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AB

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

KENNETH HAMPTON
TERRELL HAMPTON
ELLIS HAMPTON
ROXANNE MASON

CRIMINAL NUMBER: 15cr 302

DATE FILED: ~~FILED~~ JUL 07 2015

VIOLETIONS:

18 U.S.C. § 371 (wire fraud conspiracy -
1 count);

18 U.S.C. §§ 1343, 1349 (wire fraud and
attempted wire fraud - 11 counts);

18 U.S.C. §§ 1028A (aggravated identity
theft - 2 counts);

18 U.S.C. § 2 (aiding and abetting)

FILED

JUL 07 2015

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

INDICTMENT

COUNT ONE

(Conspiracy to Commit Wire Fraud)

THE GRAND JURY CHARGES THAT:

The Defendants

1. At all times material to this indictment, defendant KENNETH HAMPTON has been a resident of Philadelphia, Pennsylvania and Ashland, Kentucky. At the time of any of the telephone calls referenced in this indictment, KENNETH HAMPTON was a resident of Ashland, Kentucky.

2. Defendant TERRELL HAMPTON is the son of defendant KENNETH HAMPTON. At all times material to this indictment, TERRELL HAMPTON has been a resident of Philadelphia, Pennsylvania.

3. Defendant ELLIS HAMPTON is the brother of defendant KENNETH HAMPTON and the uncle of defendant TERRELL HAMPTON. At all times material to this indictment, ELLIS HAMPTON has been a resident of Philadelphia, Pennsylvania or Darby, Pennsylvania.

4. At all times material to this indictment defendant ROXANNE MASON was the fiancée of defendant KENNETH HAMPTON. At all times material to this indictment, ROXANNE MASON has been a resident of Philadelphia, Pennsylvania.

The Philadelphia Land Recording System

5. The City of Philadelphia maintains a recording system for real estate located within Philadelphia County. Although voluntary, that system records conveyances of real estate, thereby establishing a chain of title, and allowing the owner of a piece of property to provide constructive notice to the entire world of his or her ownership of that piece of property.

6. That recording system is publicly available so that anyone can determine whether there is record that a particular owner of property has sold their parcel.

7. At the same time, the Department of Records does not determine the legitimacy of documents, such as deeds, that are offered for recording. Thus, if the deed is in proper form under the applicable rules and regulations, it must be accepted for recording even if it bears substantial indicators of fraud.

The 58th Street House

8. Philadelphia property records show that, up until and including June 13, 2007, the house located at 32 South 58th Street (the “58th Street House”) was owned by individuals identified here as CB and SB, husband and wife.

9. On or about February 20, 2009, defendant ELLIS HAMPTON recorded with the Department of Records of the City of Philadelphia a deed that purported to transfer ownership of

the 58th Street House from CB and SB to ELLIS HAMPTON. That deed purported to have been signed by both CB and SB on June 13, 2007.

10. Also filed with the June 13, 2007 deed for the 58th Street House was a Philadelphia Real Estate Transfer Tax Certification. That certification was attested to as true, correct, and complete, under penalty of law, by defendant ELLIS HAMPTON. According to that transfer certificate, although the property had a fair market value of more than \$26,000, the transfer had been made for consideration of only \$1.00 because the transferors were ELLIS HAMPTON's grandparents.

11. Neither CB nor SB were defendant ELLIS HAMPTON's grandparents. In fact, as of the date of the transfer of the 58th Street House to ELLIS HAMPTON, June 13, 2007, CB had been dead for many years.

October 20, 2010 ADL

12. On or about ~~October 28, 2014~~, defendant ELLIS HAMPTON executed a deed purporting to transfer the 58th Street House to a limited liability company identified here as LLC Number 1 for \$27,500. In that deed, ELLIS HAMPTON represented that the property transferred was the same premises that CB and SB "granted and conveyed unto ELLIS HAMPTON, in fee."

The Delancey Street House

13. Philadelphia property records show that, up until and including March 1, 2010, the house located at 5357 Delancey Street, Philadelphia, PA (the "Delancey Street House") was owned by individuals identified here as GR and ER, husband and wife.

