flew on Southwest Airlines from New Orleans to Baltimore, Maryland on the same flight. They returned on the same flight on September 19, 2017. Their tickets were booked together.
- On December 20, 2017, Joseph and Robertson flew on Southwest Airlines from New Orleans to Columbus, Ohio on the same flight. They returned on the same flight on December 23, 2017. Their tickets were booked together.
- On January 20, 2018, Joseph and Robertson flew on Southwest Airlines from New Orleans to Boston, Massachusetts on the same flight. Their tickets were booked together.

- On February 7, 2018, Joseph and Robertson flew from New Orleans to Seattle, Washington on the same flight. They returned on the same flight on February 10, 2018. Their tickets were booked together.

These flights were consistent with the pattern of co-conspirators taking trips to other cities to make fraudulent purchases in order to avoid detection. As set forth below, during these trips outside of New Orleans, **NARCISSE**, Joseph, and Robertson committed access device fraud together.

Arrest of Jeffrey Joseph and NARCISSE in Minnetonka, MN, on June 10, 2017.

During a trip to Minnesota, both Joseph and **NARCISSE** were arrested together at a Minnetonka mall on charges related to access device fraud. According to police reports, on June 10, 2017, officers received information from a Macy's loss prevention officer at the mall that a man (later identified as Joseph) had purchased four Apple watches at a Macy's using a card that had to be punched in after it could not be swiped. Joseph also presented an out-of-state ID. The total purchase was \$1,712.11. Based on officers' training and experience, this purchase was consistent with possible credit card fraud.

Officers reported to the area to perform surveillance. One officer observed Joseph inside a Michael Kors store at the mall carrying a Macy's bag. While that surveillance was occurring, another report of possible fraud was received from another mall store, Buckle (a high-end denim store).

Officers reported to the Buckle store where they spoke to a store clerk. The clerk reported that a man (later identified as **NARCISSE**) had come in the store, selected multiple jeans in different sizes, did not try them on, but instead brought them directly to the clerk to purchase. The total value was \$1,061.77. **NARCISSE** attempted to use a card that could not be swiped. **NARCISSE** did not provide ID but said he was from out of town. He tried to have the clerk

punch in the card number, but the clerk refused pursuant to store policy. **NARCISSE** left without any items.

Meanwhile, officers at the Michael Kors store continued to observe Joseph shopping. Officers returned to the Michael Kors where Joseph was still shopping. The detective entered Michael Kors and stood behind Joseph as Joseph was attempting to purchase three of their most expensive watches for \$1,544.77. The detective heard Joseph's card be declined as it was swiped through the reader. The employee then took Joseph's card and ID and manually punched it in. After Joseph left, the detective spoke to the clerk who advised that Joseph presented an out-of-state ID in the name of "Shawn Ford" that matched the credit card. The photo on the ID matched Joseph.

Officers observed Joseph leave the mall to go to a vehicle. He stopped between a white SUV and white sedan, and then kept walking. Moments later, **NARCISSE** left the mall and headed towards parking. Officers saw **NARCISSE** go to a white SUV, reach under the vehicle, get back up, and then go to a white Toyota Camry and open the door. Officers approached and questioned **NARCISSE**, who said he was there with his friend "Jeff." Officers saw a Kay Jewelers bag. **NARCISSE** provided officers with a receipt for \$6,604.84 and the credit card he used for the purchase. Officers asked if any other cards were in the car, and **NARCISSE** gave them four additional credit cards.

While an officer detained **NARCISSE**, officers ran the cards at the mall substation. All five credit cards had **NARCISSE'S** name on them, but only one contained an account number on the magnetic stripe.

Officers likewise detained Joseph after an officer observed Joseph in the parking lot with bags. Joseph had walked to the south side of the Nordstrom's store and sat behind a large

transformer. An officer approached and asked where the items in the bags came from. Joseph said he bought them all. The officer asked Joseph to identify himself and asked him how he purchased the items. Joseph refused to ID himself or state how he bought the items. The officer placed Joseph in handcuffs for failure to ID himself. Joseph then identified himself as “Shawn Ford.”

Officers searched the Camry and found a backpack in the right rear passenger seat. Officers searched the bag and found a stack of 12 credit cards wrapped with a rubber band, a wallet with Louisiana ID for Jeffrey Joseph, five credit cards with Joseph’s name, a Louisiana ID with a false name, Spirit Airlines tickets for Joseph and **NARCISSE** showing arrival June 10, 2017, and two hotel keycards for the same room at a W Hotel in Minneapolis.

