

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

2021 AUG 27 A 11:39

CAROL L. MICHEL
CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

BILL OF INFORMATION FOR WIRE FRAUD

UNITED STATES OF AMERICA

*

CRIMINAL NO.

21-112

v.

*

SECTION:

SECT. DMAG. 3

DEMETRIA MYERS SILVIO

*

VIOLATION: 18 U.S.C. § 1343

*

* * *

The United States Attorney charges that:

COUNT 1

A. AT ALL MATERIAL TIMES HEREIN:

1. IberiaBank (“Iberia”) was a domestic financial holding company with approximately 190 bank branch offices located throughout the south.

2. Between on or about November 20, 2017 and on or about February 5, 2020, **DEMETRIA MYERS SILVIO (“SILVIO”)** held the positions of head teller, universal banker, and mortgage loan assistant at Iberia.

3. **SILVIO** worked at the following Iberia locations: the Pan Am Branch, located at 601 Poydras Street, New Orleans, Louisiana; the Mid-City Canal Street Branch, located at 4011

X Fee USA _____
Process _____
X Dktd _____
CtRmDep _____
Doc. No. _____

Canal Street, New Orleans, Louisiana; and the Ridgelake Branch, located at 2900 Ridgelake Drive, Metairie, Louisiana.

4. Iberia's deposits were insured by the Federal Deposit Insurance Corporation ("FDIC").

5. A counter check was a check that one obtained from the bank branch and used to complete a banking transaction.

6. F.G. resided in New Orleans, Louisiana and maintained account [REDACTED] with Iberia.

7. J.A. resided in New Orleans, Louisiana and maintained account [REDACTED] with Iberia.

8. O.R. resided in New Orleans, Louisiana and maintained account [REDACTED] with Iberia.

9. T.D. resided in New Orleans, Louisiana and maintained account [REDACTED] with Iberia.

10. E.T. resided in River Ridge, Louisiana and maintained account [REDACTED] with Iberia.

11. **SILVIO** maintained a joint JPMorgan Chase ("Chase") checking account [REDACTED].

12. Checks that were deposited into the Chase checking account [REDACTED] resulted in electronic wire communications from Louisiana to the Federal Reserve in New York, New York.

13. **SILVIO** maintained a Capital One checking account [REDACTED] with a debit card.

B. THE SCHEME TO DEFRAUD:

1. From on or about December 3, 2018 until on or about December 6, 2019, **SILVIO** knowingly devised and intended to devise a scheme and artifice to defraud by embezzling approximately \$63,051.82 from the Iberia accounts of customers F.G., J.A., O.R., T.D., and E.T. by means of false and fraudulent promises, pretenses, and representations.

2. It was part of the scheme and artifice to defraud that **SILVIO** fraudulently utilized approximately 66 Iberia counter checks to debit funds from the accounts of F.G., J.A., O.R., T.D., and E.T.

3. It was further a part of the scheme and artifice to defraud that **SILVIO** used her position with the bank to access information from other legitimate banking transactions to create the fraudulent counter checks.

4. It was further a part of the scheme and artifice to defraud that **SILVIO** made false representations to financial institutions when she fraudulently completed counter checks drawn on the Iberia accounts of F.G., J.A., O.R., T.D., and E.T.

5. It was further a part of the scheme and artifice to defraud that **SILVIO** forged the signatures of F.G., J.A., O.R., T.D., and E.T. on the counter checks in an effort to conceal her embezzlement scheme.

6. It was further a part of the scheme and artifice to defraud that **SILVIO** accessed or utilized legitimate checks drawn on the Iberia accounts of F.G., J.A., O.R., T.D., and E.T. in order to prepare fraudulent counter checks.

7. It was further a part of the scheme and artifice to defraud that **SILVIO** deposited 64 of the fraudulent counter checks into **SILVIO**'s Chase checking account [REDACTED].

8. It was further a part of the scheme and artifice to defraud that **SILVIO** deposited one of the fraudulent counter checks into **SILVIO**'s Capital One checking account [REDACTED].

9. It was further a part of the scheme and artifice to defraud that **SILVIO** cashed out one of the fraudulent counter checks.

10. It was further a part of the scheme and artifice to defraud that, on or about October 25, 2019, **SILVIO** unsuccessfully attempted to set up automatic monthly payments online of approximately \$1,500 to pay the debit card connected with her Capital One account [REDACTED] from F.G.'s Iberia account [REDACTED].

C. THE WIRE FRAUD:

On or about March 27, 2019, in the Eastern District of Louisiana and elsewhere, the defendant, **DEMETRIA MYERS SILVIO**, for the purpose of executing and attempting to execute the scheme and artifice to defraud as described above, did cause to be transmitted by means of a wire communication in interstate commerce, between New Orleans, Louisiana, and New York, New York, certain writings, signs, signals, and sounds; that is, the defendant, without authorization, deposited a forged counter check drawn on J.A.'s Iberia account [REDACTED] in the amount of \$1,058.00 into her Chase bank account [REDACTED] using a Chase mobile banking application.

All in violation of Title 18, United States Code, Section 1343.

NOTICE OF FORFEITURE

1. The allegations of Count 1 of this Bill of Information are incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States.

2. As a result of the offense alleged in Count 1, the defendant, **DEMETRIA MYERS SILVIO**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any property real or personal which constitutes or is derived from proceeds traceable to said offense.

3. If any of the above-described property, 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;

the United States shall seek a money judgment and, pursuant to Title 21, United States Code, Section 853(p), forfeiture of any other property of the defendant up to the value of said property.

DUANE A. EVANS
UNITED STATES ATTORNEY



MARIA M. CARBONI
Assistant United States Attorney

New Orleans, Louisiana
August 27, 2021