14. On or about July 8, 2010, defendant ROXANNE MASON recorded a deed with the Department of Records of the City of Philadelphia, that purported to transfer ownership of the Delancey Street House from GR and ER to ROXANNE MASON. That deed purported to

have been signed by both GR and ER on March 1, 2010. It also purported that ROXANNE MASON was the granddaughter of GR and ER.

15. Also filed with the March 1, 2010 deed for the Delancey Street House was a Philadelphia Real Estate Transfer Tax Certification dated July 8, 2010. That certification was attested to as true, correct, and complete, under penalty of law, by defendant ROXANNE MASON. According to that transfer certificate, although the property had a fair market value of more than \$20,000, the transfer had been made for consideration of only \$1.00 because the transferors were ROXANNE MASON's grandparents.

16. Neither GR nor ER were defendant ROXANNE MASON's grandparents. In fact, as of the date of the transfer of the Delancey Street House to ROXANNE MASON, March 1, 2010, both GR and ER had been dead for many years.

17. Despite the fact that title to the Delancey Street House purported to have been transferred to ROXANNE MASON, on or about January 4, 2011, defendant TERRELL HAMPTON represented that the deed to the Delancey Street House was solely in TERRELL HAMPTON's name, and offered to sell the Delancey Street House to a third party for \$30,000.

18. On or about October 28, 2014, defendant ROXANNE MASON executed a deed purporting to transfer the Delancey Street House to GE for \$10,000. In that deed, ROXANNE MASON represented that the property transferred was the same premises that GR and ER "conveyed unto ROXANNE MASON, in fee."

THE CONSPIRACY

19. From in or around February 20, 2009 to in or around October 28, 2014, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**KENNETH HAMPTON,
TERRELL HAMPTON,
ELLIS HAMPTON and
ROXANNE MASON**

conspired and agreed together and with others known and unknown to the grand jury, to commit an offense against the United States, that is, to knowingly devise a scheme to defraud the City of Philadelphia and the Commonwealth of Pennsylvania, the true title owners of the 58th Street House and the Delancey Street House, and LLC Number 1 and GE, and to obtain money and property from them, by means of false and fraudulent pretenses, representations and promises, and to use wire communications in interstate commerce to further the scheme to defraud, in violation of Title 18, United States Code, Section 1343.

MANNER AND MEANS

It was part of the conspiracy that:

20. Defendants KENNETH HAMPTON, TERRELL HAMPTON, ELLIS HAMPTON and ROXANNE MASON agreed that they would obtain, occupy, and purport to sell the 58th Street House and the Delancey Street House by filing false, fraudulent, and forged deeds with the Department of Records of the City of Philadelphia.

21. Defendants KENNETH HAMPTON, TERRELL HAMPTON, ELLIS HAMPTON and ROXANNE MASON prepared false, fraudulent, and forged deeds for the 58th Street House and the Delancey Street House, under which real persons who appeared in the chain of title for those properties would purport to convey title to the 58th Street House and the Delancey Street House to one of the members of the conspiracy. One or more of the persons

who purported to sign the deed transferring title to the 58th Street House and the Delancey Street House were, in fact, dead at the time of the purported transfer.

22. Defendants KENNETH HAMPTON, TERRELL HAMPTON, ELLIS HAMPTON and ROXANNE MASON prepared false and fraudulent Philadelphia Real Estate Transfer Tax Certification forms purporting to document the transfer of the 58th Street House and the Delancey Street House to members of the conspiracy. The Philadelphia Real Estate Transfer Tax Certifications falsely and fraudulently claimed entitlement to exemption from the Philadelphia Real Estate Transfer Tax on the ground of alleged familial transfer.

23. Defendants KENNETH HAMPTON, TERRELL HAMPTON, ELLIS HAMPTON and ROXANNE MASON filed the false, fraudulent, and forged deeds for the 58th Street House and the Delancey Street House with the Department of Records of the City of Philadelphia.

24. Defendants KENNETH HAMPTON, TERRELL HAMPTON, ELLIS HAMPTON and ROXANNE MASON filed the false and fraudulent Philadelphia Real Estate Transfer Tax Certification forms for the 58th Street House and the Delancey Street House with the Department of Records of the City of Philadelphia, thereby depriving the City of Philadelphia of taxes to which it was otherwise entitled.

25. Defendants KENNETH HAMPTON, TERRELL HAMPTON, ELLIS HAMPTON and ROXANNE MASON moved ROXANNE MASON into the 58th Street House under a claim of right, thereby depriving the true owner of that property of the right to rent and occupancy of that property.