During a search incident to arrest of Joseph, officers found a Arizona driver’s license for “Shawn Ford,” which corresponded to the name on the cards that Joseph had used to purchase items fraudulently.

Officers determined that the stolen bank information mostly came from foreign banks, which is consistent with these conspirators’ modus operandi. However, two of the card numbers came from individuals who lived in the Minneapolis area. Officers contacted the two local victims who confirmed that they did not permit the defendants to use their credit card information.

Officers determined that the attempted total loss amount was \$10,950.36. Both **NARCISSE** and Joseph were subsequently charged in Minnesota state court with identity theft. They pleaded guilty and received three years of probation.

Arrest of Markita Robertson, Jeffery Joseph, and NARCISSE in Franklin, TN, on December 8, 2018.

On December 8, 2018, Joseph, Robertson, and NARCISSE were arrested at a mall in Franklin, Tennessee, on charges relating to credit card fraud. According to the Franklin Police Department, officers were performing routine surveillance at a mall that had reported instances of credit card fraud. Officers first saw NARCISSE attempting to buy \$1,000 worth of perfume using a credit card that would not scan. NARCISSE then asked the store cashier to manually key in the credit card number. The cashier refused, and NARCISSE left the store. Officers were aware that this method is a common means of committing credit card fraud wherein perpetrators use embossers to emboss a stolen credit card number on the front of the card. When a cashier cannot swipe the card, the perpetrator then instructs him/her to manually key in the stolen number on the front of the card.

Officers saw NARCISSE then go into a Macy's store. NARCISSE tried to buy \$4,800 worth in watches using a card that would not scan. NARCISSE again told the cashier to key in the number. The transaction was not completed, however, and NARCISSE left without the merchandise. Officers observed NARCISSE then met with another male (later identified as Joseph). NARCISSE and Joseph walked out and entered a Hyundai Tucson. A female, later identified as Robertson, also got into the car.

Officers observed them drive to a Dillard's store at the mall. Robertson got out of the car and entered the store. Officers saw her then attempt to purchase several high-end purses at the Dillard's store using a credit card. The credit card she was using was declined because the magnetic strip was unreadable. Robertson then walked to customer service, where a cashier then manually keyed in Robertson's card. Robertson left with the purchased items.

Officers meanwhile were performing surveillance on the Hyundai Tucson SUV and decided to make an investigatory stop of the suspects in the vehicle, later determined to be Joseph and **NARCISSE**. As officers approached, the driver failed to stop and rammed one of the police vehicles while fleeing. The driver of the vehicle, later identified as Joseph, then exited the vehicle and fled on foot. Officers arrested Joseph after a foot chase. Officers arrested another male and female who were in the vehicle. Officers found numerous credit cards on the three individuals that belonged to various financial institutions. Officers learned that one of these institutions is Westpac Bank, the same Australian bank that issued the card numbers that had been used without authorization by these co-conspirators previously.

Joseph initially refused to give his true identity to police at the time of arrest. He identified himself only as "John Doe." He only gave his correct identity after booking. **NARCISSE** was arrested in the vehicle that Joseph had driven in flight. Also in the vehicle, officers found two cell phones in the center console and approximately \$20,500.00 worth of merchandise that had been reported as purchased fraudulently.

After the traffic stop and arrest of Joseph and **NARCISSE**, agents went back to the mall to locate Robertson. She was found inside the mall near exterior doors, appearing to be waiting to be picked up. She was observed talking on a cell phone and she was still in possession of items that she had purchased. Officers approached her and asked her to identify herself. She refused to provide her identity to officers. Based upon officers' observations thus far and Robertson's refusal to provide her identity, officers arrested her and seized her phone pursuant to a search incident to arrest.

During a search incident to arrest, officers found that Joseph and **NARCISSE** were in possession of Loews Vanderbilt Hotel keys. This hotel is located in Nashville, which is located

near Franklin. Officers contacted the Loews hotel. Hotel personnel reported that one room was rented in **NARCISSE'S** name, and the other was rented in the name of "Joshua Sims," a known alias of Jeffery Joseph. The hotel's director of security reported that, after the arrest, **NARCISSE** and Joseph did not return to the hotel and did not pay their bill. Accordingly, hotel security entered their rooms and seized the property as abandoned. From the room rented to "Joshua Sims," hotel security seized a laptop along with a card encoder and credit cards. Loews security then handed over these items to the Franklin Police Department, who provided them to U.S. Secret Service agents.