26. Defendants KENNETH HAMPTON, TERRELL HAMPTON, ELLIS HAMPTON and ROXANNE MASON moved ROXANNE MASON out of the 58th Street House

and into the Delancey Street House under a claim of right, thereby depriving the true owner of that property of the right to rent and occupancy of that property, and allowing the conspirators to sell the 58th Street House.

27. Defendants KENNETH HAMPTON, TERRELL HAMPTON, ELLIS HAMPTON and ROXANNE MASON sold and attempt to sell the 58th Street House and the Delancey Street House, thereby defrauding the persons who believed that they were purchasing good title to those properties.

28. By virtue of their scheme, the conspirators caused losses to their victims, that is the City of Philadelphia and the Commonwealth of Pennsylvania, the true title owners of the 58th Street House and the Delancey Street House, and LLC Number 1 and GE, amounting to about \$85,000.

OVERT ACTS

In furtherance of the conspiracy, defendants KENNETH HAMPTON, TERRELL HAMPTON, ELLIS HAMPTON and ROXANNE MASON, and others known and unknown to the grand jury, committed the following overt acts, in the Eastern District of Pennsylvania and elsewhere:

1. On or about February 20, 2009, defendant ELLIS HAMPTON filed with the Department of Records of the City of Philadelphia a deed to 32 South 58th Street, Philadelphia, PA. That deed purported to transfer title to that property from CB and SB to ELLIS HAMPTON.

2. On or about February 20, 2009, defendant ELLIS HAMPTON filed with the Department of Records of the City of Philadelphia a Philadelphia Real Estate Transfer Tax

Certification form pertaining to 32 South 58th Street, Philadelphia, PA. That form claimed a tax exemption on the grounds that CB and SB were the grandparents of ELLIS HAMPTON.

3. On or about October 20, 2010, defendant ELLIS HAMPTON executed a deed that purported to transfer title to 32 South 58th Street, Philadelphia, PA from ELLIS HAMPTON to LLC Number 1.

4. On or about July 8, 2010, defendant ROXANNE MASON recorded with the Department of Records of the City of Philadelphia a deed that purported to transfer ownership of the Delancey Street House from GR and ER to ROXANNE MASON.

5. On or about July 8, 2010, defendant ROXANNE MASON recorded with the Department of Records of the City of Philadelphia a Philadelphia Real Estate Transfer Tax Certification. That form claimed a tax exemption on the grounds that GR and ER were the grandparents of ROXANNE MASON.

6. On or about January 4, 2011, defendant TERRELL HAMPTON offered to sell the Delancey Street House to a third party for \$30,000.

7. On or about October 28, 2014, defendant ROXANNE MASON executed a deed purporting to transfer the Delancey Street house to GE for \$10,000.

8. On or about July 10, 2010, at 5:28 p.m., defendant KENNETH HAMPTON participated in a telephone call with defendant ROXANNE MASON.

9. On or about August 10, 2010, at 5:06 p.m., defendant KENNETH HAMPTON participated in a telephone call with defendant ROXANNE MASON.

10. On or about August 20, 2010, at 8:58 p.m., defendant KENNETH HAMPTON participated in a telephone call with defendants ROXANNE MASON and ELLIS HAMPTON.

11. On or about September 16, 2010, at 4:48 p.m., defendant KENNETH HAMPTON participated in a telephone call with defendant TERRELL HAMPTON.

12. On or about September 19, 2010, at 2:31 p.m., defendant KENNETH HAMPTON participated in a telephone call with defendant TERRELL HAMPTON.

13. On or about September 30, 2010, at 8:58 p.m., defendant KENNETH HAMPTON participated in a telephone call with defendants ROXANNE MASON and ELLIS HAMPTON.

All in violation of Title 18, United States Code, Section 371.

COUNTS TWO THROUGH TWELVE

(wire fraud with regard to the Delancey Street House)

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 7 and 13 through 18 of Count One are incorporated here.

THE SCHEME TO DEFRAUD

2. From in or around March 1, 2010, to in or around October 28, 2014, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**KENNETH HAMPTON,
TERRELL HAMPTON,
ELLIS HAMPTON and
ROXANNE MASON**

devised and intended to devise a scheme to defraud the City of Philadelphia, the true owners of the Delancey Street House, and the individual identified here as GE.

MANNER AND MEANS

It was part of the scheme that:

3. Paragraphs 20 through 24 and 26 through 27 of Count One are incorporated here.

THE WIRINGS

4. On or about each of the dates set forth below, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere,

**KENNETH HAMPTON,
TERRELL HAMPTON,
ELLIS HAMPTON and
ROXANNE MASON,**

for the purpose of executing the scheme described above, and attempting to do so, and aiding and abetting its execution, caused to be transmitted by means of wire communication in interstate commerce the signals and sounds described below, each transmission constituting a separate count:

COUNT	DATE/START TIME	DESCRIPTION
2.	July 8, 2010/ 12:39 a.m.	Telephone call from defendant KENNETH HAMPTON in federal prison in Ashland, Kentucky to defendant ROXANNE MASON in Philadelphia, Pennsylvania.
3.	July 10, 2010/ 5:28 p.m.	Telephone call from defendant KENNETH HAMPTON in federal prison in Ashland, Kentucky to defendant ROXANNE MASON in Philadelphia, Pennsylvania.
4.	August 10, 2010/ 5:06 p.m.	Telephone call from defendant KENNETH HAMPTON in federal prison in Ashland, Kentucky to defendant ROXANNE MASON in Philadelphia, Pennsylvania.
5.	August 20, 2010/ 8:58 p.m.	Telephone call from defendant KENNETH HAMPTON in federal prison in Ashland, Kentucky to defendant ROXANNE MASON and defendant ELLIS HAMPTON in Philadelphia, Pennsylvania.
6.	September 15, 2010/ 7:32 p.m.	Telephone call from defendant KENNETH HAMPTON in federal prison in Ashland, Kentucky to defendant ROXANNE MASON in Philadelphia, Pennsylvania.
7.	September 16, 2010/ 4:48 p.m.	Telephone call from defendant KENNETH HAMPTON in federal prison in Ashland, Kentucky to defendant TERRELL HAMPTON in Philadelphia, Pennsylvania.
8.	September 19, 2010/ 2:31 p.m.	Telephone call from defendant KENNETH HAMPTON in federal prison in Ashland, Kentucky to defendant TERRELL HAMPTON in Philadelphia, Pennsylvania.
9.	September 23, 2010/ 7:24 p.m.	Telephone call from defendant KENNETH HAMPTON in federal prison in Ashland, Kentucky to defendant ROXANNE MASON in Philadelphia, Pennsylvania.

COUNT	DATE/START TIME	DESCRIPTION
10.	September 25, 2010/ 1:55 p.m.	Telephone call from defendant KENNETH HAMPTON in federal prison in Ashland, Kentucky to defendant ROXANNE MASON in Philadelphia, Pennsylvania.
11.	September 30, 2010/ 7:17 p.m.	Telephone call from defendant KENNETH HAMPTON in federal prison in Ashland, Kentucky to defendant ROXANNE MASON in Philadelphia, Pennsylvania.
12.	October 2, 2010/ 12:04 p.m.	Telephone call from defendant KENNETH HAMPTON in federal prison in Ashland, Kentucky to defendant ROXANNE MASON in Philadelphia, Pennsylvania.

All in violation of Title 18, United States Code, Sections 1343 and 1349 and 2.

COUNT THIRTEEN
(aggravated identity theft)

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 7 and 13 through 18 of Count One are incorporated here.
2. On or about July 8, 2010, at Philadelphia, in the Eastern District of Pennsylvania, defendants

**KENNETH HAMPTON,
TERRELL HAMPTON,
ELLIS HAMPTON and
ROXANNE MASON**

knowingly transferred, possessed, and used, and aided and abetted the transfer, possession, and use of, without lawful authority, a means of identification of another person, that is, the name of GR during and in relation to the wire fraud as charged in Counts Two through Twelve.

In violation of Title 18, United States Code, Section 1028A(a)(1) and (c)(5) and 2.