USSS agents obtained federal search warrants for the phones seized in the vehicle where Joseph and **NARCISSE** were arrested, the computer seized from Nashville Lowes Hotel, and the phone seized from Robertson. Also, **NARCISSE** gave officers consent to search his phone. Agents have found text messages and other communications that confirm that Joseph, **NARCISSE**, and Robertson communicated among themselves regarding where to use stolen credit card information. Agents also found stolen or counterfeit credit card information.

Search Warrant at Joseph's Residence in New Orleans on December 10, 2018.

On December 10, 2018, Hon. Joseph C. Wilkinson, Jr. signed an arrest warrant for Joseph as well as search warrants for Joseph's vehicle and Joseph's residence at 4534 Palmyra St., New Orleans.

Prior to December 2018, agents had learned that Joseph resided at 1027 Lamanche Street in New Orleans. Furthermore, agents also learned that Joseph was on Louisiana state probation, and that he was obligated to inform his Louisiana probation officer of any change of residence.

In December 2018, agents performing surveillance on Joseph observed him at 4534 Palmyra Street. Agents observed Joseph outside the residence with a satellite dish installation

technician. Agents thereafter contacted the property owner who stated that a “Dwayne Jones” who matched Joseph’s description began renting the property in mid-November 2018, which was consistent with agents’ observations. The property owner provided a lease with the name “Dwayne Jones” on it. Agents knew that Dwayne Jones was an alias that Joseph previously used to make a fraudulent return.

Based on these observations and other facts set forth in the warrant affidavit, Judge Wilkinson authorized the search of Joseph’s residence at 4534 Palmyra Street on December 10, 2018, and agents executed the warrant the same day. During the search of Joseph’s apartment, agents found items that are consistent with a conspiracy to commit access device fraud. Agents found a false identification card in name of “Dwayne Jones” with a photograph of Joseph. Agents also found approximately 45 credit and debit cards. These cards were in the names of Jeffrey Joseph, Dwayne Jones, Joshua Sims, Markita Robertson, **ANTOINE NARCISSE**, and others. Agents ran all the cards and found that only three correctly corresponded to the name on the card. The rest of the cards were fake Visa cards with a rear magnetic stripe that had been intentionally damaged so that it could not be read by a machine. The front embossed number corresponded to card numbers from Westpac Bank (Australia), Central European International Bank (Hungary), Bank of America, Regions Bank, Chase Bank, Capital One Bank, and PNC Bank.

Agents also recovered an embosser, three label-makers (for putting CVV number on back), and blank Vanilla Visa cards. Based on agents’ training and experience, these items are commonly used together to make false and fraudulent credit or debit cards.

Agents also seized \$17,378.00 in cash and various luxury items. Many of these items still had the tags on them, suggesting that these were items that had been purchased and would be returned later. For example, agents found three North Face coats that were all identical with tags

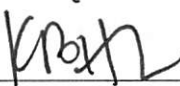
still on. They located three suits in a Dillard's bag, and all with the tags still on them. Agents found a pair of \$1200 shoes with a receipt. They located jewelry, such as Gucci watches and a Rolex watch. Agents located bed sheets from Bed Bath & Beyond that were in the original packaging with a UPC code that corresponded with items purchased in Auburn, Washington, a location where agents had learned Joseph had traveled to make fraudulent purchases. Agents also seized numerous receipts that had the name and card number blacked out on them, which suggested to agents that Joseph intended to use them to make returns. Agents also seized receipts, many of which had the name and card number blacked out.

Sentencing Stipulation

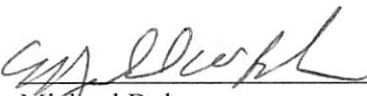
For the purposes of sentencing only, the government and the defendant, **ANTOINE NARCISSE**, stipulate and agree that he is responsible for an intended loss amount between \$95,000.00 and \$150,000.00 based on his own conduct and the reasonably foreseeable conduct of his co-conspirators.

Limited Nature of Factual Basis

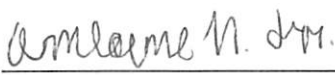
This proffer of evidence is not intended to constitute a complete statement of all facts known by **NARCISSE**, and it is not a complete statement of all facts described by **NARCISSE** to the government. Rather, it is a minimum statement of facts intended to prove the necessary factual predicate for his guilty plea. The limited purpose of this proffer is to demonstrate that there exists a sufficient legal basis for **NARCISSE'S** plea of guilty to the charged offense.



Matthew R. Payne
✓ K. Paige O'Hale
Assistant United States Attorneys
12/12/19
Date



Michael Boleware
Counsel for Antoine Narcisse
12/12/19
Date



Antoine Narcisse
Defendant
12/12/19
Date