COUNT FOURTEEN
(aggravated identity theft)

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 7 and 13 through 18 of Count One are incorporated here.
2. On or about July 8, 2010, at Philadelphia, in the Eastern District of Pennsylvania, defendants

**KENNETH HAMPTON,
TERRELL HAMPTON,
ELLIS HAMPTON and
ROXANNE MASON**

knowingly transferred, possessed, and used, and aided and abetted the transfer, possession, and use of, without lawful authority, a means of identification of another person, that is, the name of ER during and in relation to the wire fraud as charged in Counts Two through Twelve..

In violation of Title 18, United States Code, Section 1028A(a)(1) and (c)(5).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 1343, as set forth in Counts Two through Twelve

**KENNETH HAMPTON,
TERRELL HAMPTON,
ELLIS HAMPTON and
ROXANNE MASON**

shall forfeit to the United States of America all property, real or personal, involved in the commission of the offenses and all property traceable to such property, including, but not limited to the sum of \$ 37,500.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

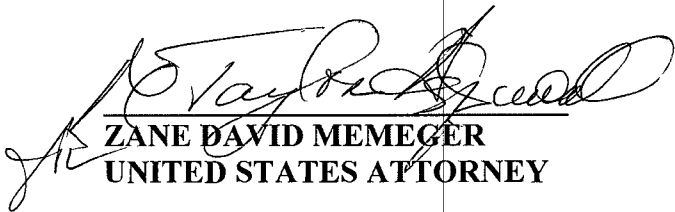
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred to or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty,

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p) to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States code, Section 981(a)(1)(C).

A TRUE BILL:

GRAND JURY FOREPERSON



ZANE DAVID MEMEGER
UNITED STATES ATTORNEY

No. _____

UNITED STATES DISTRICT COURT

Eastern District of Pennsylvania

Criminal Division

THE UNITED STATES OF AMERICA

v.

**KENNETH HAMPTON, TERRELL HAMPTON
ELLIS HAMPTON, ROXANNE MASON**

INDICTMENT

Counts

18 U.S.C. § 371 (wire fraud conspiracy – 1 count); 18 U.S.C. §§ 1343, 1349 (wire fraud and attempted wire fraud – 11 counts); 18 U.S.C. § 1028A (aggravated identity theft – 2 counts); 18 U.S.C. § 2 (aiding and abetting); Notice of forfeiture

A true bill.

Adam Parsman

Foreman

Filed in open court this _____ day,
Of _____ A.D. 20 _____

Clerk

Bail, \$ _____

SD

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

INDICTMENT

DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar. 15a 302Address of Plaintiff: 615 Chestnut Street, Suite 1250, Philadelphia, PA 19106-4476Post Office: PhiladelphiaCounty: PhiladelphiaCity and State of Defendant: see reverseCounty: see reverseRegister number: see reversePlace of accident, incident, or transaction: Eastern District of PennsylvaniaPost Office: PhiladelphiaCounty: Philadelphia

RELATED CASE, IF ANY:

Criminal cases are deemed related when the answer to the following question is "yes".

Does this case involve a defendant or defendants alleged to have participated in the same action or transaction, or in the same series of acts or transactions, constituting an offense or offenses?

YES/NO: Yes

Case Number: Cr. No. 11-325

Judge: Dalzell

CRIMINAL: (Criminal Category - FOR USE BY U.S. ATTORNEY ONLY)

1. ☐ Antitrust
2. ☐ Income Tax and other Tax Prosecutions
3. ☐ Commercial Mail Fraud
4. ☐ Controlled Substances
5. ☐ Violations of 18 U.S.C. Chapters 95 and 96 (Sections 1951-55 and 1961-68) and Mail Fraud other than commercial
6. ☒ General Criminal

(U.S. ATTORNEY WILL PLEASE DESIGNATE PARTICULAR CRIME AND STATUTE CHARGED TO BE VIOLATED AND STATE ANY PREVIOUS CRIMINAL NUMBER FOR SPEEDY TRIAL ACT TRACKING PURPOSES)

18 U.S.C. § 371 (wire fraud conspiracy – 1 count); 18 U.S.C. §§ 1343, 1349 (wire fraud and attempted wire fraud – 11 counts); 18 U.S.C. § 1028A (aggravated identity theft – 2 counts); 18 U.S.C. § 2 (aiding and abetting); Notice of forfeiture

DATE: 7-7-15
Paul G. Shapiro

Assistant United States Attorney

File No. 2010R01106

U.S. v. Kenneth Hampton, et al.

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